

Testimony regarding HB05611
An Act Concerning the Failure to Return Rental Property

As the owner of two Taylor Rental Centers, I often experienced the frustration of being powerless to collect legitimate rental fees from customers who fail to return my rental equipment on time. Each year I lose between \$10,000 and \$15,000 in revenue due to uncollectible late rental charges. The State of Connecticut also loses its share of that revenue. My stores in Branford and Orange rent a broad mix of equipment ranging from backhoes, floor sanders, and boom lifts, to chairs, tables, china, and wedding tents. Our clientele is equally diverse geographically, economically, and culturally. This problem occurs with increasing frequency across our customer base.

The rental industry provides a valuable service to the general public by offering equipment for construction, home improvement projects, corporate meetings, weddings, parties; a virtually limitless number of possibilities. This service requires a contractual agreement between the rental company and the customer. The rental company provides the equipment for a specified time and the customer agrees to use the equipment properly and return it by that agreed upon time. When the customer fails to return the equipment on time, the rental company is unable to rent that item to anyone else. When the item is finally returned, the customer cannot or will not pay the balance due resulting in an immediate economic loss for the company and eventually for the state.

Despite our best efforts to collect correct personal information, cash deposits, and credit card information from customers, many people understand that we are powerless to do anything about this obvious breach of contract. The cash deposit and/or credit card funds may not be enough to cover the late rental charges. Credit card charges can be contested by the cardholder. The credit provider will always side with the cardholder on such matters as many of us can personally attest. Civil courts have failed us time and time again. Judgments in our favor are often uncollectible despite court order, resulting in further economic loss.

Making this issue a criminal matter is logical. It helps to ensure fair business practices by providing store owners with a means to collect what is rightfully theirs. As is the case with conversion law, the purpose is not to punish innocent people, or to use the police as a collection agency. That would be counter-productive both by damaging our reputations and because police departments frown on excessive use of their enforcement powers. And as with conversion law, it would be used only when all other reasonable means of collection have been exhausted.

For these reasons, my constituents and I agree that amending the language of the criminal trover statute is necessary.

Thank you for your time and consideration,

Bret Lagasse
President
Taylor Rental Centers
Orange, CT & Branford, CT