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Comment:

I am writing in support of the changes to MCR 4.201, the eviction case court rule, that the Supreme Court has proposed. Having worked for nearly 15 years in the general area of housing advocacy, I have seen the impact of evictions on individuals and families. I have worked directly with families going through the eviction process and see the imbalance of power in favor of landlords. The impact on families can be devastating. When evictions occur that had the potential to be averted, that impact is even more tragic.

Having the time to get information to tenants can be incredibly impactful in efforts to help people remain housed and to collaboratively resolve an issue that may be identified in an eviction filing. While the Court's proposed changes would not significantly alter the legal eviction process, they would inform tenants of available housing resources and give them slightly more time to access their right to legal counsel and/or search for new housing. This could help tenants avoid possession judgments and bailiff evictions that cause harm to their families and communities, including [e.g., homelessness, trauma, job loss, overcrowding, destruction of personal property, a scarlet "E" on their record that perpetuates housing instability]. In nonpayment of rent cases, the rule changes would help tenants and landlords by building a little more time into the process to access rental assistance. For these reasons, I support the MCR 4.201(B)(3)(c). I understand that eviction filing rates in Michigan are already very high, especially in cities with large Black and low-income populations like Detroit – and this will be increasing with the close-out of the CERA program. The occurrence of default judgments is high, and the proportion of tenants being represented by an attorney is very low. The proposed court rule amendments can help maintain positive changes to the eviction process and better ensure basic tenant protections. Even with the proposed changes, evictions will still proceed much faster than other court cases, and still far too fast for many tenants to know their rights or access relief. Within its authority, the Court is giving some basic consideration to the fact that Michigan and the entire country are in a rental housing crisis. Evictions cause tremendous harm not only to the evicted families, but also the communities they live in. The proposed court rule changes may help reduce some of this harm. Please approve the proposed changes and take all actions within your power to protect the rights and lives of tenants.

Thank you for your consideration of these comments.