

Name: Ron Deboer

Date: 10/27/2022

ADM File Number: 2020-08

Comment:

I currently have rental property and plead with you not to pass laws that would extend the amount of time a non paying tenant can steal from a landlord.

Food and shelter are two important items to survive. I would say food is more important than shelter. Do restaurants or grocery stores have to feed or give food someone or their family for 30 days or more without them paying? I have not heard of this. Seems pretty ridiculous right?

Yet you are considering extending that amount of time for landlords to 60 or 120 days or more as was the case during covid to get our property back.

At least the restaurant or grocery store would only lose the food that was taken from them. We have much more at stake.

How nice do you think our property is when we get it back from a tenant we had to evict? Let me tell you.

They usually take whatever valuables they have then leave the rest for us to dispose of along with repairing the holes in the walls, repainting, replacing stained carpets, broken windows and doors, replacing filthy appliances, exterminating for bed bugs or cockroaches etc. Thousands more dollars in additional costs for us.

During this time when the repairs are being done which can be weeks or months we can not collect rent. Much more loss of income.

I am very compassionate to people that have a financial struggle as most landlords in the industry are. If they are even making partial payments and trying to get caught up I work with them and leave the courts out of it but once they stop trying we can not delay this process for months at a time.

In summary, we can't afford to give them more time to destroy our home. Every day matters to our bottom line.

If these rules are implemented rents will have to be raised again to cover the cost.

Instead, what you should be considering is ways to make it easier for landlords to collect on judgments. They owe the money, that's been proven in court. Why do you make it so hard for us to collect it?

I oppose these orders because it will cause many tenants to be more irresponsible with their money with the effect of housing cost increasing for the responsible people who pay their agreed to rent and are also in need of good housing.

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 judgment 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 nonpayment 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.

Thank you for your consideration Ron Deboer