Name: Kristin Lortie

Date: 11/01/2022

ADM File Number: 2020-08

Comment:
I have reviewed prior comments, and support the comments of Mr. Wesley Haynes, fellow commenter and no relation, and which I will post below my own comments.

Kristin Lortie comments:
I am a small rural landlord that cannot absorb an extensive burden of requiring the landlords to stay the tenants based on the various rules outlined in the current proposed measures. Implementation and continuation of Covid-measures and other burdensome requirements (outlined below) discourages me from continuing in this business, and will encourage all landlords to be ever more restrictive in our screening requirements, and/or to sell our properties, in order to avoid a court system that is clearly out to disadvantage us due to no fault of ours.

Landlords do not enter a leasing arrangement with an understanding that we may be providing ongoing rent due to multiple reasons for stays of tenancy inflicted by the court system. If we are not able to earn consistent and predictable income from our business then we may fall into need ourselves if we cannot fulfill our financial obligations.

If the Michigan court system will not treat us fairly during events requiring eviction, then landlords are discouraged from providing a needed service to Michigan residents. This will further reduce available housing for the rental market, and/or consolidate it into the hands of fewer landlords willing to persist should an eviction event arise. Does this assist those in need?

Please accept the following comments in opposition to the proposed amendments to Michigan Court as previously submitted by Mr. Haynes and supported by me:

Rule 4.201 – ADM File No. 2020-08. Procedures utilized to address a once-in-a-hundredyears 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.

Rule 4.201: The current proposal treats termination of tenancy cases the same as non-payment of rent cases. This change would further delay court proceedings and add an administrative burden to already overburdened court administrative staff. Michigan Law separates these two types of cases for good reason and court rules should not attempt to change that.

Rule 4.201 (I)(3): The addition of a 30-day stay of proceedings related to rental assistance application is simply unconstitutional. State law provides for recovery of possession due to non-payment, and this requirement