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LD 45

LD 45: An Act to Prevent Retaliatory Evictions
<https://www.facebook.com/groups/637861706387540/user/582558144>

We are Deb and Ken LaVoie, owners of Southern Angel Properties which owns and operates 22 rental units in Waterville, Maine. My wife and I have been landlords in this community since 2009. We are the preferred rental agency for two local universities and enjoy one of the most favorable reputations of any housing provider in this area. I believe these “credentials”, albeit anecdotal, lend above average credibility to our testimony and I thank you in advance for your consideration.

We are entirely opposed to this bill for several reasons. First, I don't think it's an exaggeration to claim that this proposal undermines basic property rights. As small “mom and pop” landlords, we assume a very hands on approach to our buildings and tenants. We manage our four properties, and to continue to have the motivation and tools to provide a safe, harmonious environment for our residents, (and an operation we can be proud of), we need to have the ability, without constraint, to refuse to do business with anyone we deem an unfit “client”. To be “shackled” into a continued disharmonious business relationship, by virtue of someone claiming to have asserted their rights in a certain way, is tantamount to surrendering our basic property rights.

Though I acknowledge that there may be unscrupulous landlords who would evict someone for “putting up a stink” about an inappropriate rent increase, I can't imagine that they're more than a tiny minority. It is almost never in a landlord's best interest to do so. I see this as a tool that will be used most often by otherwise undesirable tenants to delay necessary evictions or terminations of lease. In short, it's a solution to a problem that “barely exists” if it exists at all, and that will victimize twenty ethical, hard working landlords for every unscrupulous one it inconveniences. Additionally, very few communities have the restrictions referenced in the bill (rent control, etc.) which leaves only the proper notice of 45 days for rent increases. And what landlord in their right mind would terminate a lease simply because a tenant asserted their right for the correct 45 days notice?

Landlord Tenant law is already adequately balanced in Maine, especially among the more rural, smaller landlords, which comprise the overwhelming majority of rental units in Maine.