

I very much appreciate the opportunity to send this letter to the General and Housing Committee to give my views on a few landlord issues. Full disclosure: I am Representative Debbie Dolgin's husband, and a landlord for well over 50 years. My approximately 40 units are all in Caledonia County with most in ST Johnsbury. They are all privately funded and non subsidized. I appreciate you and the committee who are reading this, will try to look through my eyes as a landlord, trying to work with the current and proposed tenant/landlord laws in Vermont.

In regards to removing or relabeling the no cause eviction. Please leave it alone, we MUST have no cause evictions.

Here is a real situation that I would like you to know about and see what you would do?

I purchased an apartment building about a year and a half ago that had only the bottom unit occupied.

I did agree to continue to house that individual. Now this 60 plus year old tenant, pays his rent on time, keeps a fairly clean home, but constantly pounds me via texts and to anyone who will listen including the other tenants that have since moved into the upper floors. He has accused a tenant of slashing his tires, of noise all night and of anything he can complain about. Now we have done many upgrades to the complete apartment building, including adding a complete new to the market, 3d floor 2 bedroom unit, the entire home is all up to code.

So, here lies the concern. This tenant was accused by an upstairs tenant of being a "peeping Tom" very recently. I told her to immediately call the police. I do not think that they were called. Then last week this original tenant leaves me a 5 minute voice message telling me that I need to stop renting to " the low life and I need to find better help, that he is not a person of low intelligence but everyone around me is". So as a landlord, you now need to make a decision. "How do I evict this tenant as he has become a real nuisance and a possible danger to the other tenants? Under Vermont law, he pays his rent, so no go that route, what about a lease violation?

There is no real proof that would ever stand up in Court, so what is left? A NO CAUSE EVICTION is 100% the only way I can legally remove this tenant. What would each one of you do, if you had the same choices left to evict? You know that this tenant must leave ASAP!

Here is another actual situation that I have been in a few unwanted times. You rent an apartment to a young couple that have had no negative references and pay their rent mostly on time. So all is good for a few months, then they have a "visitor" that seems to be more of a regular, which we believe has now "moved in", which could be a lease violation.

We discuss this "visitor" with the tenants, and they deny that any unauthorized person is living there with them. Here is what happens next. Now there are people coming and going from their apartment all hours of the night, only visiting for a few minutes. The other tenants in the building are very upset by all this traffic and are calling me daily to complain. For the record, a few years back, I had 6 other tenants vacate a building (only have 7 units in all at that location), because the tenant being evicted had scared all of them. They actually had time to find another apartment, all because I could not get that tenant out in a quick process. That case took over 5 months. No rent at all coming in, and I pay for the heat in that building. Cost us a fortune in losses.

Back to this "visitor" case. The other tenants were sending texts (pictures) with the many different cars that had Massachusetts and Rhode Island plates. Of course I had contacted the police, but their hands were tied as they had to complete their investigation.

So Committee Members, What would you do under the laws to evict? You can't evict them for non payment of rent. You possibly could try for a violation of the lease, but without a police report of the many visitors coming and going, which is not illegal, and some noise being made, that won't work. Even if the police were to charge them for a criminal activity, that could qualify for an eviction, they may not release any report as it could be under investigation for a while, Without this report/ conviction, you will have no chance to succeed with an eviction action in Superior court. Can you imagine the attorney fees and lost income that would take place? What would you do? You **HAVE TO BE ABLE TO FILE A NO FAULT EVICTION**. By the way, As I stated last year in my testimony to this committee, that it is a Federal law, that a landlord must take positive action if you suspect drug activity is taking place, or risk forfeiture of that property, which did happen back in 2017 in Rutland Vt. Once the landlord becomes involved, you are now at risk for being the "Rat" and now could also be in danger.. What does the Committee think about this added liability?

Below is copied from a report from the US Attorney's Office dated 5/31/2017:

The United States Attorney's Office recognizing the legal duties federal drug forfeiture laws impose on property owners. These legal duties include taking "reasonable" steps to "terminate" the drug trafficking on a particular property. Such "reasonable steps" include: (1) giving timely notice to law enforcement of suspected drug trafficking or drug manufacturing violations; (2) making good faith attempts to evict those suspected of engaging in drug trafficking offenses; and (3) taking "reasonable actions in consultation with law enforcement to discourage or to prevent the illegal use of the property."

