



FOR IMMEDIATE RELEASE

Press Contact: Joon Sung, Chief Litigation Officer
Phone: (313) 242-0811 ext. 1309
Email: jsung@lakeshorelegalaid.org

ILLEGAL EVICTIONS PLAUGE CITIZENS OF DETROIT – TENANTS FIGHT BACK
Judge orders landlords to pay over quarter-million dollars to former tenant

[Detroit, Michigan, Monday, October 14, 2019] On April 3, 2019, Judge Martha Snow of the Third Circuit Court ordered Freedom Property Management and Maurice Adams, Detroit landlords, to pay over \$250,000 to Rosey White, a tenant, because the landlords had illegally evicted Ms. White from her apartment.

Rosey White lived in an apartment in Detroit that Freedom Property Management and Maurice Adams operated. In the time that she lived there, Ms. White saw these property managers illegally evict other tenants – by kicking doors in, by threats, by shutting off utilities, by replacing door locks. After Ms. White insisted on her legal rights in a lease dispute, the property managers began threatening Ms. White. Then, the landlords followed through on their threats.

The property managers illegally evicted Ms. White and forced her to leave the property – by trespassing into the property, by shutting off utilities, by threats, and by providing false information to Detroit police officers. Ms. White lost everything she owned except for the clothes on her back, a small box, and a purse – and was homeless for six months as a direct result.

In the court hearing, Ms. White testified as to what it felt like to be homeless for six months – from what it was like to be homeless for Christmas, to the physical, mental, and emotional struggle of being homeless in winter in Michigan, even to losing priceless and irreplaceable photographs of her deceased mother. “To him, I probably was just another, you know, poor tenant. Who cares . . . It changed my life.” At the hearing, Ms. White said: “I did not want to come here today. Every time I tell the story, I relive it.”

Under Michigan law, in order to compel a tenant to leave a property, a landlord must file a lawsuit in court (called an eviction). But that is only the beginning – the landlord must prove up and win the lawsuit, and the tenant may fight this and win the right to stay. Finally, only if the landlord wins the lawsuit, the landlord must get

a court order (writ of eviction) to have court officers (bailiffs) remove people and possessions from a rental unit.

The landlord should never compel a tenant to leave a property directly – it must go through the court system, and any actual removal must be done by court officers. Of course, a tenant can always agree to leave a property voluntarily. But a tenant cannot be forced to leave a property without court process and court officers.

Illegal evictions – meaning forcing a tenant to leave a property without court process – happen all the time in Detroit. Landlords use a variety of illegal means to force tenants to leave rental properties – from kicking doors in, to using physical force, to threats, to shutting off utilities, to changing locks, to putting metal shields on doors and windows. All of these means are illegal ways to force a tenant to leave a rental property. Because these methods are illegal and because they cause great harm to a tenant, the landlord runs a great risk if it does an illegal eviction, as shown by the judgment of over \$250,000 in Ms. White’s case.

Yet illegal evictions are still a problem, and one that is far worse in Detroit than in other cities. Todd Pierce-Ryan, staff attorney in the systemic advocacy unit at Lakeshore Legal Aid, represented Ms. White in her lawsuit. “I’ve practiced law in Boston and in Chicago, and I’ve spoken with legal services attorneys from across the state and across the country,” said Mr. Pierce-Ryan. “Illegal evictions happen more in Detroit than in other places.”

But illegal evictions are unacceptable anywhere. “A reasonable landlord follows the law and goes through the court system,” said Mr. Pierce-Ryan. “A landlord that illegally evicts a tenant may break the law for a variety of reasons – asserting power and control, avoiding court costs – but ultimately they do it because they think they can get away with it. At Lakeshore Legal Aid, we fight to stop illegal evictions and to make that landlord pay for the devastating harm they cause,” said Mr. Pierce-Ryan.

Under the Michigan Anti-Lockout Act, MCL 600.2918, an illegally evicted tenant may return to possession of the rental property and may recover for treble damages – including for a tenant’s emotional distress and mental anguish. The law exists for good, common-sense reasons: most importantly, the prevention of violence, but also to protect tenants’ rights to dignity, security, peace, and property.

Today, Maurice Adams appears to be still acting as the landlord at this apartment complex – though he may be filing evictions in court more often. Court records show that he has filed four separate eviction actions so far in 2019.

Rosey White is getting back on her feet. But remembering what she went through still brings her to tears. “How do you go look for a job, when you do not have shoes? It was hell. I, I can’t describe it, no other way. It’s something that I will never forget.”

The mission of Lakeshore Legal Aid:

Standing with our neighbors, Lakeshore Legal Aid fights poverty and injustice through advocacy and by providing meaningful and dignified access to the legal system.

###