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ADM File Number: 2020-08

Comment:

I respectfully DISAGREE with adopting ADM File No. 2020-08 as written, as a majority of the TEMPORARY changes were created as a hasty REACTION to a temporary health crisis. At a concurrent time in history that the temporary changes were made, places of work, restaurants, stores, entertainment venues, churches, and most other public gathering locations were closed to the public. Residents of Michigan were demanded to "STAY HOME" unless working in an 'essential' industry or service. Federal and State governments were doling out free money (unemployment) to people that were not allowed to work – even people that would traditionally not be eligible – and promising payments to rental property owners that were not allowed (temporarily) to evict tenants for non-payment of rent. The eviction court process was confusing, as each district seemed to abandon the traditional process for one of their own making – and re-making. One might say that society was in disarray and reactionary due to a pandemic not seen before in US history, or in fact, around the world.

While the COVID-19 pandemic seems to have been minimized to the level of a common-place virus, the unfortunate temporary court reactions have persisted in Michigan's court system. Countless delays that cause additional rent to accrue and legal fees to grow persist. It's time that the Courts return to 'normal' Summary Proceedings.

How are property owners supposed to 'certify' that our properties comply with 'local health and safety laws', in the eyes of the court? The requirement seems confusing. What happens when tenants create filth and damage at a residence that was in pristine condition when their tenancy commenced? The property owner should not be responsible for the tenant(s) actions and infractions; and satisfying the requirement should not delay an eviction.

Extending the time for a tenant to demand a jury trial effectively allows an unnecessary, simple tactic to delay an eviction case – to the DETRIMENT of the property owner. Summary Proceedings were created many years ago, presumably with due consideration for all involved. This proposed change in no way allows the court process to be faster or more efficient.

A requirement to have personal service on a defending tenant in order to have a case dismissal on the first court hearing (if the tenant does not appear) also does nothing to accelerate the process or make it more efficient. This requirement would also create a permanent delay tactic tenants could use – to the DETRIMENT of the property owner.

Allowing tenants to delay an eviction proceeding because they want "to look for help from an agency" is yet another unnecessary delay created by the temporary Covid reactions. At the beginning of the pandemic, there were stimulus checks and payment promises from Federal and State government to keep the economy going – easy handouts. Now that the COVID-19 pandemic is over, the 'easy' money has dried up. It is unrealistic for a property owner to wait up to a 30-day stay. It benefits no one to add another month of rent, and possible damage to the home, to the eviction timeline.

The aforementioned temporary delays must be REMOVED from Summary Proceedings – not allowed to continue permanently. Since the Courts adopted the pandemic delays, I have noticed tenants continue to this day to rely on 'free' covid help. Many have stopped paying, while simply waiting for the next round of hand-outs. Account balances for these tenants, and resulting legal fees for eviction, have increased due to the temporary court changes. The public have dropped our masks. We are back to work. We are back to social activities. It's time we are weaned off other pandemic effects that are not warranted now.

Thank you,
Aaron Dionne
Dionne Property Management