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Date: 11/02/2022

ADM File Number: 2020-08

Comment:

I appreciate the changes to MCR 4.201, the eviction case court rule, that the Supreme Court has proposed. While they wouldn't significantly change the eviction case process, they would help tenants by giving them a little more time to avoid a possession judgment and possible eviction. In nonpayment of rent cases, they would help tenants and landlords by building into the process a little more time for landlords to get the rent they are lawfully due.

Contrary to what the landlord industry may say, the proposed changes don't give tenants any "free rent" and will only slightly lengthen a court process that will still go very quickly and much faster than other court cases. And the changes would much more benefit tenants who are unaware of their rights in the eviction process, rather than just tenants who know how to "game" the system, as many landlord comments assert.

These changes are well within the authority of the court to supervise the eviction court case process. They don't go as far as we think Michigan law must to make the eviction case process fair for tenants.

Within its authority, the Court is properly giving some consideration to the harsh reality of the rental housing market (including steadily rising rents and a huge scarcity of decent or affordable rental housing, especially for lower income families). As recent research has shown (see, for example, the U of M Poverty Solutions Eviction Report), the eviction case filing and actual eviction rates in Michigan are very high, especially compared to other jurisdictions. The occurrence of default judgments is high, and tenants being represented by an attorney low.

We think that the Court's Administrative Order 2020-17 has helped to improve those rates, and the proposed court rule changes will help sustain that progress.

Eviction cases and more so, actual evictions cause tremendous harm at several levels not only to the evicted families, but also the communities they live in. The proposed court rule change may help to avert or at least diminish some of that harm.

Thank you again for proposing these changes. Please approve them.

Sincerely,

Micayla Brugellis