

Rosenberg Corey

From: stevenmcintire@comcast.net
Sent: Thursday, May 04, 2017 2:41 PM
To: SHS Exhibits
Subject: HB 2004-A

Dear Committee-Members:

After a complete read of HB 2004A, I write to urge a change of direction. I firmly believe this bill will exacerbate the very issue it seeks to eliminate. I am quite confident that we will see a decrease in housing units as landlords seek to sell to avoid the many hazards associated with this legislation. Technical notice requirements and strict liability will scare many to action. I see the proposed rules as trying to “fix” an issue that largely does not exist. I am sure there are a few groups that will cite a few powerful and abusive examples, but I am confident those examples of exceptions and not truly reflective of what happens each day.

As I see it, this legislation appears to place under housing and unhousing issues on to landlords when it’s a community issue. It is really unfair to place a community issue on a minority group of folks.

I’ve owned a few rentals for several years. I prefer to keep long-term tenants and I don’t use notices to quit as a way to increase rents. I’ve never abused the rental process.

I believe, however, that I should have a right to not renew a lease wherein the tenant is unwilling to keep appropriate care of my property. I work hard to maintain my properties in great condition and I think it’s reasonable of me to expect my tenants to appropriately care for my property. I do not think I should have to wait for the tenant to do something overly egregious before I give notice. I have used “no-cause” notices to properly address neighbor complaints. My rentals properties are within mature neighborhoods with long-time residents that know they can call me to address issues they otherwise fear addressing themselves. An example is in order: I had rented to what I thought were mature college students whose parents I knew. After receiving a number of complaints from the neighbors about late night parties and other disrupting activities (not rising to for cause eviction and creating provability issues) and speaking with the tenants (who told me it wasn’t them) I gave a notice to quit. In this way, I was responsive to my neighbors and I was able to remedy the issue in a relatively low-impactful manner, meaning, I did not have to go through an eviction proceeding which would actually make it difficult on the tenants to secure new housing. This experience for those tenants was a learning lesson that caused little harm than an inconvenience. I’ve never had a tenant tell me the non-cause notice was problematic. I can see where if I am required to only evict with cause, some tenants retaliating against the neighbors that “ratted” them out. I hope people do not think retaliation doesn’t occur. I’ve seen it.

I also do not think it’s fair to require me to pay a relocation fee. Tenants already get 1 to 2 months’ notice to find another home and can time the leaving such that they are not out anything they would otherwise be out if they chose to leave. It seems fundamentally one-sided an unfair the tenant can give notice whenever he wants without consequences but not to deny the same right to the landlord.

I also think it’s reasonable for me to require the tenant to execute a lease and to remove the vulnerability of month to month. As it stands now, I give 60 days’ notice in advance of the expiration date asking my tenants if they would like to renew. If I do not hear from them timely, I will issue a notice of non-renewal and they will have a chance to enter into a new rental agreement or they can move on to another property that will be a better fit for them.

We live in a country where we have the constitutional right to enter contracts. How far should a legislative body interfere with that right? If you answer ‘quit a lot’, then I hope the next thought is “well, so long as it’s fair”. This legislation is far from fair. A review of the current act clearly sways in favor of the tenant and tenants have significant rights including damages and attorney’s fees. To move this even further in the tenants favor will have me seriously considering liquidating my portfolio and moving on to commercial property. Let’s find the

courage to address the unhoused and mental health issues by supporting programs like ShelterCare. Forcing landlords to address this community issue is not right and so too is revising the Act to make it further lopsided in favor of tenants. Any changes to the Act should find a right balance and be fair to all parties. This current draft is unbelievably one-sided and fails to consider consequences of such actions.

Respectfully,

Steven L. McIntire