

Name: Amanda Holbrook

Date: 10/31/2022

ADM File Number: 2020-08

Comment:

Hello,

Dear Ms. Roth:

I represent a property management company in Grand Rapids that manages over 600 units, and I have been a landlord myself for 10 years. I understand that during the COVID-19 pandemic, it was necessary and beneficial for the Courts to modify the process in order to deal with the unprecedented situation at hand. However, I disagree that these rules need to be made permanent.

In general, I believe that the proposed amendments to the Michigan Court Rules are only going to benefit those tenants who do not have an intent to pay rent, the ones who take advantage of the system. Most people fail to understand that landlords are not charity, being a landlord is a business, which must be run like any other business. Over the last two years, landlords have experienced a much higher cost of business, including increased attorney fees (mostly due to the additional hearings that were required under the "COVID rules"), increased property damage, and increased bad debts expense. While it is easy to say "it's a cost of doing business", the reality of it is those expenses need to be covered since a business cannot sustainably operate at a loss, therefore, those additional costs will need eventually to be passed onto the "customer", which in this case are the tenants as a whole; this is part of what pushes rents up. The unintended consequences of the proposed amendments are dangerous in my opinion, since we already have seen increased rents in the last two years, as well as a shortage of housing.

It is also not sustainable for the Courts to continue to process double or triple the number of normal hearings without increasing the amount of staff they need, and I'm sure in turn increasing the filing fees which get charged back to the tenants. It has been a burden on my property management staff as well; I estimate I employ at least one additional full-time employee just due to the increased court hearings and delinquencies we've seen in the last two years.

The proposed amendments also take away the ability for a Judge and us as landlords the ability to use our discretion on a case-by-case basis. The more regulation there is, the less likely we are to work with tenants, because if we don't start the eviction process early, then our damages increase. This has been another unintended consequence through the pandemic, is filing on tenants at our earliest opportunity, when we normally may have waited to file, simply because we aren't sure how long it'll take the courts to process it and can't risk losing any time in the process.

For these reasons, I urge the Court to NOT adopt the proposed amendments of Administrative Order No. 2020-17 and MCR 4.201; it is simply time to end the "COVID" procedures and get back to a normal operating procedure as the law provides for.

Sincerely,  
Amanda Holbrook