

February 2, 2021

Christina Sambor
On Behalf of the North Dakota Coalition for Homeless People
Testimony on HB 1440
House IBL Committee

Chairman LeFor and Members of the Committee:

I testify today on behalf of the North Dakota Coalition for Homeless People in favor of HB 1440. Currently, 39% of North Dakotans spend more than 30% of their income on rent, causing them to be “cost burdened” by their housing. In the current economic climate, we all know members of our communities that have struggled to make ends meet. This bill seeks to make a common-sense change to law that can help individuals teetering on homelessness stay in their homes. Doing so makes economic sense, as the costs of homelessness to our communities is well documented.

When a North Dakota renter falls behind on their rent they are often subjected to exorbitant late fees. Landlords can apply future rent payments first to these late fees, which creates a situation in which the affected tenant is unable to become current on their rent, often because they do not know that their payment was not applied to the rent balance, but rather to the late fee. This may lead to eviction and homelessness for vulnerable renters.

High Plains Fair Housing Center and other legal and social service organizations have handled a number of cases where tenants were not aware of outstanding fees and their rent payments were applied to fees first, leaving an outstanding rent balance and thus placing tenants in danger of eviction. HB 1440 addresses that issue by requiring that payments be applied to rent before late fees. This bill will protect tenants in North Dakota, which is so crucial as our communities reel from the impacts of the COVID-19 pandemic.

HB 1440 is a piece of legislation that seeks to make a common-sense change to ND law, allowing a fairer process for struggling tenant. NDCHP urges a “do pass” recommendation on HB 1440.