

Jessica Kopfmann

From: Julie Castaneda
Sent: Monday, March 1, 2021 1:15 PM
To: COB_mail
Subject: FW: Eviction Moratorium in Pima County

Importance: High

From: Monica Humbles <monica@scotiagroup.com>
Sent: Monday, March 1, 2021 1:03 PM
To: District1 <District1@pima.gov>; DIST2 <DIST.2@pima.gov>; District3 <District.3@pima.gov>; District4 <District4@pima.gov>; District5 <District5@pima.gov>; Julie Castaneda <julie.castaneda@pima.gov>
Subject: Eviction Moratorium in Pima County
Importance: High

CAUTION: This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Pima County Board of Supervisors,

I am writing to you as a Regional Supervisor for a Management company that does business in Pima County. I am frustrated and concerned about the proposed eviction ban. In managing these assets in Pima County we experience a multitude of issues each day. We should be allowed to continue to enforce the lease contracts we have in place.

We are unsure if the Board contemplated all, or any, of these types of behaviors or nuisances that rental property owners must contemplate and remedy on a daily basis. Some examples include:

- Property owners and managers will no longer be able to enforce mask requirements on their properties such as requirements for renters to wear masks within the community gymnasiums, community rooms, clubhouses, pool areas and leasing offices. This alone seems to directly conflict with the County's other public health responses to the COVID-19 pandemic.
- Property owners and managers will no longer be able to enforce occupancy restrictions in gyms, pools and common areas to reduce the COVID infection rate by social distancing. This may also lead to pool parties as the weather continues to get warmer.
- Property owners and managers will no longer be able to enforce smoking prohibitions on the property. For example, if a neighbor in the adjoining unit complains to management about marijuana or tobacco smoke, management can no longer remedy or enforce the property's smoke-free policies.
- Renters will have the ability to refuse entry to the rental owner or manager to conduct routine inspections to check for health and safety issues or to simply perform routine maintenance.
- Property owners and managers will be unable to remove persons who present a health and safety hazard to the community, such as bed bugs, cockroach and other infestations in their rental unit.

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- Property owner and managers will no longer be able to maintain the tranquility of the community and enforce the terms of the lease and the covenants set forth in law concerning the property and its operation. Many residents are now working from home and the quiet and peaceful enjoyment of their rental home is more critical now than ever before. Under this Order property managers will not have the ability to remove residents that play loud music at all hours of the night, who leave barking dogs in their homes or patios or residents that choose to host loud parties.
- Rental property owners and managers face potential fines in communities with nuisance party ordinances such as the city of Tucson “red tag” ordinance as owners will no longer have any recourse to ensure compliance.
- Renters will have the ability to move in additional residents into their rental home directly contradicting CDC recommendations for social and physical distancing.
- Property owners and managers will be unable to remove persons from the community that pose a danger who are not listed in the lease but have moved in to the property without authorization.
- Property owners and managers will not be able to enforce the terms of the lease and could be subjected to either lawsuits by other renters within the rental community for the failure to enforce the lease or be issued a 5-day or 10-day notice to address a nuisance at the community.
- Residents that live in single-family homes next to a rental home will be subjected to the same nuisances as listed above if the owner of a single-family rental has no recourse for renters that blatantly violate the lease or community rules.

Based upon the discussions of the Board, it appears that the Board believes that property owners are filing non-compliance evictions as a pretext to evict residents that are delinquent in rent. Instead of allowing judges who hear these cases to review such allegations on a case-by-case basis, the Board’s decision constituted a sweeping rule affecting all residents throughout the county, that deprived property owners one of their statutory and contractual rights to ensure that the community standards are maintained for the benefit of all residents. In other words, to address a finite problem that it believes exist in evictions, the Board just removed every single manager’s ability to ensure the quiet enjoyment of all residents in Pima apartment communities and homes. To be clear, it is a taking of the judicial discretion given to a sitting judge and a statement that you believe judges of this County are incapable of making these decisions.

It is also noteworthy that the alleged statistics relied upon are inaccurate and do not properly portray the eviction numbers.

It is for these reasons that we object to yesterday’s Board action and request that the Board reconsider this action immediately.

Monica Franzi Humbles

Regional Supervisor

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Professionally managed by:



Jessica Kopfmann

From: Julie Castaneda
Sent: Monday, March 1, 2021 1:15 PM
To: COB_mail
Subject: FW: Please enter into public record for March 2 hearing

From: Michael Coretz <[REDACTED]>
Sent: Monday, March 1, 2021 1:03 PM
To: District1 <District1@pima.gov>; DIST2 <DIST.2@pima.gov>; District3 <District.3@pima.gov>; District4 <District4@pima.gov>; District5 <District5@pima.gov>; Julie Castaneda <julie.castaneda@pima.gov>; cobmail@pima.gov
Subject: Please enter into public record for March 2 hearing

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March 1, 2021

To Pima County Board of Supervisors.

I am a small landlord in Tucson that has been affected greatly by the eviction moratorium. Advocates say the moratorium is critical to protecting financially strapped renters during the pandemic, but unfairly shifts the economic burden to the landlord who is prevented from replacing tenants that are using the system and not paying the rent with paying ones.

I have a few tenants that are struggling with their rental payment because their work hours have been cut but they are paying what they can and have applied for rental assistance. By working with them it is causing a cash flow issue for me and I will work with them as long as I can because they are trying and communicating.

I have another tenant that is using the system their income has not changed since they live on retirement income and get money for foster kids that they adopt. They do not think that they need to pay rent nor have expressed an interest in applying for assistance. (Currently 5 months behind) They refuse to sign a new lease renewal agreement since the lease has expired and are living there on a month-to-month basis. I have tried to evict them for nonpayment of rent and violations of the rental agreement. I have sent them Information on rental assistance programs and never get a response. I am still making repairs as needed and received a letter from the homeowner's association that I was in violation and needed to clean up the yard or I would be having to pay a fine, which was the tenant's responsibility under the lease agreement. During the past year, they have called for things to be repaired I have my contractors call to make appointments with them sometimes they are home, and other times no one answers the door, and I am charged for a second service call. I have purchased a new oven (I do not buy used ones) replaced the disposal and installed a new toilet since the tenant had flushed something down that got stuck in the toilet, HVAC serviced when needed, and had the yard taken care of.

Last September they called me and said that they had a flood I sent my plumber out to fix it and he said that it had been leaking for some time. I asked the tenant and they said that they had been using towels to dry it up for about a week. If they called me when they first noticed it would have been an easy inexpensive repair. Since they waited, I had to get them to move out since this was a health and safety issue until I could open the walls and deal with the mold, which cost

me thousands of dollars to repair. I gave them a rent credit to pay for a hotel while this was done. But some of the family members kept coming back and I believe staying in the home during the night.

With tenants like this and the ones behind it has created a cash flow problem for me and my savings is being depleted since I need to make mortgage payments, pay for repairs, insurance, and property taxes. If I do not pay them when due I incurred late fees. I know the tenants are liable for all past due rent but in the instance of the tenant using the system I will never be able to collect what is owed me and when I get them out it will cost me thousands more to fix the damage that they have done and continue to do to the property.

Though well-intended, these policies saddle financially strapped renters with unsurmountable debt and leave housing providers, many of whom are small owners like me who cannot afford it, stuck with footing the rental housing bill. There needs to be a way to evict the tenants that are using the system and refuse to work with landlords to resolve noncompliance issues.

If you have any questions, please feel free to give me a call

Sincerely

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Michael Coretz
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