

Jessica Kopfmann

From: Julie Castaneda
Sent: Monday, March 1, 2021 4:56 PM
To: COB_mail
Subject: FW: Call to Action for Landlords

From: Jennifer Anderson <rentalsbyjennifer@gmail.com>
Sent: Monday, March 1, 2021 4:54 PM
To: Julie Castaneda <julie.castaneda@pima.gov>
Subject: Call to Action for Landlords

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To Whom It May Concern:

I have been a property manager for the past 15 plus years and have dealt with many problems and issues concerned with property owners and tenants.

If there is not a way to evict a tenant for non compliance this could cause many concerns and definitely an overabundance of problems and costs for the owners.

Best regards,
Jennifer Anderson
RE/MAX Results
2292 W. Magee Rd. Ste. 190
Tucson, AZ 85742
520-544-7429 ofc
[REDACTED]
520-577-3707 fax
rentalsbyjennifer@gmail.com

VAR 0121PM0456FC01K0F-BD

Katrina Martinez

From: Michael Guymon <mguymon@tucsonchamber.org>
Sent: Monday, March 1, 2021 5:18 PM
To: COB_mail
Subject: Fwd: Pima County Supervisor Agenda Item 8 - Eviction Prevention

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Michael S. Guymon
[REDACTED]

Begin forwarded message:

From: Michael Guymon <mguymon@tucsonchamber.org>
Date: March 1, 2021 at 5:16:28 PM MST
To: sharon.bronson@pima.gov, matt.heinz@pima.gov, adelita.grijalva@pima.gov, steve.christy@pima.gov, rex.scott@pima.gov
Cc: kim.challender@pima.gov, David Higuera <David.Higuera@pima.gov>, Maria Klucarova <Maria.Klucarova@pima.gov>, Beth Borozan <Beth.Borozan@pima.gov>, keith.bagwell@pima.gov, cob_pima@pima.gov, chh@pima.gov, Jan Leshner <Jan.Leshner@pima.gov>
Subject: Pima County Supervisor Agenda Item 8 - Eviction Prevention

Honorable Chairwoman Bronson and Members of the Pima County Board of Supervisors:

On February 11, we sent a letter asking the County to reconsider the action taken on February 2 to extend an eviction moratorium to March 31, 2021. We would like to thank the Supervisors who voted in favor of reconsidering the item to allow for more information and outreach. While we understand the County's intentions, our members contend that such an extension would compound the disproportionate impact on renters in affordable housing units and further delay the inevitable back rent owed.

Based on the information gathered by County staff, it appears there is far more complexity to the issue and this would be more effectively addressed by following through with the recommendations outlined by the Task Force on the Prevention of Evictions and Homelessness. Some of the problems uncovered by the Task Force include:


- The eviction process is too quick and does not provide sufficient time for a tenant to obtain rental assistance or find alternative housing
- There is no uniformity in the way evictions are handled between precincts
- Judges' rulings vary between a full explanation of the ruling as merely "in the interest of justice"

MR 02140759PC/KCFH
(16)

Some of the recommendations include:

- Best practices in the handling of cases should be shared at the statewide level (Maricopa County prepared a best practices document for its judicial bench.)
- Utilize navigators to disseminate information to parties about the eviction process
- Require the Justices of the Peace to attend 15 hours of eviction training annually

We recommend that the Pima County Board of Supervisors bring stakeholders to the table to help implement the recommendations brought forward by the Task Force. This should be done in place of extending an eviction moratorium so we can develop solutions to this complex problem without the need to take punitive actions toward renters and property owners. The Tucson Metro Chamber has many members who can lend their time and expertise to assist the County in the improvement of our eviction system and processes.

Respectfully,
Michael S. Guymon
Vice President
Tucson Metro Chamber


Katrina Martinez

From: Julie Castaneda
Sent: Monday, March 1, 2021 7:11 PM
To: COB_mail
Subject: Fwd: Ban on Evictions for Non-Compliance

Begin forwarded message:

From: Kim Fitch <kfitch@nicolosifitch.com>
Date: March 1, 2021 at 6:47:19 PM MST
To: Julie Castaneda <julie.castaneda@pima.gov>
Subject: Ban on Evictions for Non-Compliance

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.

My name is Kimberly Fitch and I own Nicolosi & Fitch, Inc., a full service property management company in Pima County. We manage just under 4,000 multifamily apartments, with the majority of them in Pima County.

I have worked on the Eviction Prevention Committee in Pima County and my company helped beta test the Landlord Portal for eviction prevention funds. We are VERY ACTIVE in helping residents stay in their homes.

I highly oppose the ban on evictions for non-compliance. This is not a "landlord loophole." It allows us to manage our communities to the best of our abilities.

Understand that when a person receives a non-compliance notice, they have 10-days to remedy the situation. If they continue the infraction after that, they can be evicted. This is not something that happens to a resident and they have no control to prevent the eviction. Their BEHAVIOR can prevent an eviction.

