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**Testimony in Opposition to LD 45
"An Act to Prevent Retaliatory Evictions"**

Senator Carney, Representative Moonen, and esteemed members of the Judiciary Committee:

My name is Amy Arata and I represent House District 104, which includes part of Gray and my home town of New Gloucester. I have also managed residential rental property in Maine for 16 years. Based on this experience, I'm here to testify in opposition to LD 45, "An Act to Prevent Retaliatory Evictions."

Although well-intended, by making it more difficult to evict tenants, LD 45 could actually harm more renters than it would help. Renters who share a building with a neighbor who intimidates them are unlikely to show up to court to testify to the bad behavior, such as smoking, drug dealing, violence, or threats. Without their physical presence in the courtroom, a landlord's testimony will be merely hearsay.

LD 45 would also require a violation of a lease provision for eviction. I've found over the years that it's impossible to predict every behavior that a tenant may have. I have several examples:

- A tenant of a 12 unit building who spent time outside wearing only his white briefs, causing distress for female tenants.
- A tenant put feces in the community washing machines, resulting in other tenants getting human feces on their clothing. She saw nothing wrong with this behavior.
- Tenants who allowed dogs to urinate and defecate on the floor until the odor spread to other tenants' units. Urine saturated the framing and the thresholds were coated with a layer of feces. When confronted, they said, "I don't smell anything, show me the smell".
- Tenants who thought using an oxyacetylene torch and storing canisters of explosive gas in their apartment was reasonable.
- A tenant who soldered electronics, resulting in a coating of soot on every surface of the apartment.
- A tenant who, after a vulgar tirade, quietly quoted my address to me. This caused me extreme concern for the safety of myself and my family. He later spent time in jail for a violent crime.

As you can see, a landlord needs to have the power to evict tenants for behavior that's dangerous or disrupts the quiet enjoyment of the property by other tenants, and it's impossible to predict exact scenarios. At the end of the day, the landlord usually gets to go home, but the tenants have to live with the stress of a bad neighbor for 24 hours a day. I've never seen a tenant who was willing to take a day off from work to attend court to testify against a neighbor, especially since the eviction process takes many weeks and they'd still have to live next to each other during that time. They would rather go through the expense of moving to a new apartment.

Most landlords want to comply with the law. Most value their tenants, as I do, and want them to be safe and happy. LD 45 would make this difficult job even more difficult for good landlords, and harm good tenants. Let's support good landlords rather than punish them for the misdeeds of a few. Thank you and I welcome any questions.