

Good afternoon Mr. Chairman, and members of the Committee. My name is Christine Miller. I live in Bismarck.

I am testifying in favor of HB 1272.

I was fortunate to have a very positive rental experience in ND in the early 2000's, as well as very good rental experiences in NY, MN, WI, and IA. I always got my deposits back minus minimal charges for minor issues like forgetting to clean the inside of the medicine cabinet, or sweep the garage.

I've lived in ND since 2000, but have not rented since 2002. My first inkling that there were serious issues with renting in ND came from meeting newcomers to the state who told me stories of abysmal renting experiences in ND. They were astonished by filthy and poorly maintained units, chronically unreachable management companies, and extremely high move out charges. These newcomers to our state were appalled at the renting situation and lack of protection for renters in ND.

But, what really opened up my eyes was my children growing up and moving out. I want to share with you that I tried helping my daughter, Liza Miller (she also submitted testimony) set up a final walk-through because Valley Rental would not answer her calls or emails. I live just a mile from the management office so I drove to the office multiple times a day and also tried calling and no one would answer the phone and the door was always locked, with shades pulled down, and dark inside. On June 29th or 30th (the month Liza moved out) I arrived at the office and again the door was locked, shades were pulled down, and it was dark inside. But this time I saw another renter coming out of her apartment right next door to the office. We stood in front of the office door talking and she told me that a manager was in there. I was shocked to hear this and I banged loudly on the door. To my surprise, the manager opened the door. I'd knocked loudly before and no one ever answered. Perhaps she figured the renter I was speaking to told me she was in there. I asked her when Liza would get her final walk-through and she lied to me and told me that Valley Rental had repeatedly reached out to Liza and that Liza did not respond. I know this is not true. She told me that it was too late for a walk-through and that they had done it without her. She was enraged that Liza had lost her mailbox key and sternly scolded me about how Liza would be paying for new keys. I agreed that that would be fair. All I wanted was to set up a walk-through since Liza could not get a hold of them. The last thing she said to me was that Liza would get her final bill in 30 days. Liza didn't actually receive it until September, well past the 30 day requirement.

I ask that you pass HB 1272 because this bill effectively protects both sides. Liza, I, and Representative Jared Hendrix discussed the fairness of this bill and we were firmly committed to ensuring that this legislation would not allow renters to damage properties and leave owners and landlords unable to recoup those costs. We want fairness, not retribution or punishment.

Making a final inspection mandatory protects both sides. It is unfair (and frankly unconscionable) that as ND law stands today, property owners and management companies can, and do, ignore renter's attempts to make contact to set up a final inspection. (Many Google reviews and posters in the fb group, Legislative Action for Renters ND, attest to this). Without being present for that inspection, renters are blindsided by sometimes outrageous move out fees with no opportunity to refute them, and no evidence to defend themselves, and property owners get Carte Blanche to charge whatever they want with no accountability. This bill will protect renters from that very unfair practice.

Please understand that many renters in ND are working class people who can barely afford to even rent in our current economy. Many are college students, young adults just starting out on their own, retired military, disabled people, single moms, etc. When people in these financial situations are slammed with thousands of dollars in unfair, and unreasonable charges, they often end up bankrupt, and unable to secure another rental due to ruined credit. Some end up homeless. ND can do better.

On the other side, this bill protects property owners because they can still charge whatever they want if the renter fails to show up for their final inspection, (they should still be fair in their assessments and charges, but some are not), and they can still charge for actual damages if the renter does participate in the final inspection. I see no legitimate reason for property owners to resist a mandatory final inspection, and I believe they should have as much responsibility to schedule one as the renter has.

If it's left solely to the renter to be responsible to schedule an inspection, what prevents ill-intentioned property owners and managers from ignoring their requests, as Valley Rental ignored my daughter? Both parties need to be equally responsible for scheduling the inspection and for showing up to the inspection. There have been reviews by people who said their managers or property owners didn't show up for their inspection.

If property owners intend to be honest and operate with integrity, why does this bill scare them?

All we are asking for is a mandatory final inspection so that renters cannot be ignored and deprived of their right to have that inspection by property owners who use evasion as a way to take advantage of renters. A mandatory move out inspection is fair and beneficial to both renters, and property owners.

This bill is fair to both sides, but if it fails, renters suffer, while owners and landlords are not effected, or worse, are given free reign to continue to take advantage of renters financially. If the responsibility to set up a final inspection lies only with the renter, the renter becomes vulnerable to unscrupulous property owners who ignore their requests. Remember, property owners can charge whatever they want with no evidence if there's no inspection. What motivation do they currently have to ensure that every renter gets a final inspection? When you really ponder it, the only conclusion that makes sense is that fair and reasonable people who are not out to defraud and deceive renters in order to increase profits would have no issues or concerns about a mandatory move out inspection.

I've heard arguments that landlords and property owners won't be able to come up with an estimate at the time of the final inspection. I find that unlikely because property owners tend to work with contractors they trust and have experience with. They frequently hire these contractors to replace flooring, appliances, cabinets, etc., paint, clean, and otherwise repair and maintain their properties. They have a ball park idea of what these things cost. If not, they can easily research it and have those figures on hand. Also, an estimate is an estimate. We are not asking for an exact total on the day of the inspection.

In closing, I ask you to consider the state of renting in ND under current ND law. Can you honestly say that renters have reasonable protection from unscrupulous property owners and management companies? Do working class folks who can't afford to buy a house in our current economy deserve to be vulnerable to financial ruin due to unreasonable, exaggerated, and unfair charges that they have no ability to defend simply because they were denied a final inspection at move out? Isn't our Lendary state better than that?

Please do pass HB 1272. The fine folks of ND deserve it. Thank you.