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What do you need to consider when buying or selling a company?

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Choose a word or theme to help guide you through the year.

RESIDENTIALResource

THE OFFICIAL MONTHLY NEWS MAGAZINE OF THE NATIONAL ASSOCIATION OF RESIDENTIAL PROPERTY MANAGERS

Government Interventions Gone Wrong

Using COVID as a pre-text, there is a movement afoot to increase the overall burden to remove tenants. Consequently, at-will tenancy could also be coming to a close. Landlords may eventually become legally committed to every renter, no matter what their payment record is or how they've treated the property. The right to administer one's own property was firmly protected in our Constitution. But now, that right appears to be a mere suggestion, casually dismissed in various bureaucratic offices. The law is not supposed to interfere with the rights of property owners. It is up to all of us to continue to shed light on this extremely important issue.

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Taking a Big Hit During COVID Occupation Constitutional Property Rights

There's no getting around it, the COVID-19 pandemic has created an extremely tough economic landscape for families and business owners. Even those who have "made it through" have had to employ highly unusual and uniquely creative means to survive.

Big government advocates would say that these success stories are solely attributed to government intervention. However, in my world, that couldn't be further from the truth. At the top of the list of interventions gone wrong is the continuous effort to deprive property owners of their legal rights by banning evictions. Eviction moratoriums have had a severely negative affect on my landlord clients, but what no one is talking about is the people these interventions were supposed to help will also suffer.

Landlords who are unable to collect rents have had to cut back not only on amenities but on basic

I understand the loss that many families have suffered through the pandemic and I don't take that lightly. But the toll this has taken on these same families who own rental properties and who are desperately trying to stay afloat, at this point, seems like unnecessary piling on. And frankly what they're going through is absolutely unconstitutional.

Additionally, using COVID as a pre-text, there is a movement afoot to increase the overall burden to remove tenants. Consequently, the at-will tenancy where landlords could decide at the end of a lease term to terminate an agreement) could also be coming to a close. Landlords may eventually become legally committed to every renter, no matter what their payment record is or how they've treated the property.

I used to say a rental lease is not a suicide pact. That's no longer true. It's assisted suicide for the rental market. I also used to think the right to administer

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services such as repairs, building upgrades and landscape maintenance. Even more importantly, to make up for shortfalls, current renters may be looking at the potential for an increase in rents. Future tenants will no doubt bear the brunt of this as well.

There are governmental assistance programs for tenants to help with paying rent. But no one wants to be in a position to be reliant on a government entity to save the day. Unfortunately, this is what COVID has reduced us to. Despite this financial assistance, state and city governments across the country have passed multiple eviction moratoriums. Nationally, the Centers for Disease Control and Prevention (CDC) adopted a nationwide eviction ban for certain qualifying tenants. Now, with the new Administration's inauguration, there is an Executive Order extending this all the way through March 31. This will only serve to prejudice property owners since tenants will have no incentive to work with them to pay their delinquency.

one's own property was firmly protected in our Constitution. But now that right appears to be a mere suggestion, casually dismissed in various bureaucratic offices. Unfortunately, this is now the legal landscape.

Yet, in spite of these overwhelming obstacles, landlords are still being viewed by social service agencies, activist tenant groups and the media like pariahs on the housing landscape. And while patience may be a virtue, it's understandably in short supply for our cash-strapped landlord clients.

When you upset the delicate relationship between landlord and tenant, this economic chaos is what you get. The law is not supposed to interfere with the rights of property owners. We as landlord advocates are using our legal experience and tenacity to do as much as possible for our clients and to do what we can to protect their rights. It is up to all of us to continue to shed light on this extremely important issue. 