If you place a ban on evictions for non-compliance, the following are situations that we will be preventing my site teams from:

1. Enforcing the mask requirements on our properties
2. Enforcing policies for unauthorized occupants (fair housing issues)
3. Enforcing policies for unauthorized pets (fair housing issues)
4. Enforcing policies regarding pest control issues (bed bugs, roaches, or other infestations in the apartment). This could adversely affect neighboring apartments and we would be unable to solve these issues.
5. Enforcing noise violations and allowing for peaceful enjoyment of ALL residents.

I understand the spirit in which you're trying to prevent evictions during a pandemic, but you're not looking at the full ramifications to your sweeping moratorium.

Non-compliance evictions are not a "landlord loophole." People living in close proximity to their neighbors must be respectful of all the rules.

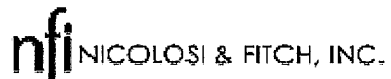
Please do not vote for the ban on evictions based on non-compliances.

If you have any questions, please feel free to contact me. I'd be happy to speak at any study session you have on this topic.

Kimberly K. Fitch, CPM

Kimberly K. Fitch, CPM

Owner



5501 N Swan Rd, Ste 100 | Tucson, AZ 85718

(520) 577-9700 x 602 | (520) 293-2199 Fax

www.nicolosifitch.com

"Where Dreams Come Home"

Katrina Martinez

From: Julie Castaneda
Sent: Monday, March 1, 2021 7:11 PM
To: COB_mail
Subject: Fwd: Board of Supervisors Eviction Moratorium

Begin forwarded message:

From: "Villa, Lora" <lvilla@northland.com>
Date: March 1, 2021 at 5:28:58 PM MST
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: Board of Supervisors Eviction Moratorium

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.

Dear Supervisors :

Northland is an owner operator and we have been working closely as to not displace our residents that have been challenged by the pandemic and have had issues paying the rent. We are working through this hand and hand with our valued residents, to ensure that they have a place to call home. Should you rule on the behalf of the moratorium to hold off on any and all noncompliance evictions for our properties, this will be detrimental to our residents that are following the community policies, terms of the agreement and the property owners. We ask you to take full consideration when making these decisions, to not disparage and create liabilities for the owners as we are all doing our best to help our residents keep their homes and families together in these uncertain and difficult times.

The below would create liabilities and disparage our residents that are following the policies and procedures pursuant to their rental agreements.

- The proposed eviction ban would prohibit owners from enforcing mask requirements on the property. The safety of our residents and employees is our top priority.
- 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.
- 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.
- Property owners won't be able to manage noise violations so if a neighbor complains about a noisy neighbor, the manager will be unable to remedy the situation.

- Property owners won't be able to manage criminal activity on the site
- Property owners won't be able to manage unauthorized occupants

Please take this into consideration that not managing the non compliance issues and concerns would be disparaging to our residents that are doing the right what is right to live in a peaceful environment and to be able to come home from a full day, to their sanctuary of peace and joy. I would hope that you would put yourselves in our residents shoes and do the right thing, for all that are just trying to get through these difficult days.



Lora Villa

Regional Property Manager

Phone 520-314-9941

Email lvilla@northland.com

Web www.northland.com

5755 E River Rd. Tucson AZ 85750



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Katrina Martinez

From: Julie Castaneda
Sent: Monday, March 1, 2021 8:01 PM
To: COB_mail
Subject: Fwd: Please consider all ramifications for a Local Eviction Moratorium

Begin forwarded message:

From: John Malozsak <john@suburbgroup.com>
Date: March 1, 2021 at 7:51:26 PM MST
To: Julie Castaneda <julie.castaneda@pima.gov>
Subject: Please consider all ramifications for a Local Eviction Moratorium

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To Julie Castaneda,

I'm the broker of a Property Management and Real Estate Brokerage in the area and I would like to voice my concern regarding the proposed eviction ban.

We have been in business managing single family homes for landlords for over 10 years. Our typical landlord owns one single family home that they couldn't sell when the market crashed back in 2008 and have held onto it by the skin of their teeth all these years. Most of them barely break even from month to month but they are holding them until they are no longer underwater with their mortgage so they can sell it without having to short sale or foreclose.

My concern is that the Board of Supervisors doesn't fully understand the far reaching ramifications of their proposed local order.

Passing such an order would prohibit managers and property owners to be able to enforce basic lease contract requirements (such as: no smoking, no illegal activity, occupancy requirements, health and safety requirements).

I urge the Board to very carefully consider the full extent of what this local order would create and the far reaching ramifications it would impose.

Respectfully,

John Malozsak | Designated Broker/Realtor | 520.820.9151
President Elect - Green Valley/Sahuarita Association of Realtors

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Melissa Whitney

From: Julie Castaneda
Sent: Tuesday, March 2, 2021 8:03 AM
To: COB_mail
Subject: FW: Far-reaching ramifications of March 2nd proposed local order

Julie Castañeda
Pima County Clerk of the Board
130 W. Congress, 1st Floor
Tucson, Arizona 85701
(520) 724-8007

MAR 02 21 AM 08:04 PCD/KCF/H
ma

From: Tom Stevens [REDACTED]
Sent: Monday, March 1, 2021 8:12 PM
To: Julie Castaneda <julie.castaneda@pima.gov>
Subject: Far-reaching ramifications of March 2nd proposed local order

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On March 2nd, the Pima County Board of Supervisors will be reconsidering a local Eviction Moratorium that could prohibit even non-compliance evictions within the County. This would effectively ban all eviction actions in Pima County going forward.

