

Landlord — tenant relations:

time for the borough to step in?

Differences in opinion between landlords and tenants are as old as off-campus living.

Students looking for a place of their own in a sellers' market like State College, however, face a world of fine print, unmentioned clauses and unstated rights in leases.

Recognizing these problems, legislators are attempting to set guidelines for tenants and property owners. Senate Bill 1079, sponsored by Michael A. O'Pake, D-Burke, outlines rights and obligations of both parties.

This bill attempts to solve controversial issues such as:

—protection from leases or rental agreements requiring tenants to waive their legal rights.

—landlord-tenant agreement to the condition of the dwelling unit.

—security deposits limited to \$110 or one month's rent, whichever is greater.

—equal responsibility of the landlord and tenant to maintain a clean, safe unit.

Local office seekers agree that even if this bill is not passed, something at least must be done to relieve landlord-tenant problems.

Do you favor state or borough ordinances clarifying landlord-tenant relations?

MOYORAL CANDIDATES

Hays (Democrat):

I favor standardized rental-lease regulations in State College, similar to communities of the same size; paralleling House Bill 438.

Perez (Republican):

In the Borough a landlord is required to provide services and maintain his building according to the housing and building codes. He is open to citation for any infractions of these two codes. The landlord's relation with the tenant is personal and is by contract in the form of a lease.

I would need more information before I could support legislation concerning landlord-tenant relations.

BOROUGH COUNCIL

Ingrid Holtzman (Democrat):

This is being considered in Harrisburg. If the state takes action, it will come down to the municipalities. If not, I do think the

borough should begin to think about it.

John Galtz (Republican):

I believe the problem of landlord-tenant relationships is significant in State College and steps should be taken locally if permitted by state law to clarify these relationships to protect both the owner and the rentor.

James McClure (Democrat):

Yes.

Henry Yeagley (Republican):

I favor the enactment of "landlord-tenant" legislation on the state level. I understand a committee of state senators presently is examining a bill to reform Pennsylvania's landlord-tenant laws and is holding hearings at various locations in the state (including University Park). It is my opinion that strong legislation of this type could protect both the tenant and the landlord and is desirable.

Dean Phillips (Democrat):

Senate Bill 1079, a new landlord tenant act, will go a long way towards clarifying

and making legitimate the relationship between landlords and tenants. Such blatant abuses like confession of judgment, where tenants can be tried and convicted without being told, are eliminated in the new law. Legal channels for rent withholding and the right of tenants to make needed repairs and deduct the cost from the rent (if the landlord will not make repairs in reasonable time) are included. Security deposits will have to be placed in escrow protecting the tenant from losing a deposit if the landlord declares bankruptcy.

If the bill is not passed, borough council could pass the bill or any part of it as borough ordinance. I will work both for the passage of the Senate Bill and for council passage if it fails in the state. This would be legal under a home rule charter that may go into effect in 1976. It may also be legal under the old borough code.

The intention of 1079 is not to hurt the honest businessman but to provide guidelines and remedies for both landlords and tenants.

Harold Zipser (Republican):

Landlord-Tenant relations: I favor fair and equitable treatment to all segments of our society. Clarification of one's responsibilities can never be faulted.

Does State College need a consumer protection agency?

So you've been ripped off by a traveling salesman or a town merchant? What can you do about it?

State College has no formal consumer protection agency at present. But if you have a complaint there are a couple of available options.

The Organization of Town Independent Students handles written and phoned in complaints, serving as a liaison between consumers and local merchants. But since OTIS can only refer consumers to Student Legal Adviser Yates Mast or the Pennsylvania Bureau of Consumer Protection in Harrisburg, it can not really resolve the complaints.

The local Chamber of Commerce also keeps a complaint file and tries to resolve problems.

But there is no single agency which handles strictly consumer-oriented complaints. Many people have called for the creation of one, while others have said the current system of handling of complaints is satisfactory.

Under the borough's proposed home rule charter, creation of a consumer protection agency by the borough council would be possible.

Does State College need a consumer protection agency?

MAYORAL CANDIDATES

Jo Hays (Democrat):

Yes.

Lawrence Perez (Republican):

I do not believe State College needs a consumer protection agency per se. To maintain an office to oversee a few isolated cases would neither be practical nor economical.

In as much as retail shopping is confined to small areas any retailer who seeks to take advantage of his customers is subject to publicity which could be detrimental to his business. Cases of malpractice are unusual and should be handled personally. Therefore, I would recommend the use of "Action Lion," a service offered by a local newspaper to help solve merchant-customer problems.

BOROUGH COUNCIL

Ingrid Holtzman (Democrat):

If the Home Rule Charter passes, Council will be studying borough administration in order to determine current needs. Student groups such as OTIS, which have done an admirable job in the consumer area, should then present concrete evidence supporting a consumer agency.

John Glatz (Republican):

I think it might be very desirable to have such an agency. However, I understand

policies and ordinances adopted by Council must be environmentally sound. The Chamber of Commerce looked into this question and has created a special committee to investigate problems. I do not believe State College is large enough to support a separate Consumer Protection Agency.

James McClure (Democrat):

I'm open on this question; would like to know more about the need; a conditional yes.

Henry Yeagley (Republican):

A municipality can do only those things which its governing code permits, and I question whether this type of legislation could presently be enacted on a local level. However, the State College Home Rule Charter, if adopted, could possibly change the borough's ability to do this locally. I understand there is a consumer protection bill in the state Senate at the moment, and I believe this type of legislation could be most effective if enacted on the state level. Relative to whether State College needs a consumer protection agency, I would only say that the consumer, in today's marketplace, needs guidance wherever he happens to be — not just in State College. The complexities of today's higher competitive economic situation, rising labor and material costs, and the influx into the market of many "low cost" items of undetermined quality all contribute to the difficulty of the situation.

Dean Phillips (Democrat):

State College needs a consumer protection agency. We have serious consumer problems especially related to the landlord-tenant question. Other serious problems include contract and warranty violations, failure to accept defective merchandise for return and unreasonably high prices in areas where students are captive shoppers.

Another serious consumer problem are the private law enforcement businesses that enforce parking violations. It is possible to establish licensing standards through a consumer protection agency and the agency would also be able to help settle complaints in this area either through negotiation or prosecution.

A consumer protection agency would moderate between conflicting parties in a consumer dispute. If necessary they can go to court on behalf of the consumer. A small investigative staff, including student interns and a part-time lawyer would be hired. Besides settling complaints, the agency will provide consumer information and price lists of the entire region.

Harold Zipser (Republican):

Consumer protection agency: I am in favor of any mechanism that will assure the people fair treatment. As an example, for many years, I have been a member of the Centre County Advisory Council to the Pennsylvania Human Relations Commission.