

3/11/11
Attention to Chairman Joe Balyeat and all members of
~~The Senate~~ Business, Labor, + Economic Affairs Committee

EXHIBIT NO. 2
DATE 3-11-11
BILL NO. HB 354

I, Sharon Lodge am representing myself, and the Bozeman Chapter of Montana Landlords Association (MLA) and even landlords who are not MLA members.

I sincerely apologize and regret I was not able to attend the hearing on HB 354 this morning. I welcome calls regarding any additional questions or concerns prior to voting on this bill. Being a landlord from Bozeman I do rent to MSU students and have experience with the pros and cons of renting to students. Additionally, I have a mobile home court and specialize in Low income affordable housing. I am TOTALLY in SUPPORT of bill and am asking each of you to support and give this bill a do pass.
this

Since this passed two years ago it has been a nightmare, extra burden and the additional requirements of the already many and confusing regulations and rules in our business. It has been extremely costly and time consuming which is counterproductive to affordable housing issues. It is vague resulting in a potential liability we have NO control over. Labor and Industries involvement has complicated the issue further beyond what the intent of the original bill. I had to fight to get them to remove requirement for electric units that don't even have a source of CO present which is common sense.. The many manufacturers requirements are all different, and they are in the business of selling the units and would like you to have one every 2 inches, so it seems. I know this doesn't make the place any safer and it is unreasonable. I am 100% in favor of Health and Safety and well being of all people. I have a degree in Chemistry and Microbiology and worked in the Environmental Health and Toxicology profession for years so I do understand the risks and hazards of CO and it CAN be deadly. This requirement singling out rentals only are not the answer nor is it saving lives.

1. I believe in Individual personal responsibility and accountability. Each person needs to be ware of and protect ones self and families health and welfare to be informed and protect themselves not pass it on to someone else.
2. The students can get FREE CO detectors from the offices student legal services.
3. Additionally, Northwestern Energy will provide to their customers these detectors FREE of charge and other safety and energy saving devices at the energy fairs they hold. They have rebates and specials people can take advantage of regularly. The Landlord CANNOT pick these up for rental units. They believe the person living in the place should be pro-active.
4. I provide fire estinguishers, CO dectectors and smoke alarms in my units where applicable as I do care about my tenants and to also need to protect my investment. Many insurance companies will give a safety reduction on insurance premiums to help out. I believe this issue is between the insurance company who is worried about the liability and the insured. If this is a major problem with high deaths rate (more than 400 nationwide and few if any in Montana and probably in homes not rental units) were a problem the insurance industry would require it for insurance purchase which they do not.

5. Montana Landlords association has a website to help Landlords and tenants answer questions. We get many calls from both with questions and concerns here in Bozeman. I can honestly say the Bozeman area MLA chapter (home of MSU) have NEVER received a call about CO or lack of detectors. It really hasn't been a problem or issue

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6. City of Bozeman and fire department, I have been told, do NOT require them due to the number of false positives and calls that are not a problem which costs the city money in responding to non-problems. It's a waste of taxpayer money and resources.
7. Too many agencies are involved in the building codes and its confusing and conflicting. From my understanding the UBC doesn't require them as they are NOT that accurate and reliable. The Science, data and statistics are not there in the research. They would require them if needed.
8. These detectors are removable and not permanently attached and ALWAYS when the tenant moves they STEAL them, even when I put my name and phone number in black marker all over them... If they provide their own our problem solved. This is getting old and expensive.
9. Tenants often in general tend to remove the batteries of both the CO detector and smoke alarms, nor do they change the batteries regularly as they don't like the falsely going off. I find very many do this as this.. I am a landlord not a professional babysitter and cannot force people to do things nor should I be required to do it for them. Truthfully, all the detectors also go missing and are broken or disabled when I check out a unit more often than not.
10. As a landlord we do not nor can we go into peoples home as that would be an invasion of privacy and often tenants feel its harassment. We do get calls and compliant's on this. We do Maintenance and equipment checks as we are required to provide working heating appliances. However, We cannot control what other people do in their homes especially with removable devices.
11. The current law singles out Landlords not all people and housing. Most landlords I know care about their tenants and their investment and do what is right without governmental intervention being necessary.

This law on the books is unnecessary, burdensome, costly, and time consuming. Contrary to public belief landlords are not endlessly rich but have a 30 year investment that is really hard to get to pencil out and make a go of it especially in this economy. In Bozeman there are many vacancies, rents have had to be reduced sometimes hundreds of dollars a month. Massively increased Taxes and insurance and extra things imposed on us are making it hard to make it much less provide affordable housing. The same people wanting all these extra requirements are the same people complaining that housing is too expensive and not affordable. There is only so much a business can endure and do. Most tenants just want a nice place to live that they can afford. More regulations and paperwork IS not the answer. I ask each of you to please support this bill.

Sharon Lodge

Thank you for you time
 Sharon Lodge
 235 Cirque Drive
 Bozeman, MT 59718

406-587-1710

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Clear Lodge
235 Cirque Drive
Bozeman, MT 59711

R.F.: Repeal of Carbon Monoxide #354

Never before, as I have been a landlord for 30+ years, have I seen so many useless laws against us, for no logical reason such as this Carbon Monoxide requirement!!!

- 1 First + foremost - Carbon Monoxide has never been a problem.
- 2 Secondly - it's an unnecessary hassle to keep track of detectors -
- 3 Third - I resent my taxes to send
- 4 people (firefighters, enforcers, etc) to monitor.
- 5 Fourth - Units are expensive -
- 6 Fifth - Tenants take them when they leave
- 7 Sixth - If tenants actually believe they are in danger, they can go to energy fairs, etc, and get them Free, as they pay bills.
- 8 Seventh - The people promoting monitors have monetary reasons for getting involved.

These are a few of my reasons for supporting bill #354. I appreciate your consideration of this bill and hope you will pass.

Sincerely Yours

Clear Lodge

P.S. - No facts support the Carbon Monoxide detectors in every rental - Or private residences -