

TESTIMONY
SB 54, HB 5712 & HB 5713
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The Connecticut Coalition Of Property Owners (CCOPO) is one of Connecticut's largest landlord/property owner organizations. CCOPO has chapters in Enfield, Windham, Hartford, New Haven, Bridgeport and Stamford, as well as the CT Association of Real Estate Investors (CAREI) in West Hartford. Our members own thousands of rental units throughout Connecticut, and we are mostly small and medium sized landlords

For nearly 20 years CCOPO has been a constructive voice for responsible landlords on such issues as: nuisance abatement, bedbugs and domestic violence. I am a full time landlord myself and currently serve as the Treasurer of CCOPO. I am also President of the Connecticut Association of Real Estate Investors (CAREI).

CCOPO supports sound legislation that will provide opportunity for individuals with blemishes on their record to find housing. But a seven year no-look-back period for a prospective tenant's criminal convictions and only after an offer or conditional offer of housing is made is definitely not the answer.

This bill will severely impact and limit the ability of landlords to protect themselves their existing tenants.

A landlord's inability to determine the character of a potential tenant by limiting the look back period of otherwise generally available information is dangerous to landlords and their tenants.

Landlords have a challenging time finding good tenants even with all of the information at our disposal.

We are forced to make careful selections for many reasons, health and safety as our first priority but we are also business people.

Most of us are SMALL business people.

We have to make decisions that are not only safe but financially sound.

When you consider this bill you cannot think only in terms of big apartment buildings and large industrial landlords. You must consider two & three family homes owned and operated by Mom & Pop who rely on the income from their rental to pay the bills. Delays in time could mean the difference between

receiving monthly rent or missing it which would be a significant financial burden.

We agree that there shouldn't be a blanket "NO" for a blemished record. But the difficult, expensive and lengthy process to remove problem tenants creates a climate in our State in which due diligence is the best protection.

Housing court is a court of equity. Judges have the discretion to allow difficult tenants significant additional time to remain in a property. Many times, long after they have stopped paying rent.

As a general rule it takes three months to get rid of a bad tenant. These bills are asking landlords to put themselves and their tenants at risk by having to make a decision regarding tenancy without being able to complete a due diligence process necessary to make an informed decision.

What does make sense is incentivizing landlords to make that difficult choice. Limiting a judge's discretion in housing court, forcing delinquent tenants to pay rent to the court during an eviction proceeding and expediting a landlord's ability to remove a troublesome tenant would all be steps in the right direction and would help all sorts of individuals secure housing who might otherwise be denied.

The tenant selection and screening process is lengthy and time consuming. By the time a landlord makes an offer or conditional offer of housing, many hours over the course of days have been invested. If a landlord invests that amount of time and then finds that an individual poses a risk or threat significant time has been wasted that can never be recovered.

It might be a good idea to explain the tenant selection process so that you can understand how much goes into selecting a tenant:

First of all we have to answer all the phone calls, text and email messages from all the prospective applicants.

We then have to schedule showings where we go to view the property with the applicant.

The prospective tenant then has to take time to fill out a rental application and submit it to us.

Once we receive the completed application, generally one of the first things that all landlords do is check the applicant's credit and review their criminal history.

This is where the process would generally stop if someone has an unacceptable criminal history.

What this bill is suggesting is that we continue with the process:

We would then take time to review the rental application and in many cases ask additional questions.

We would continue to gather information including previous address history and employment verification in the form of paystubs.

We then call the employer to verify the information, past landlords and references.

We make a final review and if everything falls into place we make an offer or conditional offer of housing.

What HB5713 is asking us to do is to perform all of this work and then after making the offer for housing review the criminal history and only for the last seven years.

If there are past indiscretions that would at this point in the process disqualify a prospective tenant, it would be a huge amount of wasted effort and time that cannot ever be recovered.

Landlords need have the ability to access criminal history right up front.

Landlords get credit checks and background reports very early in the application process and will usually disqualify someone who presents a threat right away. It is one of the first steps we take to ensure our safety as well as the safety of our tenants. To withhold information is unsafe.

What HB5713 is asking landlords to do is to perform all of this work and only after making an offer for housing review criminal history, and then even further only look back seven years.

Imagine the difference between a 50 year old person with a drunk driving conviction 7 years ago vs a 28 year old with a Breaking & Entering and Drug Conviction seven years ago. These are two completely different people.

Which is why a blanket "NO" is also not the answer.

Restricting the look back period is dangerous and could easily result in a situation that would jeopardize the health & safety of existing tenants.

It has been mentioned that some crimes may be visible but where and who draws that line?

Also, people are subjected to all sorts of scams in life and a non-violent offender may be a more likely threat.

This is not an easy problem to solve but forcing landlords to house potentially dangerous individuals by limiting information during the selection process is certainly not the answer.

CCOPO encourages our members to be good stewards and great landlords. We have worked on legislation in CT for many years striking a balance with legislators who know us to be reasonable, level headed and fair. We are seeking balance here and we will be the first to come to the table to work out details on a plan that makes sense.

Restricting information doesn't make sense.