Constitution rights regarding property ownership aside, this well-intentioned but misinformed action will create many unintended consequences:

Property owners and managers will be unable to remove persons who present a health and safety hazard to the community. Think drug paraphernalia left in a yard, bed bugs, cockroach and other infestations in their rental unit, etc. Property owners and managers will be unable to remove occupants not on lease. Criminals moving in to live with the tenant.... next door to your kid?

Property owners and managers will be unable to manage lease violations; smoke free, noise disturbances, parking and common area or fire code violations....

Property owners and managers will be exposed to liability and face lawsuits related to personal injury, property damage, and tenant contract disputes because they're deprived of the ability to control unsafe conditions.

Currently, landlords are already bound by moratoriums that do not allow them to evict a non paying tenant. Many landlords with commercial bank small business loans or private money mortgages must continue to pay all the mortgage and insurance payments and maintenance expenses even when their tenants do not pay their rent. If funds to purchase did not come from federally insured loans, there is no moratorium extended to them for their mortgage payments; They must continue to pay out in a timely manner or they will face foreclosure or a bank accelerating the entire payoff of a commercial loan.

It is optimistic but not realistic to believe tenants who are thousands of dollars in arrears will be somehow able (or even willing to try) to pay back the unpaid balances due when the moratoriums cease. Many will be forced to leave and may not be able to relocate. I have people calling me almost daily asking about vacant property, but they decline to fill out the background information when I tell them they need to show proof of recent (90 days) rent payments as reference. Most small business landlords cooperate with struggling tenants. Vacant property is a liability. The cost of preparing a unit for a new tenant is time consuming and costly. Not working with a good tenant is just bad business. The math

should show that the proportionately higher percentage of "loophole" evictions only exists because owners are not filing any nonpayment actions now.

For most landlords with few properties, owning a rental is a long-term investment with meager cash flow and lots of hard work. Please don't add to the problems with a bad Board of Supervisors vote.

Best,

Tom Stevens

[REDACTED]

P O Box 91565

Tucson Arizona

85752-1565

Melissa Whitney

From: Julie Castaneda
Sent: Tuesday, March 2, 2021 8:04 AM
To: COB_mail
Subject: FW: Eviction Moratorium hearing March 2

Additional material

Julie Castañeda
Pima County Clerk of the Board
130 W. Congress, 1st Floor
Tucson, Arizona 85701
(520) 724-8007

From: hilbys555 [REDACTED] >
Sent: Monday, March 1, 2021 9:29 PM
To: Julie Castaneda <julie.castaneda@pima.gov>
Cc: District1 <District1@pima.gov>; DIST2 <DIST.2@pima.gov>; District3 <District.3@pima.gov>; District4 <District4@pima.gov>; District5 <District5@pima.gov>
Subject: Eviction Moratorium hearing March 2

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Hi,
I am an owner/landlord in Tucson and have owned MHPs since the '70s in Pima County.

I urge you to please lift the eviction moratorium for non-compliance. I am currently dealing with a tenant who is mercilessly harrassing another tenant in her mid-70s w/cancer. They have put feces in her mailbox, taken off her screens, pounded on her trailer always in the middle of the night, defaced her property. The police do not come for 3hrs bec they don't deem it high priority. It has been exhausting and frustrating.

I recently cleaned up and turned around a bed bug infested, drug den Park on the south side, Benson Hwy, just prior to and in the middle of the pandemic. The moratorium wasn't in place and being able to clean up this park with the help of a few good tenants and 2 detectives to evict the offenders was a blessing. The park is thriving and filled with hard working, decent people who appreciate the safety and cleanliness. If we would have been prevented from evicting the offenders - i would still be dealing with bed bugs (health and safety eviction as they refused to let us treat), a hoarding and elder abuse situation involving meth and 47 feral cats, a heroin den, a fentanyl dealer, 2 meth dealers, 4 dangerous dogs (1 of which attacked 2 residents), a CPS situation, my life was threatened and i had to get 2 protective orders against 2 drug suppliers.

I also have a tenant who has huge parties every weekend since late October, no masks, no distancing. Due to the moratorium, they have refused to comply. Their neighbor contracted COVID. She is the primary provider for her family.

MAR 02 21 AM 08:04 PM CLK CL-HD
mw

I am a good and reasonable landlord. I don't charge late fees. I work with my tenants during hardship and help them keep their homes. I provide safe, affordable housing.

PLEASE help us keep our communities safe and healthy by allowing non-compliance evictions to move forward.

Thank you,
Louise Hilby

[REDACTED]

Owner

Leisure Lane MHP

Former owner:

Carefree Village MHP

The Palms MHP