I have many other real stories that all relate to the fact that you must leave the No CAUSE evictions just the way they are!

Moving on to my next topic for discussion, Speeding up the time lines for all phases of the eviction process.

Here is another court case that I had to file a few years back. It is a story of me giving a tenant another chance as I had evicted her over 20 years prior. She was only one of just a few that actually paid me back over time for the judgement.

SO I rent to her and her boyfriend of over 15 years along with their children. About a month after they move in, they have a huge fight and break up. So now just she and kids are staying at the apartment and decides that she doesn't have to pay rent, that I could collect from her EX, that had moved to Georgia, VT. Meantime she moves in with her a suspected drug dealer and here we go all over again.

So here is the bottom line, I send her a notice to quit for both non payment of rent and a no cause eviction (incase for somehow, she is able to actually pay the rent), I need her out.

SO as the case moves through the courts, I get a pay into rent order. She did not pay that order which forced me to go back to court to file for a default judgement and a writ of possession action. Now remember, once as a landlord, that you file a court case, many tenants will see that as a retaliatory chance to "teach us a lesson" for as simple as us just

trying to collect rent. How about the tenant who leaves the water running constantly (This building is on town water and sewer) Well this tenant then decides, that right after she was served with the writ by the sheriff, that it was perfectly fine for her to take a hammer and destroy the kitchen cabinets, leave her new litter of cats alone to fend for themselves in an closed bedroom. By the way, she had 3 children living there in this newly created dump.

That same week she called the police 4 times on me to complain that I was on HER property, meaning the common grounds, even throwing rocks at my truck. Oh and before she left, she breaks the front porch and door windows and leaves all the glass on the floor. I have included some pictures as to her apartment right after she left. See attached pictures of the damage.

We need to follow many other states examples by enacting bill 688. These states, have done their homework and decided that this was the best time frames. What is very important here is these new laws at this point would better balance out the tenant/landlord concerns. This ONLY affects the Undesirable tenants, not the overwhelming majority of excellent tenants. I do not know of ANY landlord that would want to evict a good paying and lease abiding tenant. In case of an injury or perhaps a work layoff, most ALL landlords are willing to work with all these unfortunate situations to try to help, not evict. Please keep in mind that this "bad tenant" knew long before that landlord, that they would be causing a concern like not paying rent. SO the good old excuse that the tenants needs more time doesn't bode well here. This will not create more homelessness, as if it goes to a writ of possession, the tenant will be gone anyway. How much time really does a tenant, that owes rent really need to exhaust all their funding options? With all my experience dealing with these situations, I can tell you that this process from applying with local funding sources like NEKCA or Reach up , might take a maximum of a week to 10 days, that's it! Even Religious organizations are quick to act. When ANY housing funding source, becomes aware of a pending notice to quit for nonpayment, they almost always try to prioritize the tenants request to help pay the rent, not to delay the answer. The only delays that I have seen from getting an answer seems to be the tenants lack of bringing in required paperwork. I know this because the funding source ALWAYS contacts me and keeps me in the loop.

I also ask, why is all this financial burden being placed on the landlord? AS you know it can easily cost over \$10,000.00 in damages and costs to evict a tenant.

I know many landlords who are refusing to re rent their units because of a very bad experience. AT \$10,000.00 a pop, how many of these could you survive before you do the same?

I have been told that right here in St Johnsbury that over 200 units alone have disappeared from the market in the last few years. Of course some have been converted to single family homes but most are tired landlords. For me, I took 4 of my apartments off the market this winter as I suffered major damage from tenants animals.

I ask all of you, if you were one of these unfortunate landlords that had to go down this road because of these bad tenants that cause financial stress to you, would you want to continue??

Finally I want to address any discussion of rent control. PLEASE DO NOT EVEN THINK THIS WAY!

We can not be tied to this. You would have to also freeze price increases for every plumber, electrician, insurance company, water and sewer rates, material supply houses, snow plowing, rubbish removal services and everything associated with running apartments. Then please work with the State of VT lead laws to cap any of the most dangerous price costs to comply. These costs are killing us. Did you hear what the head of Rural Edge testified that it cost him to repaint his house in Guildhall? I think he said \$60,000.00?

Oh yeah, Also, please have a discussion with Mother Nature as well. She seems to have been acting up in recent years with her flooding and freezing weather, all of which could greatly affect our expenses, and as you know, that could happen in an instant.

