

January 25, 2025

Jeremy Petron  
Lobbyist # 209  
North Dakota Apartment Association

Re: HB 1305 - support

Chairman and members of the Committee, my name is Jeremy Petron. I'm a lobbyist with the North Dakota Apartment Association. I have also worked in the apartment rental and property management industry for 20 years.

We support HB 1305. Section 3 of this Bill provides a tool to help property owners and landlords remove unauthorized individuals from a property who do not have a leasehold right to reside on the property. The unauthorized person could have gained entry by breaking into the unit, or the person moves in with a current leaseholder and fails to notify the landlord. When the landlord finds out about the unauthorized individual(s), a conversation usually starts requiring the non-leaseholder to apply to be added to the lease, or that they are being told to leave depending on the situation.

There are also instances where the original leaseholder may have moved out without notifying the landlord, and the non-leaseholder continues to reside in the unit. If the individual refuses to comply with the landlord's request to apply for verification approval to be allowed to enter into the leasehold, the current remedy for landlords is to have a '3-day Notice to Vacate' served, then file for an eviction court hearing which could take a few weeks depending on court scheduling, and the property owner usually has to hire an attorney to go through the process. It is especially burdensome while waiting for the court date if the property owner is

encountering illegal activity occurring on the property caused by the unauthorized individual, which could be causing damage or disturbing the quiet enjoyment rights of neighbors. Police can be called, but if there is no cause for arrest when they arrive, the unauthorized individual cannot be forcibly removed without a court judgment order.

We urge a do pass for HB 1305.