

Landlords battle tenants' rights legislation

By Tim Richard
staff writer

A suburban apartment boom is causing a battle over tenants' rights in the state House of Representatives.

"There's a shortage of apartment units — no question about it," Daniel Cooper, attorney for the Apartment Association of Michigan, told the House Consumers Committee last week.

But Cooper called a package of tenants' rights bills, sponsored by Rep. Maxine Berman, D-Southfield, "an over-reaction to the fantastic growth in the economy, especially in her district."

"Your area is one of the hottest in America with EDS coming in," said Cooper, referring to a high-tech subsidiary of General Motors which is building in Oakland County.

Cooper and the landlords opposed all but one of the bills as burdensome.

"IT IS NOT burdensome," Berman countered, "to place into law what most good landlords are doing."

And the second-term lawmaker, herself an apartment-dweller, said public testimony showed tenants are having problems in Westland, Birmingham, Troy and Farmington Hills, along with Macomb County, Ann Arbor and Detroit.

"This doesn't control rents," she said, noting that provisions to limit rental in-



Rep. Maxine Berman
problem widespread

creases to long-term tenant were dropped from one bill.

A Consumers Committee meeting last week turned into a polite tug-of-war between Cooper and Berman. Cooper was a state legislator from southern Oakland County for 14 years until defeated by consumer advocate Doug Ross in a 1978 Democratic state Senate primary. (Ross now directs the state Department of Commerce.)

Consumers Power, which serves most suburban communities, asked the Michigan Public Service Commission for permission to institute a flexible rate for industrial customers who have the capability to use either natural gas or other fuels.

"While one of Consumers Power's major suppliers of gas will transport spot-market gas for Consumers Power's large industrial and other customers until Dec. 14, the approval of the proposed new flexible rate is necessary to continue serving these major industrial customers after Dec. 14," said Charles F. Brown, the utility's vice president for customer services.

HB 4695 — Tenant can't be required to waive right to join tenant organization or waive right to take part in its lawful activities. Still in committee.

HB 4696 — Tenant may sue landlord who interferes in right to take part in tenants' organization. Tenants may use "common" area for meetings on tenants' concerns. Still in committee.

HB 4697 — Tenants' security deposit shall earn simple interest at 7.5 percent annually. Failed in committee; probably dead for session.

HB 5225 — Landlord must provide prospective tenant rental rates for last five years the landlord has owned it. Still in committee.

REPUBLICANS on the panel gave only one of Berman's bills any support. HB 4545, requiring longer notices of rent increases. Otherwise, a thinly-veiled partisan split appeared to be developing on the Democratic-controlled committee.

Rep. Justine Barnes, D-Westland, missed the meeting but cast a proxy vote for all of Berman's bills.

Cooper objected that Berman's package would be a burden on all landlords though only a few are bad. "There are nuts everywhere. Your legislation is precipitous," he said.

Cooper also objected that the bills would require too much paperwork for

landlords. "Our society is smothered in paperwork," he said.

BERMAN COUNTERED, "Do you think 24 hours notice (of a rent increase) is sufficient?"

"No landlords are doing this," Cooper replied. "The tenant must give a 30-day notice to vacate," Berman shot back. "If a tenant is given a rent increase notice one day before, it gives them (tenants) precious little time to look for a new place."

"No money changes hands. This bill doesn't require anything new. It gives the tenant notice so the tenant can have time to look around," she added.

Flexible gas rate offered industries

Consumers Power Co. announced what it called an innovative program to help keep down gas bills for industrial as well as residential and commercial customers.

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That bill was reported out on a 6-3 vote with recommendation for House passage.

THE BILL, requiring landlords to provide a five-year history of rents drew more fire.

"Why am I responsible to report to him (tenant) my business? Does he have to tell me his?" said Grand Rapids landlord Teresa Cardinale. "They could care less what my costs are."

Cooper agreed, arguing, "Does a car dealer have to give you the price history of a car?"

An outstate landlord association rep-

resentative criticized the entire package of bills, saying apartment owners in other states "ask me why I would even want to own property in Michigan."

"WE MUST have some good laws," countered Rep. Michael Bennane, D-Detroit, "or we wouldn't have so many landlords. People are making money... a lot of money... They're picking up as much property as they can."

"Detroit, which used to be a home-owners' city, is becoming a renters' town," said Bennane, who supported Berman's bills.

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