

Senate Local Government & Housing

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HB23-1095 Prohibited Provisions In Rental Agreements

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Dawn Howard For Colorado Cross-Disability Coalition	Hi Members of the Local Government and Housing Committee, Colorado Cross-Disabilities Coalition (CCDC) works for the social justice of all people with disabilities. Please pass HB 23-1095 to strengthen renter's lease protections in Colorado. Dawn Howard, MLS

April 3rd, 2023

Committee Members,

Good afternoon and thank you for allowing me the opportunity to submit my written testimony on House Bill 1095, Prohibited Provisions in Rental Agreements. Although at the time of this writing, there still remains just under 24 hours before the hearing on this bill commences, I wanted to still write in and express my strong support for this bill – I will be unable to attend remotely due to work commitments for tomorrow.

I currently live in Colorado Springs within House District 18, Senate District 9, where I have resided for 13 years now. The apartment complex where I live have been under multiple property management companies since 2017 – initially under Avantic Residential, followed in order by Dunmire Properties and currently owned by Life Bridge Management (out of College Station, Texas). With each succeeding company, nothing has changed with respect to my lease. While I had a brief opportunity to get out of renting for good thanks partly to a well paying state job that allowed me to save up for a down payment on a home, that no longer is the case – all it took was a serious illness, an extended period of time off work and multiple medical procedures that not only cost me the job itself, but also took up all the savings I had up to that point (which all came to a collision in early 2021). The reality at hand here is that thanks to the ability to own a home being out of my reach indefinitely, combined with having to take a significant pay cut in another line of work that pays only a fraction of what I made as a state employee, means that I'm left to grapple with rental prices that take up half or more of my monthly income. I'm left with no breathing room, and thanks to a lack of any available housing at my income level, I am by default stuck accepting any terms the property management company dictates in the lease.

The single biggest thing I am having to give up in exchange for even being able to stay in this place is my own right to a trial by jury in civil cases. It is literally written into my own lease that I cannot request a trial by jury in eviction proceedings, something with which I am intimately familiar, having come painfully close to experiencing in the late summer of 2021 if not for the help from an attorney through the legal clinic at CU and the arrival of rental assistance I had to resort to applying for after my employer at the time cut our hours and wages – they cited COVID as their reason for doing so. In other sections of my lease, the company practically exempts itself from responsibility for black mold mitigation – for several years, they have only focused on external beautification of the property while repeatedly ignoring serious problems with the plumbing in my building (and several others) to an extent where many of us are stuck living with repeated black mold issues that they find ways to shift the blame for onto us tenants. They are doing the same in other areas – we're paying for pest control services we have not seen in months in at least three of the buildings at my complex, get subjected to threats of eviction from the owners themselves if we even try to go to Code Enforcement (which is laughably ineffective in Colorado Springs) or even to media and are seeing inadequate trash collection despite paying for it each month.

There's other fees that are not even explained to us in our lease and often result in rent for us being even higher, and to add insult to injury, many of us more long time residents are finding we are being charged up to \$300 or more than someone new who is moving in – with the caveat being that we cannot move out and move back in under the rates being offered to new tenants simply due to the exorbitant prices they are charging us, and the additional very real risk they simply would refuse to engage in a new lease with us. I'm living with a very real fear of that exact scenario happening to me this summer – the rent will either be raised high enough as to have no choice but to leave and sleep out of my car (I have no other real options) or have the same happen if they don't renew the lease – and all without explanation as to why. We're even finding ourselves paying for laundry machines that often are broken for weeks, if not months, and yet if we don't pay up on time, we are faced with eviction in a very rapid time. We're left very little room in terms of refusing to pay rent until the many problems my complex has are fixed are concerned, as they can count on an eviction court system in El Paso County that too often sides with landlords no matter what the circumstances are.

We need the protections offered by House Bill 1095, and I respectfully ask all of you for a yes vote on this bill. On a similar track, I also ask this committee to vote yes on the Just Cause Eviction bill (House Bill 1171) when it comes before all of you, as it is in so many ways connected to House Bill 1095, and I further ask for a yes vote on House Bill 1115 (Repeal Prohibition Local Residential Rent Control) when that comes up as well – we not only are being pushed towards homelessness by the prices these property management firms demand of us, but we can be evicted for any reason they want to use. We don't even have a say in our lease agreements, as it literally is a matter of having to accept the terms of their leases, the costs they demand and the problems we are realistically helpless to fix...or become homeless. That's the reality for too many of us tenants out here. Vote yes on this bill and the others that are coming to this committee. We have no one to protect us from the abuses we're enduring in exchange for the "privilege" of having shelter.

Respectfully Submitted,
Christopher Bonham