



Allegiant Property Management, LLC

September 23, 2020

Burlington City Council
149 Church Street
Burlington, VT 05401

Dear Burlington City Council Members:

I am writing on behalf of several Landlords in Burlington, to express our concerns with the elimination of the "No Cause Eviction" proposed by City Council. I represent several Landlords that own rental properties throughout Burlington.

"Just Cause Evictions" is favored by many Tenant advocates who fear market forces, displacement and gentrification. I have sat in City Council meetings, where, such advocates have refused on numerous instances to work collaboratively with Burlington Landlords to address their concerns and issues with the housing market. Imposing such ordinance, aiming to solely protect a certain class of Tenants is not only unjust but will seriously impact the good residents (Tenants) and Landlords of Burlington.

Thus, we believe that the supporters of eliminating the "No Cause Eviction", clearly does not seek solutions for their concerns but rather controls the Landlords rights to make appropriate decisions about their properties by transferring those rights to Tenants. Furthermore, we believe their one-sided approach misses a few key points:

1. "Just Cause Evictions" is effectively rent control that does not eliminate the current housing issues in Burlington;
2. Imposing such ordinance will have serious impact on the courts ability to hear cases in a timely manner;
3. Currently, the Courts do not hear breach of lease cases unless they pertain to non-payment of rent;
4. Landlords will face challenges to renovate older properties that will seriously impact all renters searching for housing, causing less available marketable units as well as dilapidated properties that could cause housing depreciation in the neighborhood.
5. Cost of evictions on Landlords will increase the rents as Landlords will roll those expenses into the rents to recoup the loss of income.
6. Landlords will require prospective Tenants to have higher credit scores and income levels thus cutting out an entire class of Tenants from being considered in an already tight housing market.
7. "No Cause Eviction" of bad Tenants, greatly improves the quality of life of many others – neighboring Tenants that may have been victimized by noise, overcrowding, and criminal activity.



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Furthermore, Rental properties are mostly owned by small businesses or retired folks that use their properties as their retirement. Many Landlords take pride in their investment properties. Removing the rights of good Landlords, would essentially leave the rental properties in Burlington vacant or sold to larger companies and corporations, which could devastate the already tight rental market. Taking the ability away from Landlords to “not renew” or evict Tenants without cause is not the solution to the current issues in Burlington.

We feel the negative impact on Renters and Landlords of the proposed ordinance will be greater than the benefits. Such ordinances have never proven to benefit law abiding Tenants or fix the housing shortage. Matter of fact, just the opposite has occurred in cities that have imposed the “just cause evictions”, whereas, many good Tenants choose to leave the area, rising costs of evicting bad Tenants results in rising rents that are generally imposed on good Tenant. Also, such laws have been studied in many jurisdictions; the findings are overwhelmingly clear, tenants that have a fixed or low income are worse off due to the increased screening process of Landlords, requiring higher credit scores and income guidelines. Also, the current eviction process for non-rent payments, takes between 10-18 months. Adding this new ordinance, could essentially impact the courts by overwhelming them with evictions that could have been addressed by Landlords using the current Vermont “No cause eviction” law.

We as Landlords/Property Owners have a few questions with regards to how this new ordinance would be imposed and enforced:

1. What are the clear terms of a “just cause” eviction?
2. Would these new policies include 12-month leases or just verbal and month to month leases?
3. Would local rents be regulated?
4. Will this apply to all rental properties or just properties with certain number of units?
5. What happens if a property goes under foreclosure, would this ordinance still apply to Tenants?
6. Who would enforce the new policy, i.e. code enforcement, special board?
7. Would enforcement expenses be passed onto Owners/Landlords through annual fees?
8. Would an expedited process be installed for cases when a landlord is accused of “unjust eviction”? If so, does the same expedited process include cases of Tenants for non-rent payments?

In conclusion, Landlords provide a huge service to Tenants by providing shelter and a safe places to live. Landlords are also the “gatekeepers” that help establish and preserve good community behavior. Sure, as with anything, there are a few bad Landlords as there are a few bad Tenants. Regulating and preventing Landlords from making critical decisions and choices about their property will most certainly not fix the housing market issues in Burlington.



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It's our opinion, working collaboratively with organizations and the city to come up with alternate solutions of the current housing market issues, would ultimately be the best-case scenario for all involved including Burlington Tenants. We urge you not to pursue the elimination of "No Cause Eviction" for the City of Burlington.

Sincerely,

Nichole Delong
Allegiant Property Management

Virtually signed:

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