

Name: Melissa Seitz

Date: 10/31/2022

ADM File Number: 2020-08

Comment:

Imposing a Thirty-Day stay for any tenant assistance application.

Every NTQ in Michigan includes a section on the Tenant copy – How To Get Help. This suggests contacting your own lawyer, a State Bar of Michigan Lawyer Referral Service with a telephone number or a website to legal aid [www.michiganlegalhelp.org](http://www.michiganlegalhelp.org) i.e. Approved SCAO Form DC100a, Rev. 5/22 in accordance with MCL 600.557(1)(a), MCL 600-5716, MCL 600-5718 and MCL 600-5775(2)(f)

Throughout the last few years, the MI Court administrator directed a minimum 7 Day adjournment for Tenant to seek assistance (typically Covid Emergency Relief Act (CERA) funds). In actual practice this adjournment was typically 14 days for the first adjournment. While not the intent, the practice of the agencies administering these funds was to pick up the file and begin work the day before the next hearing. This practice caused additional delays as the only verification possible at the time of the second hearing was that the application was submitted.

The result was increased delinquent balances for the resident with increased lost income and legal costs for the LL. The inability to collect due to the court and agency practices placed the operation of many communities (LL) at risk. While eventually CERA covered roughly 80% of the balance due from the Tenant, those funds have ended.

Funds now must come from service agencies such as Salvation Army, Veterans affairs etc. where Tenants are eligible, and funds are limited. In the meantime, the LL must continue to maintain and operate the property with expenses such as mortgage, taxes, utilities, payroll in addition to repairs & maintenance expenses.

Communities that have federal assistance or federally insured mortgages are required to provide NOT a 7 Day NTQ for non-payment in Michigan, but they MUST provide a 30-Day NTQ for non-payment. The financial effect of a 30 Day stay in addition to a 30 Day NTQ would be financially devastating for both parties. By the time the case is actually heard with the ability to move forward the resident would owe a minimum of 71 days of delinquent rent.

An additional 30 day stay would have devastating effects on both the Tenant and Landlord. Information has been provided with the initial NTQ to direct struggling Tenants to get assistance. Waiting for a member of the court to further direct a tenant to find assistance is redundant.