



Housing Justice For All

Intermountain Fair Housing Council

Concilio de Vivienda Justa

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Hello to Hurst & Son Tenants:

A number of you have reached out to us at IFHC to let us know that your December 2024 statements from Hurst & Son (H&S) show credits related to what they think that you owe them. The credits seem to take one of two forms, though not everyone falls into either of these categories: 1) your past due amount is zeroed out (mostly); or 2) you have a multi-thousand-dollar credit as your bottom line. We also know that no explanation was given by H&S for these actions, and a number of you think it's a trick or a way to lull you into not paying rent so they can evict you. Based on your day in, day out interactions with H&S over the past two (2) years, this belief is completely understandable and justifiable.

As some of you may know, earlier this year we assisted a tenant with a lawsuit against H&S. As part of the negotiated settlement agreement that H&S signed, the amount in rent and utilities that the tenant had paid in excess of the base rent they should have been charged was credited back to their account. For the past couple of months, this tenant has not had to make a rent payment, as the credit on their account has been reduced monthly by the rent amount owed. They have had no issue with rent in this regard. It is our best guess that those of you with a credit amount on your account will be treated the same way as this tenant – you will not owe any rent to H&S until that credit is exhausted. We are currently working to get a breakdown of what is included in this tenant's credit amount, and to hunt down what appear to be missing rent payments, but as everything with H&S, it is slow going. We anticipate that once this one tenant's account is resolved, it should be much quicker and easier to sort out everyone else's, which is our goal. Additionally, some of you have wondered if you can get an actual cash money refund from H&S for your overpayments. We don't know the answer to that, but we don't see why that request couldn't be made.

IFHC has been working for almost two years with numerous H&S tenants in five (5) to six (6), parks as well as with the Co-Op. In the litigation we initiated for the tenant we referenced above, we obtained a positive outcome that we anticipate will lead to similar outcomes for most of the other H&S tenants, without needing to file additional individual formal complaints. While H&S has always had a right to make rental increases, they must do so in compliance with the law. Please keep in mind that our advocacy combined the diligent work of the Co-Op, and with H&S's failure to comply with Idaho law, has protected many H&S tenants from paying improper rent increases saving many families from \$1,500.00 to over \$4,000.00 over the last year. We are proud to have helped so many of you with this.

We recognize that this has been a stressful process and hope all can be settled in the next few weeks/months. It is wise to **prepare for a legal new lease and substantial increases in the near future** because there will likely come a time when a lawful lease and new rental increases are properly noticed and presented in a way that H&S can defend them in court if they need to. Preparation may be in the form of budgeting for some folks, while others may need to begin searching for housing that works within their budget, or researching the process to move or sell their manufactured home. We do know that they are trying again to raise rent based on the notices that Shayne Dean served on tenants in November 2024. We are looking into this issue, and reaching out to H&S about their actions, which may or may not be lawful depending on which leases they are basing these increases on. IFHC will continue to fight H&S if we determine that the attempted rent increases are not legal.

If you believe that any part of your December 2024 statement is incorrect, or you are concerned with the rent increase notices you've received, please don't hesitate to reach out to us. If we haven't spoken to you in a while, we may need to do a new intake for you due to the change in our grant years. You can call us at (208) 383-0695 and leave us a message to set an appointment for you. For those of you with internet access, filling out an online intake will likely be quicker. You can find that intake here: <https://ifhcidaho.org/resources/fair-housing-intake-form/> You can also reach out to us directly at contact@ifhcidaho.org, kstretch@ifhcidaho.org, or zolson@ifhcidaho.org

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