

FRIDAY FORUM



Eddie Lard

It's slumlords over renters in a rout

For a case study of how a powerful special interest can dictate what the Legislature does, take a look at the plight of the landlord-tenant bill that just went down to defeat in the House of Representatives.

The bill was a major initiative of Alabama Arise, an advocacy group for the poor, and supported by other organizations, such as the American Association of Retired Persons. It was an attempt to make sure that rented apartments and houses are maintained in at least livable conditions, and that tenants would have some recourse if the buildings are uninhabitable.

Two states

Sadly, Alabama is one of only two states that don't have such a law protecting tenants. In this state, tenants can be forced to pay rent even if they move out due to uninhabitable conditions. Poor tenants face the double whammy of not being able financially to move to a better apartment and, even if they are, being liable for unpaid rent on the vacated home.

The bill, sponsored by Rep. Laura Hall, D-Huntsville, was an attempt to correct this obvious flaw. It would require landlords to maintain their rental property in a safe, structurally sound condition. That means that the electrical, gas, plumbing, heating and air-conditioning systems and major appliances are kept in operating condition, that the roof doesn't leak, the ceiling doesn't fall in and walls don't crumble. If needed repairs aren't made, a judge can terminate the lease.

It seems a no-brainer. Who can be against safe housing?

The people who manage the rental properties, that's who.

For the past two years, Alabama Arise has been negotiating with the homebuilders association and the Realtors association to iron out differences. The homebuilders signed off on a compromise measure, and Arise thought it had the agreement of the Realtors as well, saying it adopted changes wanted by the Realtors. But when it came time to take action, the Realtors balked.

Hall's bill died this week in the House Commerce Committee, a panel that is definitely not consumer friendly. Several members are Realtors or have managed rental property. The chairman, Frank McDaniel, D-Albertville, owns commercial rental property.

They tried to explain their 9-4 vote against the legislation by saying the bill was stacked in favor of tenants. That is absolutely false. The bill spelled out the responsibilities of both landlords and tenants, and specifically said tenants must keep the dwelling safe and clean, must not damage or destroy property or use the appliances and systems in a reckless manner.

The gaping hole in state law and the greatest need are shoring up protections for tenants. But providing due process to tenants makes slumlords uncomfortable.

That's really what this boils down to: The committee cared more about protecting slumlords than it did about protecting poor tenants. It made little difference that the vast majority of landlords are fair and decent and try to keep their properties in good condition. Slumlords carry clout in the Realtors association, and the Realtors carry clout in the Legislature.

Perhaps the situation would be different if renters had paid lobbyists and a political action committee that gave campaign contributions. Perhaps the outcome would have been different if poor renters were members of the Commerce Committee.

But the poor will never be able to afford lobbyists or PACs, and very few will win a seat in the Legislature. That's why it's important the people we send to Montgomery represent all people, not just the ones who contribute to their re-election.

Losing fight

For years, Alabama Arise has been fighting the good fight on behalf of the poor of this state, and it will continue to. It often runs into a special-interest stone wall in Montgomery. A state earned income tax credit, payday loans, fuel taxes for mass transit are other issues where Alabama Arise is on the right, but losing, side.

After five years of writing editorials on such issues, I'm appalled with the politics involved. I keep asking myself the rhetorical question: Who are these guys representing? The answer, of course, are the special interests that butter their bread.

Another question, this one not rhetorical, is: How much longer will the voters of this state continue to put up with it?

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