Here in the northeast, this winter, my expenses alone for extra fuel oil and propane have almost doubled alone with needed to plow more, all because of this brutal winter. Just Last Saturday we had a sewer line freeze up that cost me \$1000.00. There are so many variables to what can cause financial stress. Capping the rents in any way shape or form would kill any drive to try to manage rentals.

Let the free market dictate the rates as they always have. I even see a downward pressure to lower the rates. I have recently lowed by \$100.00 on each of three apartments that I had available.

Would you want to continue as a landlord knowing that any unexpected costs would be 100% out of your pocket.?

So what am I hoping by sending this Email, is to have you "look through my eyes" in helping us Landlords to be able to better manage our apartments by voting on H688.

This will better balance the tenant/landlord laws.

Please allow us to want to stay in business, to continue to invest in our buildings and our communities. To purchase more of our areas less desirable housing stock, to rebuild them, and to increase the housing availability, which we all know is greatly needed in Vermont. By the way, This H688 bill will not cost ANY more money from tax payers, tenants or anything. It just makes sense for all..

Please Please:

Pass H688

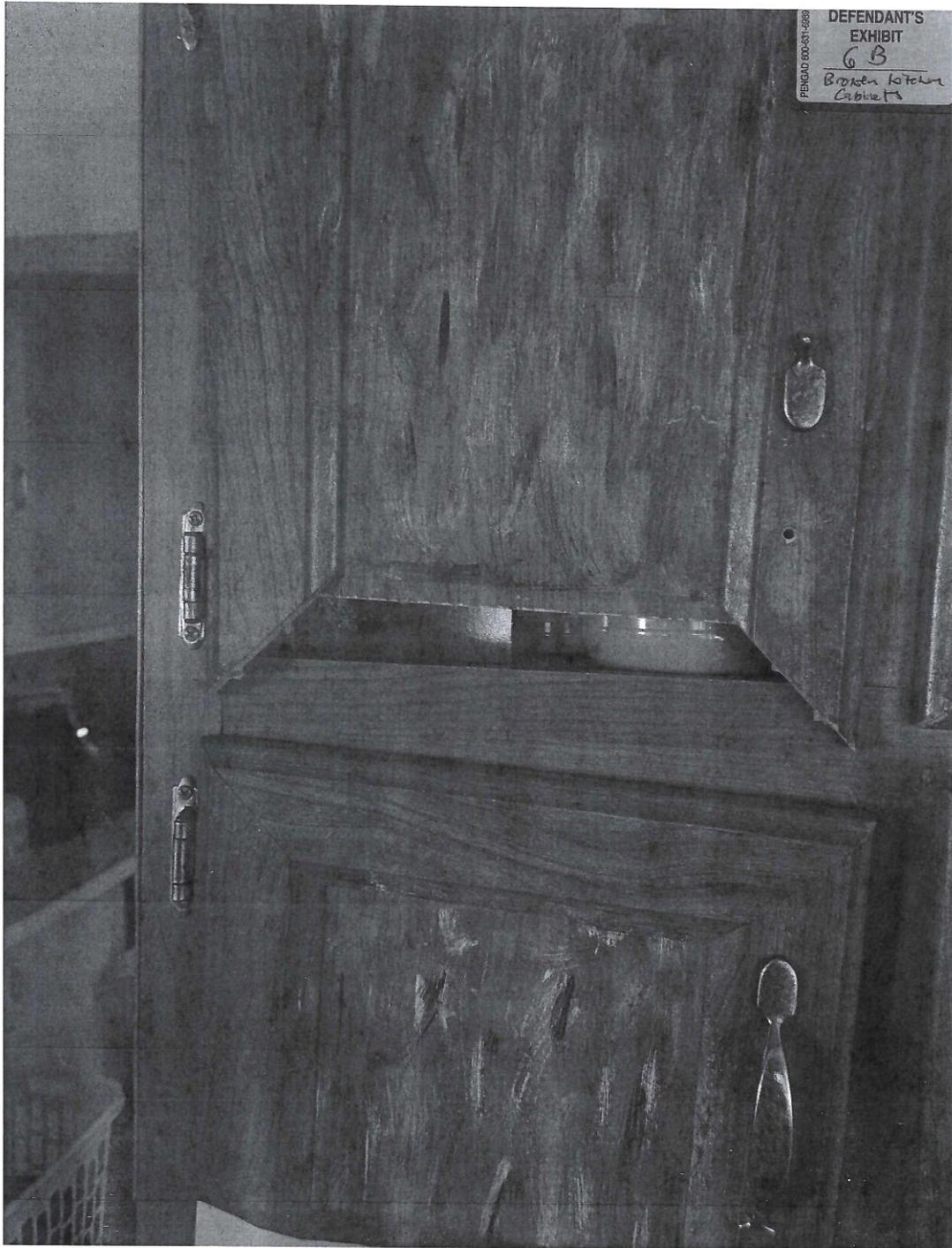
Keep No cause Evictions

Eliminate any talk of rent control

Very much appreciated, Steven Dolgin

Please see the attached photos (labeled as exhibits for court) Front door with broken glass, porch window, same thing. I took these pictures and can attest that there was glass everywhere left on the floor. 2 pictures are of the smashed cabinets the other 2 show these brand-new doors installed just before she moved in, with large holes



