CIL NEIGHBORS
CORPORATION FOR INDEPENDENT LIVING

TESTIMONY OF STAN DE MELLO – MARCH 14, 2007 IN OPPOSITION TO SB 591 AN ACT CONCERNING PERSONAL PROPERTY OF EVICTED TENANTS

Dear Senator McDonald, Representative Lawlor and Judiciary Committee Members:

I would like to submit this testimony in opposition to SB 591. As a longtime housing advocate and an employee of a nonprofit developer/owner/manager of supportive/affordable housing I have come to view the current law that the landlord and then the municipality store the possessions of an evicted tenant to be an undue and costly burden to these parties. Between the time an eviction proceeding is initiated, a judgment rendered, and the time a State Marshal shows up, 3-5 months usually passes. So there is plenty of opportunity for the tenant to arrange to have their furniture and possessions relocated with the help of friends and family or in some cases, their case manager. Landlords are already faced with the cost eviction ($800 +) and apartment prep ($1,500 - $2,500) which can be substantial if the tenant did not maintain his/her unit. They are also faced with the cost of marketing a unit and absorbing the vacancy cost.

More and more owners of rental housing, especially low-income housing, are non-profits that financed their projects through HUD or CHFA and their operating budgets are very tight. It is a real challenge to achieve a break even budget (meaning that income = expenses) that these financing sources require and to keep expenses down so that you don't have to keep raising rents. When you combine the costs associated with eviction (legal, apartment cleaning and prep, utility costs during renovations and the vacancy period, and marketing), the operating expenses add up quickly. By itself, the expectation that the landlord store tenant possessions after eviction may seem reasonable but when you add it to the other eviction related expenses, and if a landlord has multiple eviction expenses during the fiscal year, then that cost becomes an undue burden an may contribute to an operating budget deficit. When that happens, then the only way to reach break even is to raise rents.

If we are to be successful in our mission to provide affordable and supportive housing, and if we want to sustain financially healthy housing developments for low-income individuals and families, then I think it is not too much to expect tenants to be responsible for arranging to remove their possessions from the rental unit before the State Marshal arrives to evict them.

Sincerely,

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