

**From:** [Rayunza Hood](#)  
**To:** [ADMcomment](#)  
**Subject:** Comments on proposed amendments to Michigan Court Rule 4.201 – ADM File No. 2020-08  
**Date:** Monday, October 31, 2022 12:17:56 PM

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Greetings,

On behalf of my company, JDT Property Management, which is a very small business with only 4 rental properties, I writing to express my opposition to the changes being proposed for dealing with Landlord Tenant issues. The current rules have already impacted me in an extremely negative way.

Consider the fact that I had a tenant who I will refer to as "Jimmie Wayne Cork". Mr. "Jimmie Wayne Cork" and his family lived at one of my properties for over 4 months without paying ANY rent. It was not that he didn't have the income, but it is because this tenant simply just chose not to pay. Mr. "Jimmie Wayne Cork's" income was reported as \$5600 per month and it had not been impacted by Covid. The monthly rent for this property in question was \$1200 monthly. Nevertheless, ALL of my expenses as a landlord continued even though I was not receiving any income from this property. To add insult to injury, I can't even obtain a money judgment because of the new law stating that the tenant has to be personally served as it goes without saying that Mr. "Jimmie Wayne Cork" has repeatedly taken steps to evade being personally served. Consequently, I am now owed more than \$5000 in rent and fees.

If these proposed changes become permanent law, they will definitely put me and other small landlord's out of this business. Michigan landlords should not be punished for attempting to offer housing with rules that allow tenants to avoid their responsibilities of paying rent and paying on time.

## **THESE CHANGES SHOULD NOT BE MADE PERMANENT**

Please accept these comments **in opposition** to the proposed amendments to Michigan Court Rule 4.201 – ADM File No. 2020-08. **Procedures utilized to address a once-in-a-hundred-years pandemic should not be made permanent.** COVID-19 was a unique situation and required extraordinary measures. To make permanent the rules of justice designed to assist a public health crisis is neither appropriate nor does it further fair and efficient administration of justice.

Rule 4.201 (B)(3)(c): A required affirmation of compliance with local and state health and safety laws in this rule **conflicts with MCL 125.530**.

Rule 4.201 (G)(4): Non-Payment of Rent cases rarely go to a jury trial, so the proposed allowance for a defendant to wait until two days prior to the trial date to demand a jury trial will only provide for unnecessary delaying tactics and place a significant administrative burden on district courts.

Rule 4.201 (G)(5)(a) and (b): The proposal to require personal service of process before a default judgement can be entered will further delay the court process. When you consider a defendant has already been provided with a written notice from the property owner, and the

court has mailed the defendant a notice to appear, **this proposal is completely unnecessary and does not advance the goal of ensuring the parties proper review of their claims.**

Rule 4.201 (G)(5)(d): The proposed rule change to require adjournment of the trial for at least 7 days infringes upon state law – specifically MCL 600.5735(2) – which requires landlord-tenant cases be set for trial no more than 10 days after summons.

Sincerely

Rayunza Hood