

Senate Local Government & Housing

04/25/2023 02:00 PM

HB23-1120 Eviction Protections For Residential Tenants

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Ashley Heustis For themselves	<p>People who live with physical and/or intellectual disabilities should have the right to affordable and accessible housing without significant sacrifice. My close friend lives with cerebral palsy and must travel through town on crutches. For him and many others like him, housing that is accessible is hard to find in this city, let alone our state. Furthermore, there is a serious situation in Greeley. Twenty-nine people who live with spinal injuries are on the verge of being evicted from their homes just to make room for people with neural disabilities. Both groups of people should have equal opportunity to easily find affordable and accessible homes; this should not be a choice between the two. For this reason I ask you to vote yes on HB23-1302.</p>
Dolores Williams Against themselves	<p>This bill was wrong from the start. A lease has a start data, Amount of rent, and ending date signed by landlord and tenant under free will. If tenant has paid rent and observed good practices, landlord would sign a "Renewal of Existing lease" and amount of rent going forward. (Finding tenants is expensive and not necessary if all is well.)</p> <p>Eviction costs landlord \$6,000-\$10.000 and five month's rent which is prohibitive. Landlords just stomach the unacceptable behavior and damage until the end of the lease and repair and go on to finding a new tenant.</p> <p>This bill negates every good practice for survival of landlords by undoing every facet of land lording and managing and maintaining one's investment. This is a "taking" of every landlord's management ability while never addressing the huge investment and ongoing costs of paying mortgages, property taxes, insurance, repairs and management on the part of a landlord provider.</p>



Members of the Senate Local Government and Housing Committee,

My name is Jillian Fabricius, and I am Deputy Director with Illuminate Colorado, a statewide nonprofit working to strengthen families, organizations, and communities to prevent child maltreatment. I am submitting written testimony **to ask you for a yes vote on HB23-1120 Eviction Protections For Residential Tenants.**

When we require mandatory mediation for low-income families at risk of eviction, we expand opportunities to remain stably housed and strengthen the foundation for families and communities to thrive.

Illuminate supports HB23-1120 for two main reasons:

1. **Requiring mediation before initiating an eviction proceeding results in better outcomes for families.** In the majority of eviction cases, tenants do not receive legal assistance.¹ When families face evictions without counsel, they experience barriers to effectively defend their case in court. Mandatory mediation is an accessible alternative to court that results in a greater percentage of favorable outcomes for families, including manageable payment plans, opportunities to remain housed, and a lower cost burden on tenants and landlords.² By requiring mediation before filing for an eviction for tenants who receive cash assistance, this bill would ensure more equitable and favorable outcomes for families who experience the highest barriers to sustainable housing.
2. **Increasing opportunities to remain housed reduces chronic stress, preventing child maltreatment.** When families face housing instability, parents often experience chronic stress, inhibiting a parent's ability to respond to their child's needs. Housing instability is connected to increased risk of child maltreatment and child welfare system involvement.³ When families have the opportunity to remain stably housed, we reduce chronic stress, preventing child abuse and neglect. By requiring mediation before an eviction is filed, this bill would prevent child maltreatment linked to housing instability for low-income families.

In closing, when families have access to more equitable processes to remain housed, we strengthen the foundations of families and communities to thrive. **We urge you to support mandatory mediation prior to eviction for tenants receiving cash assistance by voting 'yes' on HB23-1120.**

Sincerely,
Jillian Adams Fabricius, Deputy Director
jfabricius@illuminatecolorado.org

¹ Aubrey Hasvold and Jack Regenbogen. (2017). Facing eviction alone: A study of evictions. Retrieved From: <https://www.coloradocoalition.org/sites/default/files/2017-09/Facing%20Eviction%20Alone%2009-11-17.pdf>

² Karen Tokarz, Samuel Hoff Stragand, Michael Geigerman, and Wolf Smith, Addressing the Eviction Crisis and Housing Instability Through Mediation, 63 WASH. U. J. L. & POL'Y 243 (2020). Retrieved From: https://openscholarship.wustl.edu/law_journal_law_policy/vol63/iss1/13

³ Katherine E. Marcal. (2018). The impact of housing instability on child maltreatment: A causal investigation, *Journal of Family Social Work*, 21:4-5, 331-347. Retrieved From: <https://www.tandfonline.com/doi/full/10.1080/10522158.2018.1469563>