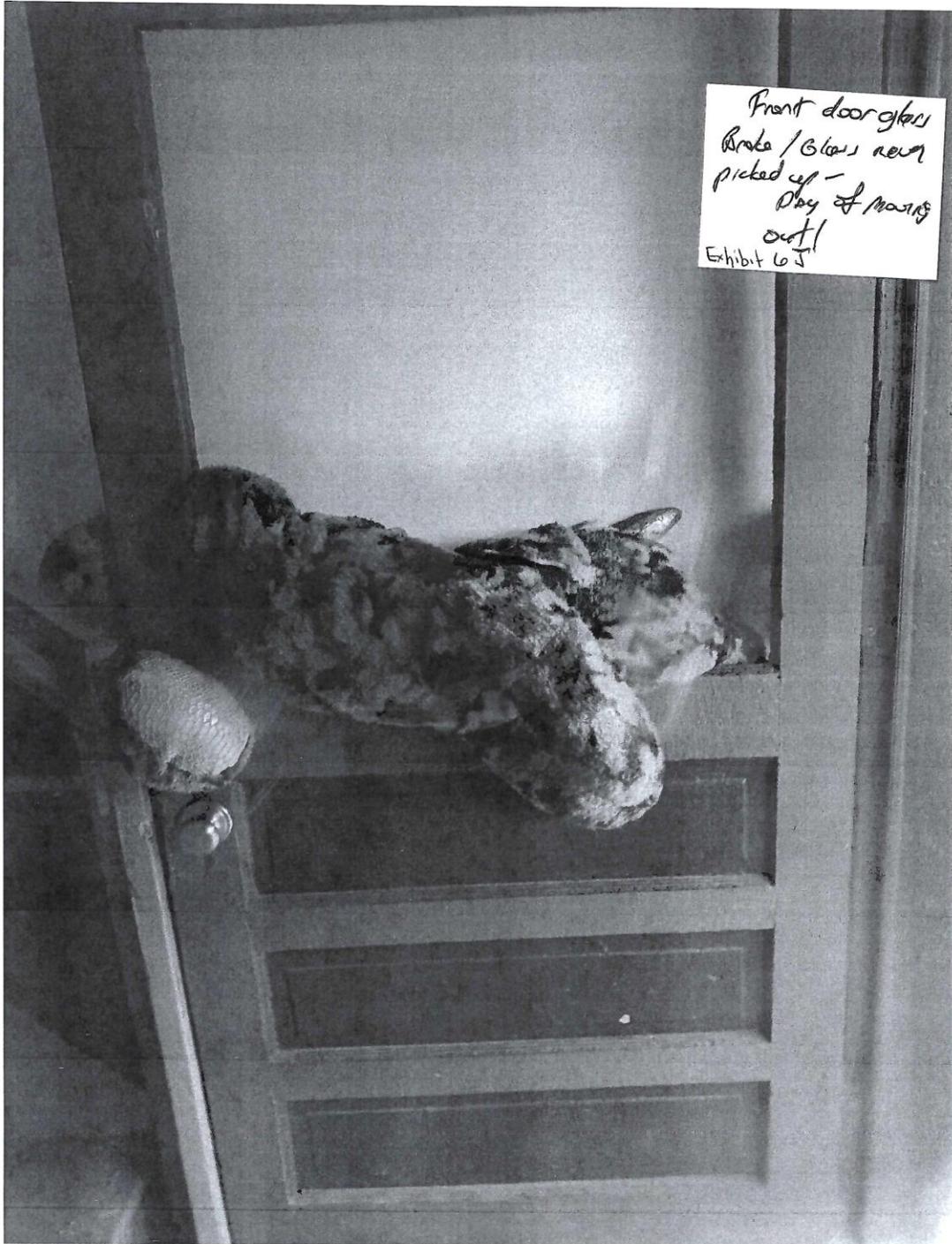


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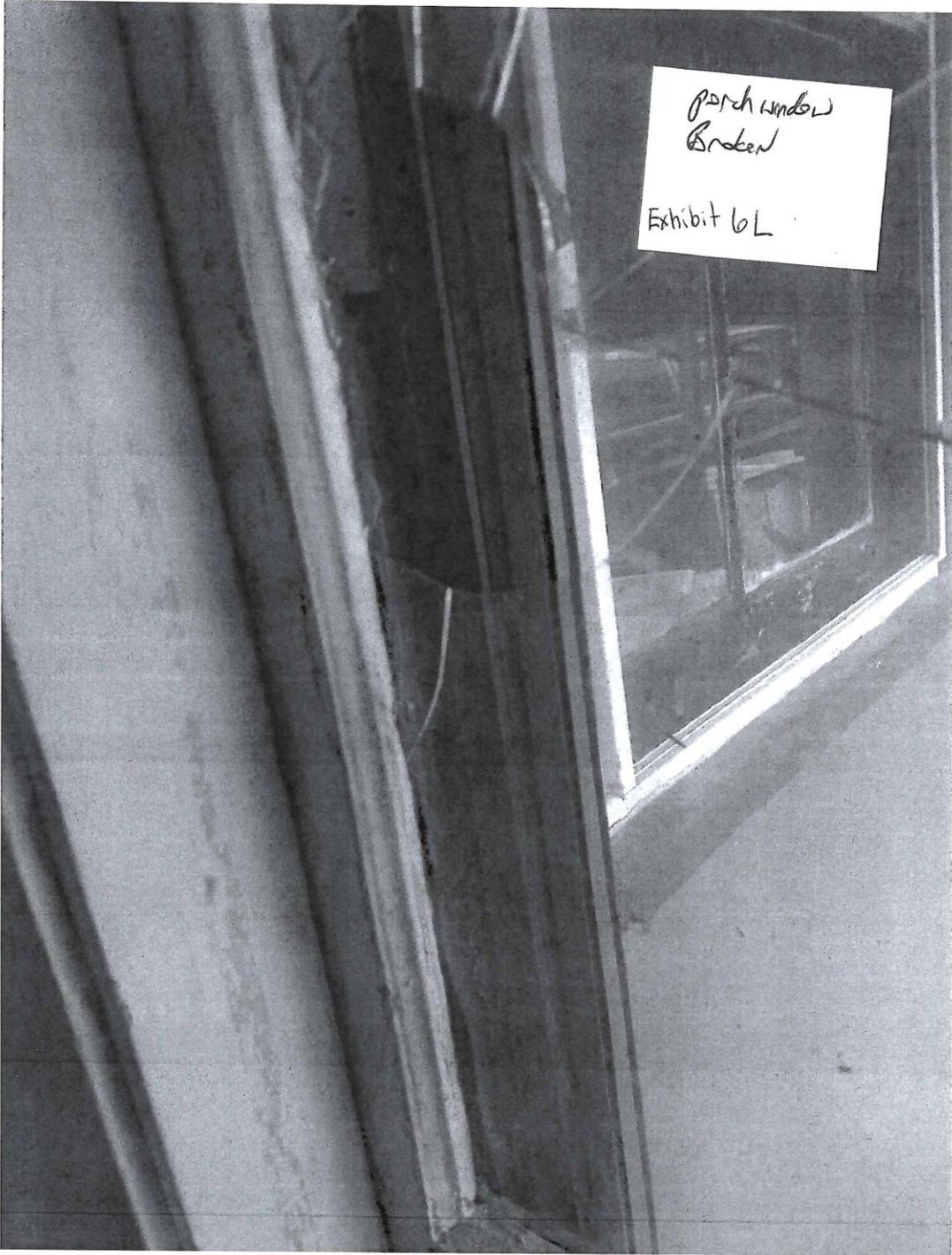
