

Chairman Keiser and members of the House IBL Committee,

I am writing to you today as a resident of West Fargo and as an attorney in private practice who represents individuals facing eviction. I strongly urge you to support HB 1440.

While the issues facing tenants in the state of North Dakota has become far more evident during the pandemic, these issues are long-standing and have only grown worse in recent years. Tenants, especially those leasing residential units, are often students, young families, and senior citizens. And, they are often at a disadvantage when negotiating or communicating with their landlord about a rental agreement or any issues that might arise.

One issue that has become very problematic in recent months is the tendency of landlords to apply any payments made by tenants to late fees, rather than to the principal balance owed. So, the balance continues to grow, and late fees get tacked on again in the following months. I know others will share statistics on how many North Dakota residents have applied for and received assistance from Rent Bridge, but I hope you will contemplate those stats and recognize the deeper issues ballooning this crisis. HB 1441 is just a small change that will ultimately **not result in any harm or detriment to landlords** but could really alleviate the financial burden on someone already facing hardship.

I recently spoke with a client who was facing eviction after being unable to pay her rent. She sought relief from the CDC moratorium and assistance from Rent Bridge and other sources. Despite the eviction being dismissed from Court and the tenant

receiving assistance from Rent Bridge and local non-profits, the landlord continues to assess late fees, court costs, “3-day notice charges,” and other fees each month, only adding to the balance this tenant owed. Since only August, the landlord has assessed more than \$1,300 in fees alone. She can’t get out from under that debt if her payments are only applied to the late fees and not to the growing principal. Of note, this client was unable to pay because she was out of work while undergoing cancer treatment. It almost seems like a bad movie.

Applying payments directly to the principal, as requested in this bill, is such a small change that would have a major impact. People facing poverty or financial hardship, for whatever reason, deserve a shot to make ends meet and this bill gets us one step closer to that goal.

I strongly urge your support of HB 1441 and ask for a “Do Pass” recommendation.
Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kylie Oversen". The signature is fluid and cursive, with the first name "Kylie" and last name "Oversen" clearly distinguishable.

Kylie M. Oversen
Attorney at Law
West Fargo, District 13 Resident