

Name: Craig Menuck

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ADM File Number: 2020-08

Comment:

My name is Craig Menuck and I am a first-time owner of property for rent.

My brother and I converted an old, functionally obsolete building into 22 apartments. We did this to meet the demand of the next generation of "residents" who either do not want to own a home or choose not to rent a home. This is a new business enterprise for us.

What we did not anticipate is that the State government would be our "partner", or interfere with our business by unilaterally implementing new rules that were intended for emergency use only. I'm referring to the proposed amendment in Administrative Order No. 2020-17 and MCR 4.201.

Like any other small business we are sensitive and fragile to the difficulties a new business experiences. If the rules in the Administrative Order are implemented then our ability to pay our own bills will be severely undermined by only a single tenant who takes advantage of the new rules. Further, in the event a tenant - let alone multiple tenants - takes advantage of the rules as proposed in the Order, our ability to perform the necessary services for the performing tenants will be impaired. This is not fair.

Abuse of the Order not only affects the paying tenants, but it also affects our families as well. We are a private enterprise providing an asset and a service to the public for rent. We have decided to run a business and now the rules have changed in a lopsided manner. If we are unable to maintain even a reasonable level of occupancy, then we, too, will be confronted with the same financial burden the people the Order means to protect! We are not immune from this possibility. The Order presumes that all landlords can - and should - afford to absorb more financial risk and that is unreasonable. If we do not collect the rent required to cover our business bills, then we will also not be able to pay our own personal bills. Owning and managing this property is our business. It is our job. It is our day-to-day source of personal income. What recourse will I have? The Order does not protect me.

The Order as proposed encourages a bad tenant to take advantage of the extended limits outlined within it. Easily! This only exacerbates the problem for both the tenant and the landlord. If a tenant is 1, 2, or even 3 months behind then the two parties can find an arrangement on working out this limited financial obligation. To constantly lengthen the time period to resolve unpaid rent only encourages a much greater financial obligation for the tenant, while creating a greater financial loss for the landlord (and his family!) as well.

There are indeed multiple alternatives for any non-paying tenant, or any that can no longer afford our rent and wants to move out. The Administrative Order only invites "bad players" to take advantage of the system. To deny that such people exist is to deny reality.

I strongly encourage you to flatly reject the Administrative Order 2020-17 and MCR 4.201 on its face. Right or wrong when it was implemented, it served its purpose during the COVID-19 pandemic but its purpose has expired. The marketplace, public legislation, and fairer rules should dictate how landlord/tenant issues should be resolved.

Thank you for your consideration.