

Submitter: Sue Susan

On Behalf Of:

Committee: Senate Committee On Housing and Development

Measure: SB799

Comments re Senate Bill 799, to be heard on Monday. There should be requirements for an agency to "accept" an application which would halt an eviction. 1. The applicant shall have submitted all documents and met any other requirements to become eligible to receive assistance. 2. The Agency shall attest that they have the funds available to fund the application and upon acceptance of the application the funds will be set aside for the tenant, ensuring that when an eviction is set aside there will be funds available. 3. If an eviction is halted the agency must pay past due rent directly to the landlord or the landlord's representative.

There are no funds currently available so the effect of this bill as written is to force landlords to provide free rent, a government taking. The law must stop agencies from accepting applications when they don't have the funds to cover what the renter owes. Those funds should be controlled so that an agency cannot over allocate them. Applications must be complete with all supporting requirements having been met before they are accepted, if not a tenant may delay or stop the landlord from ever being paid by their failure to comply.

It would be reasonable for a tenant to be granted a stay of the eviction for a set time, say five working days, in order to provide the approved application or documentation from the agency as to where in the process they are. It is not reasonable for the tenant to halt the eviction because they contacted the agency and then failed to provide necessary information in a timely manner.

The Agency should be required to notify the court that the tenant is qualified and the funds are available. If the agency does not pay the tenant's rent, through no fault of the landlord, the State shall pay the rent on behalf of the tenant as they are responsible for the tenant being allowed to remain in the rental without rent having been paid.