



1300 S. Fourth Street, Louisville, KY 40208 | www.louhomeless.org | (502) 636-9550

Kentucky House Committee on Licensing,
Occupations, & Administrative Regulations
Kentucky General Assembly
Kentucky State Capitol
700 Capitol Ave.
Frankfort, KY 40601

Dear Chairman Koenig and Members of the House Licensing, Occupation, and Administrative Regulations Committee,

The Coalition is based in Louisville, Kentucky and we represent nearly 40 organizations that are dedicated to addressing the needs of Louisvillians experiencing homelessness. We strive to develop and implement smart, long-term, collaborative solutions. **Senate Bill 11**, a bill posted in the Licensing, Occupation, & Administrative Regulations Committee on February 26th, is neither a smart or long-term solution and we are vehemently opposed to the legislation because it is harmful and unnecessary for Kentuckians. **We urge you to vote against this bill.**

Senate Bill 11 is unnecessary legislation that could be harmful and stigmatizing to current and prospective tenants. It claims to protect landlords, but intentional or wanton destruction of a rental property is already against the law in Kentucky. Landlords have the option to pursue complaints under existing statutes, and the vast majority of tenant damages can be pursued through civil action, resulting in faster relief for the landlord. This legislation moves what should be a civil matter into the realm of criminal law. While we know and work with many well-intentioned landlords, this bill gives unscrupulous landlords the ability to threaten a renter with criminal charges to bend the renter to the landlord's will or to vacate the property without due process.

This legislation will be harmful to Kentucky's Homerenters. If a criminal complaint were pursued by a landlord, a Kentuckian could be saddled with a felony on their record over minimal damage. As written, the threshold for criminal mischief in the first degree is \$1,000 or more. Minor damages can quickly add up to over \$1,000 when you take into account the cost of labor to make repairs. And what if the rental unit was already in poor shape? An opportunistic landlord could claim \$1,000 of damages, and a tenant could be convicted of a felony. As you know, a felony conviction in Kentucky comes with lifelong consequences that impact your ability to procure safe and affordable housing, your right to vote, your ability to chaperone field trips or volunteer at your child's school, and more. This will disproportionately impact communities of color that rent at a higher rate because of past policy decisions that were made to lock those communities into the rental market.



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Many of our member agencies provide permanent supportive housing rental assistance to formerly homeless families and individuals in Louisville. We compete for this federal funding on an annual basis and have to demonstrate strong performance outcomes in terms of housing stability, increasing client income, and minimal returns to homelessness. We do so through a public-private partnership, providing the contract rent to private market landlords on time and in full while tenants pay us 30% of Adjusted Gross Income to offset program costs.

To experience homelessness, though, is to experience trauma—trauma that complicates the path out of homelessness. Domestic violence, substance abuse disorder, and severe mental illness are just a few of the realities that our clients regularly navigate. We have a legion of dedicated caseworkers diligently helping people manage these issues while also maintaining landlord-tenant relationships. These caseworkers serve as mediators between newly housed tenants and landlords; they frequently resolve simple misunderstandings that might otherwise have resulted in damage to housing units.

As the experts in this field, we know that it's these personal relationships with trained caseworkers that help individuals maintain housing—not creating an explicit pathway from landlord-tenant issues to the criminal mischief statute. And we believe that our goal as a community should be to support people who have been living on the streets with trauma-informed practices as they transition to the new life of being housed, rather than waving the threat of a felony conviction in their faces.

The vast majority of landlord-tenant relationships are positive. Only a small minority of these relationships sour to the point that parties try to enact revenge through the destruction of property. We understand that landlords need a way to seek relief in the case of destruction—but such relief is already provided for as a civil matter. Taking a landlord-tenant dispute into criminal court will not make the landlord financially whole. **Landlords acting in good faith do not need this addition to the criminal mischief statute**, and the threat of a criminal conviction will not deter tenants, but it could negatively impact their lives for years to come.

As a commonwealth, we should pursue policies that promote, foster, and facilitate good relationships between landlords and tenants. Senate Bill 11 would have the opposite effect. **We strongly urge you to vote against this unnecessary and harmful bill.** Thank you for your consideration, your compassion, and your time.

With gratitude,

George Eklund

Education and Advocacy Director