

Julie Castaneda

ADDENDUM MATERIAL

DATE 2-16-21 ITEM NO. AD4

From: Steve Diamond [REDACTED]
Sent: Monday, February 15, 2021 7:22 PM
To: COB_mail; Rex Scott; Matt Heinz; Sharon Bronson; Steve Christy; Adelita Grijalva
Subject: Addendum Item 4, Request for Reconsideration

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To the Pima County Board of Supervisors:

Regarding the eviction moratorium expansion that you passed on February 2, the only thing that's changed since your 4-1 vote is that two Republican legislators have asked Attorney General Brnovich to rule that your action was illegal. The AG has until March 11 to respond.

If AG Brnovich rules that you exceeded your authority, that will be the time when you have to decide whether or not to defend your responsibility to Pima County residents. That will be the time for you to stand up and say that no state law can override your mandate to keep county residents safe. If that time comes, I hope that's what you'll do.

But that time hasn't come. There is no reason to reverse course now. Tenants need protection just as much as they did two weeks ago. There is no reason to let threats and fear goad you into an unnecessary and destructive action.

Respectfully submitted,
Steve Diamond

16 FEB 16 21 PM 07:04 PC CLKU-H BK

DATE 2-16-21

ITEM NO. Add 4

Melissa Whitney

From: Blythe * <blythe@edmondsonlawpc.com>
Sent: Tuesday, February 16, 2021 9:06 AM
To: COB_mail
Subject: Comment Regarding Addendum Item 4 Eviction Prevention

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My name is Blythe Edmondson, and I am an attorney in Pima County and have been practicing for over 20 years. I have had the pleasure to represent landlords since the start of my practice, which means I have been representing landlords in eviction actions for over 20 years. When I heard about the decision regarding eviction prevention from your last meeting I was surprised. I immediately began to wonder how this could happen. As with so many things that have come to light during COVID-19 education seems to be a missing.

Well intentioned actions can have very negative consequences as I am sure many have pointed out in emails and in today's comments. I have no doubt the Board passed the extension of the Eviction Protections with the best of intentions, but the results would be catastrophic if put in place.

The eviction process begins with a notice to the tenant from the landlord. If a tenant has any lease violation the landlord must first provide the tenant with a notice and the opportunity to cure. If the tenant corrects the lease violation, the landlord cannot move forward with eviction. In my over 20 years I have never filed to evict a tenant because a hedge was not trimmed or an extra cat was present in a unit (as was mentioned in the news coverage). Noncompliance issues that landlords file on, now and prior to COVID-19, are for serious issues. Health and safety violations that risk not only the tenant's well being but those around him or her such as roach infestation, hoarding. Noncompliance issues often involve unauthorized occupants. Has the tenant moved a pedophile into the unit? Someone with a criminal history that may put those around the unit at risk? Many noncompliance cases are brought for excess traffic, disturbing the peace and noise. These may signal drug activity. When traffic comes and goes all hours of the day and night this disturbs neighbors and if drugs are being exchanged puts those around the tenant at possible risk. Noncompliance is not used as a loophole, prior to COVID-19 or now. It is a legitimate lease violation. We have seen more noncompliance eviction filings because pre COVID-19 we would often file on the nonpayment issue and "ignore" in the filing the noncompliance issue; nonpayment of rent was easier to prove when both existed. With the change in the rules due to COVID-19, in order to protect the tenant and those around him or her we have to proceed with the noncompliance issues. Furthermore, with more tenants at home, we are seeing more noncompliance issues. Remote hearings due to COVID-19 for eviction actions have led to increased participation by tenants. This has been a wonderful thing. It is an opportunity to educate tenants about options available to them for assistance.

I hope as a community moving forward we can look at ways to educate those who have an impact on the landlord tenant community and on evictions. We all have the same goals a safe, healthy and strong community for our loved ones and neighbors. Let's work to educate our community and make sure good intentions achieve the results we are actually striving toward.

Blythe Edmondson



Updates regarding the Corona Virus and its effect on landlords can be found on Blythe's Blog on our website www.EdmondsonLawPC.com and our facebook page <https://www.facebook.com/edmondsonlawpc/>

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