

Addressing the Joint Committee on Housing on HB5978 and HB5979
An act concerning eviction of a tenant due to nonpayment of rent
and
An act concerning rental payments during the pendency of an eviction proceeding
respectively

Tuesday, February 17th, 2009

to provide (among other things) that payments deposited with the court for use and occupancy during the pendency of a summary process action based on nonpayment of rent

Pamela Melusky, President, Atera Enterprises, LLC, Glastonbury, CT

Representative D'Amelio and members of Joint Committee on Housing, my name is Pamela Melusky and my testimony is in regards to HB5978 and HB5979- acts concerning eviction of a tenant due to nonpayment of rent and rental payments during the pendency of an eviction proceeding, respectively.

I appreciate this opportunity and I hope you'll take all of what I am about to say in the spirit in which it is intended - I am not trying to be fresh and I'm not trying to be cruel - I'm just stating the facts as I see them.

Last year, with one tenant, between her not paying rent, which precipitated the eviction, then her missing court dates and then getting continuances and the mediator finally deciding she could stay in my building for another two months so she could have time to look for a more affordable apartment, I lost \$7700 *in rent alone*. Who in this room can afford to give up \$7700 of their salary?

In the State of CT, the penalty for stealing cable TV includes fines up to \$10,000, imprisonment or both.

If you walk out of Wal-Mart with a table cloth you didn't pay for, and you get caught, you get arrested.

But if you take the products and services of your landlord - meaning the apartment you've agreed to pay rent for - if you, as a tenant, decide to stop paying your rent - for whatever reason - in fact, you don't even need a reason - as it stands right now, it is perfectly legal.

Landlording is the only - let me repeat that - the only industry in the state of CT where it is perfectly legal for the customers to steal products and services and walk away completely unscathed.

A tenant can make an arbitrary decision to stop paying rent and the landlord's only option, as the law stands now, is to throw good money after bad.

Even if the tenant has a legitimate reason they can't pay - job loss, illness, injury - none of those excuses hold water anywhere else but in this industry. You wouldn't just walk into a car dealership and demand a free vehicle, or Sears and demand a free washing machine, citing job loss as a good reason for taking rather than purchasing.

I can be as sympathetic as the next person, but the bottom lines are:

1. I still have a mortgage and taxes and insurance I have to pay - it is not my job to support someone who can no longer afford - or chooses not to - pay their rent. If they can't afford their car, then they can have to give it up. If they can't afford their rent, then they should have to move. But the landlord shouldn't suffer for it. I have a family to take of - I don't need other families to take care of on top of that.
2. One non-paying tenant can poison an entire building - and don't think it hasn't happened - where the non-paying tenant has rallied the rest of them and said "I've gotten away with it, so can you."

The only way this will stop is if, by passing both of these vital pieces of legislation, you make it impossible - and make the system fair and just for ALL concerned, not just for some of the people.

Thank you.