HB 346: Healthy Housing/Retaliatory Eviction –TALKING POINTS for Letters to Governor Kemp

[HB 346](http://www.legis.ga.gov/Legislation/en-US/InjectSession.aspx?BillType=HB&BillNum=346), addresses healthy housing for Georgians who rent their homes.  This bill would allow code enforcement to do its job by prohibiting landlords from evicting tenants in retaliation for filing a health or safety complaint. Now landlords are free to threaten and in fact evict people for complaining of unsafe and unhealthy housing conditions, leaving them with no recourse. If the tenant is evicted, code enforcement then closes the complaint so no repairs are made and the home is rented again to an unsuspecting tenant.

Tenants have a very hard time finding another place to live after eviction leading to family instability and homelessness.  Georgia has some of the highest eviction rates in the country. After eviction families have an even harder time finding a place to live, children are forced to change schools, and families are forced into less stable and less desirable housing.

A ban on retaliatory evictions has long been the law in 41 states, including all of our neighbors in the southeast: Florida, Tennessee, Texas, Alabama, NC, SC, MS, VA, etc.  HB 346 was based on the Texas statute.

The measure came to us from the Health Law Partnership at Children’s Healthcare of Atlanta as a result of the repeated admission and readmission to the ED and the hospital of children with asthma exacerbations, children undergoing chemotherapy forced to sleep in their cars because it was too dangerous for them to go home to the conditions there, and even children dying, arising from conditions in the home such as mold, rats, insect infestations, water intrusions, and other unhealthy and unsafe housing conditions.  The Medical Director, Dr. Robert Pettignano, MD’s has urged us to pass this Bill. 10% of Georgia’s children have asthma, and it is the leading cause of school absences, with school absence closely correlated with the failure to succeed and graduate.

The Chief Justice of the Georgia Supreme Court Harold Melton showed a clip of a [CBS Morning News story](https://www.cbsnews.com/news/failing-atlanta-school-cut-its-turnover-rate-in-half-with-help-from-lawyers/) at his State of the Judiciary address to the House and Senate this year. This story is about the Atlanta Volunteer Lawyer’s Foundation efforts to improve school outcomes for children at Thomasville Elementary School, then the worst performing school in Georgia.  They found the school had a 40% student turnover rate each year due to the eviction of families living in the substandard apartments across the street.  AVLF successfully reduced turnover rates at the school by a third and improved school performance in the first year by posting a lawyer and advocate at the school to represent parents in eviction proceedings. We know that unhealthy housing seriously interferes with children’s health and with their ability to succeed in school.

This Bill was thoroughly vetted in the House with multiple hearings over some 12 hours. Changes were extensively negotiated and ultimately addressed all of the objections of the Georgia Apartment Association and the Georgia Association of Realtors who agreed not to oppose the Bill going forward.  Additional changes were made in the Senate Judiciary Committee at the behest of other property management, developers and landlords. Senate changes were overwhelmingly agreed to by the House.

The bill is supported by the Healthy Housing Georgia coalition that includes GMA, CHOA, Voices for Georgia’s Children, Academy of Pediatrics, United Way Atlanta, the Statewide Independent Living Council, Greater Community Foundation of Atlanta, Enterprise Community Partners, Presbyterians for a Better Georgia, Mental Health Georgia, Georgia ACT, Presbyterians for a Better Georgia, and many others.

There have been several recent news stories about the problem of unsafe and unhealthy rental housing and the retaliatory evictions that follow and about this legislation. This is a problem in Atlanta, in Augusta, throughout our cities, and in smaller rural communities across the state.

This bill builds on the work and the [Strategic Plan of the Georgia Department of Public Health’s Healthy Homes](https://dph.georgia.gov/sites/dph.georgia.gov/files/related_files/site_page/EnvHealthLeadStrategicPlan.pdf) that has long recommended strengthening Georgia laws on healthy housing.

This bill was brought and lead by Majority Caucus leadership in the House and Senate with House Health and Human Services Chair Rep. Sharon Cooper, President Pro Tem Rep. Jan Jones, Rep. Houston Gaines and Rep. Deborah Silcox introducing the bill, and Sen. Jesse Stone, Senate Judiciary Chair, carrying it in the Senate. HB 346 had strong bipartisan support in the House and Senate.

Thank you. We urge you to sign this good legislation.

How to address the letter to Governor Kemp:

The Honorable Brian Kemp

Governor of Georgia

111 State Capitol

Atlanta, Georgia 30334

RE: HB 346 Healthy Housing

Dear Governor Kemp: