

This legislation is important to me because, as a renter, I have experienced the issues that the proponents of this bill talk about. I have lived in North Dakota for over 10 years now, and I have always rented. During this time, I have learned that renters have relatively few rights in this state compared to others. A few years ago, my family fell on hard times – my husband abruptly found himself out of work, and we fell behind on our rent. My husband went back to work as soon as he could, but before we knew it, we owed two months of rent and the third month was around the corner. The late fees were 10 percent of our rent, which is a lot, but we have seen landlords that charge late fees that are higher. We lived in a modest apartment, but even still we wound up owing more than three thousand dollars in such a short period of time.

For families who have fallen on hard times, such as we had, having to catch up on three months of rent is intimidating on its own. However, when you consider the late fees that landlords routinely attach to these already hefty bills, you start to realize why North Dakota has such a surprisingly substantial homeless population. We luckily avoided eviction and homelessness thanks to a loan from a caring friend, but how many people are that fortunate?

Also, while it might be easy to dismiss these excessive late fee charges as something that the free market could take care of, I do not believe it is really that simple at second glance. I think it is important to remember rural North Dakotans, a group so easily forgotten sometimes by legislators. In some of the smaller North Dakota towns, there might be only one landlord. These rural residents cannot just shop for a landlord that does not charge egregious late fees if there is only one landlord to choose from in the entire area! And this also impacts people on housing - If they were on housing assistance, getting evicted can impact their ability to obtain future assistance at all, which puts them at even greater risk for homelessness.

I understand why these late fees exist. If a tenant pays late, it is a loss of revenue for the landlord, and they have bills to pay too. However, if these too-high late fees make their tenant unable to pay their debts, the landlord loses out on all that money he or she was owed for rent as well. While the landlord can take the tenant to court to attempt to get back the money they are owed, you cannot squeeze blood from a stone. All it takes is one illness, one accident, one pink slip – and things can snowball to the point to where a hard-working family winds up losing everything. Changing the priority in which money is applied from late fees first to past-due balance first could make the difference between eviction and someone being able to stay housed and able to pay off what they owe. Please issue a “do-pass” on HB1442.