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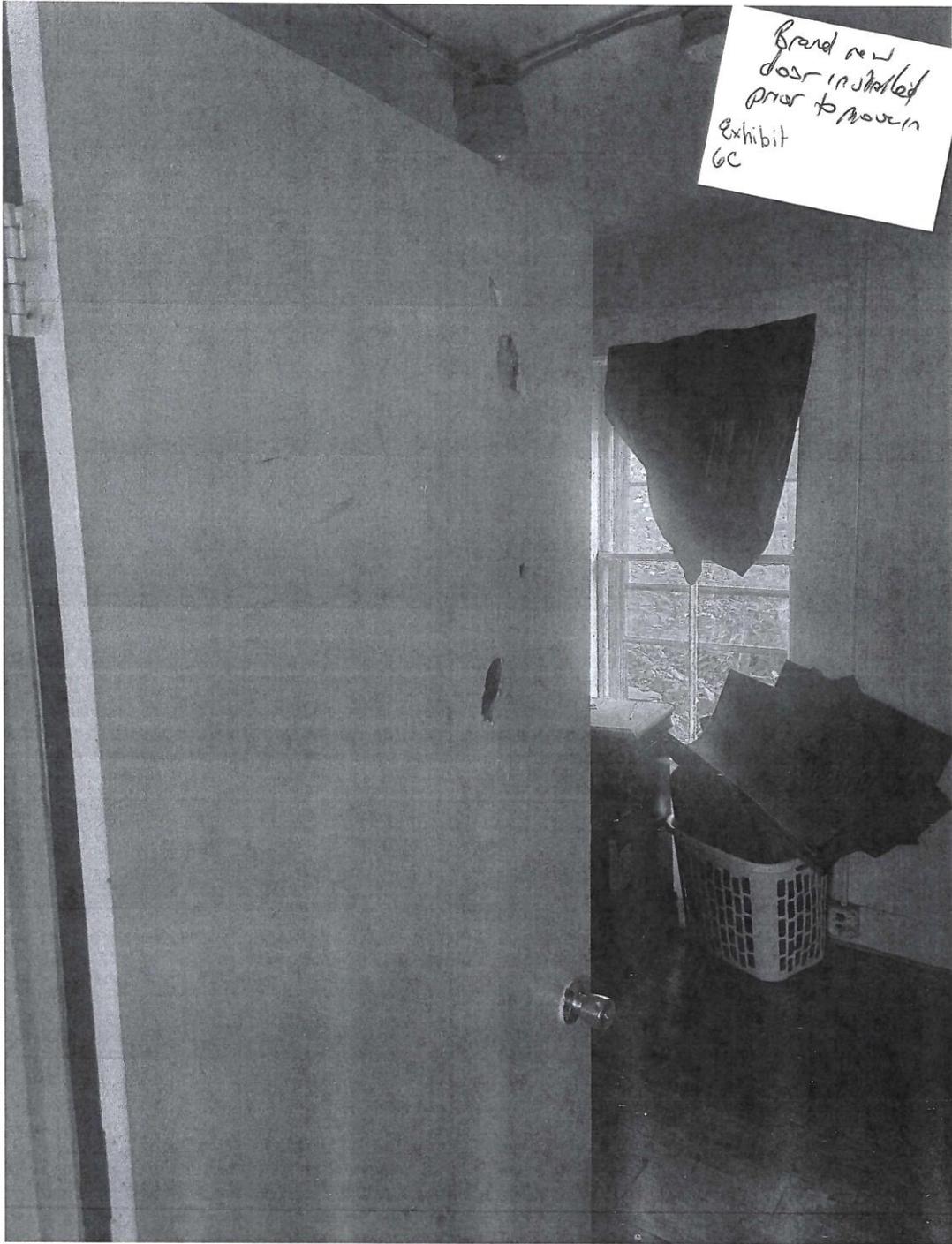
Broken Kitchen
Cabinet



Front door glass
Break / Glass never
picked up -
Day of moving
out!
Exhibit 6J



Porch window
Broken
Exhibit 6L



Brand new
door installed
prior to move in
Exhibit
6C

Another Brand new
Door installed
prior to move in
Exhibit
6D

