

March 17, 2020

Honorable Eric J. Holcomb
Governor of Indiana
200 W. Washington St.
Indianapolis, IN 46204

Dear Governor Holcomb:

We the undersigned organizations, on behalf of approximately 2 million Hoosier renters, urge you to veto SEA 148, due to dangerous, unvetted language that would worsen Indiana's affordable housing and eviction crisis. Included is a letter signed by nearly 300 organizations and individuals statewide, voicing their opposition to this legislation.

SEA 148 is a substantial change in law that affects the lives of over 30 percent of Indiana's population - more than 2 million Hoosiers - who rent their homes. Hoosiers who rent cut across a broad spectrum of citizens who need to access and retain stable and healthy housing. Renters include young people starting out, veterans returning from service, those struggling to recover from addictions, families working multiple jobs to make ends meet, Hoosiers with disabilities seeking independence and integration, those fleeing domestic violence, older adults with inflexible incomes, students in college, and those attempting to re-enter society after release from prison.

We commend your administration's efforts to date to address the social determinants of health, which specifically includes stable housing. Your efforts to increase access to recovery housing and workforce housing are positive steps in the right direction for Hoosiers. Research shows that access to safe, stable, and affordable housing acts as a "door that opens the way" to better physical and mental health outcomes and to economic mobility. Attached also is a letter from Dr. Sarah Stelzner detailing how housing insecurity and homelessness negatively impact the health, safety, education and development of children.

SEA 148 would take Indiana in the opposite direction by undermining access to safe and stable housing. This legislation would hinder Indiana's ability to reach the 'next level' of public health by substantially changing existing landlord-tenant law to diminish state protections for renters. Also, stripping local governments of the ability to take action to improve housing quality and stabilize rental housing, unless specifically permitted by the state legislature, will create dangerous delays that could worsen significant health conditions, including rates of asthma, lead poisoning, mental illness, maternal mortality, and opioid-related deaths. Attached is a document detailing some of the most harmful and concerning sections of SEA 148.

When previous significant changes in landlord-tenant relations were passed through the General Assembly in the late 1990s and in the early 2000s - 2007, these laws were passed through bills that were filed and fully heard and vetted in committees of both the House and the Senate. Representatives of both the landlords and tenants were actively involved in the process, and many compromises were brokered in order to achieve a balance in the laws that were passed.

This year, the section of SEA148 impacting tenants was not afforded any full or fair democratic process, and no opportunity for formal input by those concerned was provided. As a result, no balance in the language for renters was achieved. Specifically, this language was never filed as a bill and never heard in any committee of the Senate. It was not posted for hearing in the House to be considered as an amendment to SB 340. Yet, it passed out of the House Judiciary committee during the last day of hearings. The language of this amendment was not available to the public until after it passed out of committee that same day, on February 24.

With a little over 2 weeks left in the session after this language was abruptly added to SB 340, the Indiana Apartments Association was asked to negotiate with the many groups concerned about balancing the laws to also protect tenants, and they refused. Sen. Merritt asked the Apartments Association to attend a meeting in the Senate on March 5 to negotiate with those concerned about the bill. While many renter advocates came to the table, the Apartments Association did not attend; they instead sent a lobbyist expressly saying she had no authority to negotiate. When the language was moved to SB 148 in conference committee, the Senate conference committee chair initially announced there would be no public testimony allowed. Under protest from other conferees, he allowed only 2 people to speak; and after questions generally relating to how many ordinances would be affected (to which no one knew the answer), he ended the hearing.

As a result of a complete deficit of democratic process, SEA 148, as rushed through the General Assembly in a little over 2 weeks, has not been adequately vetted, and it is not balanced. It allows accelerated emergency eviction procedures to be used in an expanded class of cases, including that in which a tenant - having committed no violation of law or lease - can be evicted in 3 days. It also omits standard code provisions that prevent landlords from simply eliminating or changing the limited retaliation protections afforded by SEA 148 through a non-negotiable lease. It further arbitrarily preempts the ability of all local governments throughout the state to regulate any aspect of the landlord-tenant relationship, without having studied or surveyed existing local ordinances and regulations throughout the state to determine how they would be nullified.

We, the undersigned, respectfully request that you veto SEA 148. Legislation this significant, which impacts millions of Hoosiers across all walks of life, should be studied, examined, and debated, through a truly democratic process.

Sincerely,

<u>Organization</u>	<u>Name</u>	
AARP Indiana	Ambre Marr	State Legislative Director
Cinnaire®	Keith Broadnax	Senior Vice President, Business Development
Coalition for Homelessness Intervention and Prevention (CHIP)	Dr. Chelsea Haring-Cozzi	Executive Director
Fair Housing Center of Central Indiana	Amy Nelson	Executive Director
Family Promise of Greater Indianapolis	Michael Chapuran	Executive Director
Feeding Indiana's Hungry	Emily Bryant	Executive Director
Hamilton Area Neighborhood Development (HAND)	Andrea Davis	Interim Executive Director
Helping Veterans and Families (HVAF)	Brian R. Copes BrigGen, Army (Ret)	President and CEO
Indiana Catholic Conference	Angela Espada, JD	Executive Director
Indiana Chapter of the American Academy of Pediatrics	Dr. Sarah Stelzner	Co-Chair, Legislative Committee
Indiana Coalition Against Domestic Violence	Laura Berry	
Indiana Coalition for Human Services	David Sklar	President
Indiana Community Action Association	Ed Gerardot	Director
Indiana Institute for Working Families	Jessica Fraser	Director
Indianapolis Urban League	Tony Mason	President & CEO
Jewish Community Relations Council Indianapolis	Lindsey Mintz	Executive Director
John Boner Neighborhood Centers	James Taylor	Chief Executive Officer
Prosperity Indiana	Jessica Love	Executive Director
[As individual]	Chase Haller	