From: Roland, Le"Shyeka on behalf of Shields, Katheryn
To: Public Testimony
Subject: FW: Vote NO on 210055
Date: Sunday, January 24, 2021 5:18:44 PM

From: Tony Barnes <Tony.Barnes.1740943@muster.com>
Sent: Sunday, January 24, 2021 4:15 PM
To: Shields, Katheryn <Katheryn.Shields@kcmo.org>
Subject: Vote NO on 210055

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Dear Council Shields,

The problem with this proposed ordinance is that it is too late. It is only after a person has already been evicted from the home before this forces them into another unsteady housing situation without resolving the burden of the past due rent owed. This unsolved problem of a pending financial judgment will impact their opportunity to get credit in the future which includes their ability to one day purchase a home for their family. The ideal situation is to keep them housed and secured safely in their current location after paying off their arrearages. The focus should be on getting the $14 million in rental assistance that the city currently has into the hands of those that need the help. It will cover past due amounts months back & even months into the future. We commit to working with you again to keep people stabilized in their current homes. We will host another KCRHA Virtual Resource Summit (where our efforts successfully helped the United Way provide over $100,000 worth of direct relief over a 2 week period last month). We have also submitted an updated Eviction Prevention - Emergency Rental Assistance proposal to the Mayor and Chair of the Housing Committee.

The problems with Ordinance #210055 include many (un)intended consequences:

- This ordinance prioritizes people who have been evicted over those that have paid their rent in a timely manner

- This ordinance actually criminalizes the actions of small business owners who are being mandated by the KCMO city council to do business with people that do not qualify for credit

- The standards for qualification will be raised, i.e. – attorneys have advised clients that there are ways to stay in compliance with the ordinance, but resident selection criteria will be tougher for renters

- This is not only for those proven impacted by COVID but covers anyone who has been evicted for non-payment (mixed in with other infractions) in the time period

- A housing provider can be in violation and subject to the fine for the term of the lease if another non-evicted renter was chosen (potentially for 365 days and a total minimum fine of $365,000)

- Equal protection violation – other industries are not forced by the KCMO city council to do

business with people with bad credit

- The application & screening process is the ”inquiry” into past rental history which may reveal the eviction, causing the violation under the ordinance. So, we are automatically guilty by doing what is traditionally done in the course of our business by qualifying our customers

- This can inadvertently cover almost ALL evictions, not just cases of evictions solely for non-payment of rent (including renters that have assaulted other tenants, participated in illegal drug activity, and other lease violations). Many times, tenants being evicted for other actions, will also owe past due rent. With that being one part of the action, they are protected

- This ordinance shifts the burden to the housing provider to house the homeless in our community because the government shut down the economy. Many may ultimately lose their properties, and without a regular income, many will exit the market (by selling, walking away, or losing properties through foreclosure) according to 40% of our survey respondents

- Many renters took advantage of the other eviction moratoriums (including the CDC) and stopped paying their rent, even though they were working and able

- Many housing providers have not been paid rent since the Spring of 2020, and this punitive ordinance furthers the damages of small business owners in Kansas City. Real estate investors do not have to do business in Kansas City, MO. They have options, and many have already exited our market in great numbers. With the addition of this punitive ordinance against us, more will go do business where they are welcomed

This legislation is unreasonable, impractical and flat out wrong. This forces landlords to accept unqualified applicants and if they don't pay us, we can't pay our mortgages and will lose the asset and the tenants will be evicted anyway because the bank will foreclose on us. If you pass this legislation, you might as well demand the same from employers, banks, car companies not to use credit scores to approve or consider credit worthiness a determining factor. Furthermore, this legislation will essentially drive me out on business and further reduce the available homes in the market.

Sincerely,

Tony Barnes
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