

Joan Shannon
Burlington South District City Councilor
Cell: (802) 324-3300

On Sep 22, 2020, at 9:11 AM, holly@pdmvt.com wrote:

[WARNING]: External Message

Good morning City Counselor,

Please see below email that I sent to Sarah Carpenter. By doing away with the no cause non-renew this would only protect the tenants that are not abiding by the lease. This is the easiest way to avoid a legal conflict that will drag affected neighbors into the mess, all the while time is still going by and everyone will still be dealing with the problems or issue.

Best regards,

Holly Hammond
PDM, Inc.
802-658-3053
www.littleeaglebay.com

Our office is located here:
[PDM Office](#)

From: holly@pdmvt.com <holly@pdmvt.com>
Sent: Tuesday, September 15, 2020 9:42 AM
To: 'Sarah Carpenter' <scarpenter@burlingtonvt.gov>
Subject: No Cause, non-renew

Hello Sarah,

I hope all is well with you and I'm sure you are super busy with all the happenings around City Hall lately.

I'm writing today to let you know why we oppose abolishing the no-cause non-renew for rental leases in Burlington. Please see below from Vermont Apartment Owners Association that explains why this would be putting the professional landlords in Burlington at a disadvantage.

The main issue with this Charter Change is removing the no cause notice from Burlington Landlords. This would mean leases in perpetuity (unless the tenant did not pay the rent or violated the lease agreement), you would not be able to ask your tenant to leave at the end of the term. Landlords currently have so few tools to deal with tenants, this Charter Change intends to do away with one of them.

This proposed Charter Change is also very bad for neighbors and other tenants in a rental property. Many landlords use the no cause notice to deal with tenants who have behavior issues to avoid having to bring in other tenants and neighbors to testify. For cause evictions are also lengthy and expensive (generally more so than no cause evictions). This change would also put Burlington out of sync with the rest of Vermont's statewide eviction system.

We have used the non-renew on a few occasions in the past 10 years that I have managed 100 apartments in Burlington. I would like to list a couple examples of when we have used a no cause non-renew.

1. We had an occasion where a tenant was damaging the property, they cut on the new flooring causing cut lines like a cutting board, they painted on the floors as if it were their canvas, and got paint on the walls from their painted hands. They cut the screens out of the windows, they flooded the apartment below and denied they had anything to do with it. This individual was inconsiderate of the neighbors. This may not sound like much, but when a person is breaking the rules of the lease and the landlord then has the burden to prove it in court of law this is time consuming and expensive. A non-renew is a much simpler tool to implement.
2. We have used the non-renew on an occasion where the resident had behavior issues. We even had to move one of the neighbors' while we were waiting for the non-renew to come up as they next door neighbor felt in fear while in their apartment. The fearful neighbor had sent us numerous recordings of the uproars in the adjacent apartment. It was very scary to listen to.
3. We have a no smoking in the apartment clause in the lease. One resident insisted on smoke marijuana in here apartment. This smell went thru the building causing the non-smoking neighbor to have anxiety, sleeplessness and asthma. All the while, the resident who was smoking, denied smoking. Thenon-smoking neighbor kept a log of when the apartment smelled like pot. These issues are time consuming and can be stressful.

There are more examples, however, I think you understand where we are coming from. If you would like to hear more details or incidents we are willing to share. We do not use a non-renew without just cause. We take no cause non-renewals very seriously.

Please keep these real life examples in your mind while you are considering making a Charter Change in the City of Burlington. We do not feel this would be for the best interest of the majority of the people. We don't use this tool very often, however it is very helpful to keep the peace amongst the majority of our tenants. Let me know if you have any questions about this subject.

Thank you for your service Sarah.

Best regards,

Holly Hammond
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Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.