

Detroit Eviction Defense

Facing Foreclosure? Getting Evicted? Say No, Stay Put, Fight Back!

WHO WE ARE

We are a coalition of people in Detroit and metro Detroit area that are against foreclosures, evictions and displacement. We see that evictions, foreclosures, and displacement target people of color, women, and poor and working people. We do not believe that anyone or institution is coming to save us, and we have to rely on each other. We believe that there is a "new Detroit" that doesn't include many of us, and we have to resist gentrification and displacement.

We are not a social service agency, we are not a non-profit, or government group. If you are willing to fight, we are a group of people that will stand beside you in struggle.

We operate on the principles of solidarity, respect, direct action, and standing together.

IN THIS ISSUE:

- No New Wayne Co Jail
- Urealdene's Story
- Detroit Property Exchange:
Slumlord Watch!
- RIP Kenny
- O'Hair Park
- Land Contract Scams

Tenants you are not alone, it is time to organize!

Whether you are one of many tenants in an apartment complex or an individual renting a home from a developer, tenants need to organize. **We need to unite our forces to understand what rights tenants have and to defend each other from attacks by landlords and the government.** Detroit has changed from being a city of majority homeowners to a city with majority tenants. The banks and the government have foreclosed on tens of thousands in Detroit. As a result, we are dealing with a whole new wave of slumlords, colonizers and ripoff management companies who bought up these homes. They are raising rents, refusing to do repairs and treating people like dirt. These are racist attacks on our families and neighborhoods. We have to organize and fight back. If you are tired of no elevators or no heat or no fire alarms or abusive treatment by landlords or management companies, then it's time to organize. **We are much stronger when we unite as opposed to being alone facing a slumlord or management company or a court.** We can support, educate each other, and access what resources are available for tenants. If you are fighting a landlord and need support or if you want to organize to fight, or if you just want information on tenants' rights, then contact Detroit Eviction Defense and come to our meetings!



DETROIT EVICTION DEFENSE meets every Thursday at 6 p.m. at Old St. John's Church, 2120 Russell St. (near Eastern Market).
All Welcome, including children, wheelchair accessible
www.detroitevictiondefense.org FB: Detroit Eviction Defense
Reach us at: 313-530-0216

No New Wayne Co Jail!

Several Detroit Eviction Defense members have participated in a campaign to stop the new Wayne County Jail. We see evictions/displacement and people getting locked up as a connected struggle. A MacArthur study showed that eviction rates for Black women are on par with incarcerations for Black men. Both struggles are connected to the same racist system.

Wayne County has already wasted millions of dollars on a failed jail, and is now ready to spend a total of \$420 million on this new “criminal justice complex.” Meanwhile, our children’s schools are underfunded and closing, tens of thousands of Detroiters have been pushed out of their homes through foreclosure, unemployment is still high, and thousands are still without basic necessities like water. **What kind of future is the city and county planning when they evict thousands and build a jail as the solution? What kind of future does it tell our kids when our schools are being closed and the county is talking about building a new juvenile detention center?** The conditions in the old Wayne Co. Jail are terrible, and building a new jail will inevitably have the same horrible conditions. We support people in jail fighting for better conditions, but Wayne Co has not changed it’s attitude about people’s survival in jail—they are building more jails to fuel mass incarceration that warehouses poor people and people of color.

Enough is enough! Our communities have real needs, and they aren’t going to be solved with more cages. Our tax dollars should be going towards the things we need to survive and thrive, not toward lining the pockets of the likes of Dan Gilbert. Communities know what they need, and we should get a say in where our money is being spent. **G e t involved! Facebook: No New Wayne County Jail**

Urealdene’s Story Fighting Tax Foreclosure

I’m writing to say while off work on a medical due to breast cancer, I went down to the Wayne County Treasurer and made payment arrangements on my taxes. I was paying after I went back to work. I was laid off struggling, I was still paying my taxes from collecting unemployment. When unemployment ran out, I applied for Social Security. While waiting to hear back from Social Security I got a letter from UCHC (United Community Housing Coalition) saying my home had been sold in the auction but I may be able to get it back and to come into their office.

I’m saying to myself this had to be a mistake. I went to UCHC and a lady named Sharon told me yes, it was sold. She asked me, did I have any money and told me how much I needed. I still did not believe this. I went down to Wayne County to pay it myself and sure enough they told me it was sold. So I got a cashier check, went back to UCHC, gave them the cashier’s check and Wayne County cashed the check so I thought everything was taken care of, but no... I received mail from a Property Company telling me I was illegally in my home, the police had been notified and to get out!

I was hurt, lost and didn’t know what to do. I was at an APRI (A. Phillip Randolph Institute) meeting and told them what happened. A friend said I want you to go to DED (Detroit Eviction Defense), they can help you. I asked her what can they do? She explained to me that they are a wonderful group of individuals that help people stay in their home.



Feeling like, what do I have to lose? I went to a meeting, explained my situation and told

them how I had went to UCHC and it just so happened Ted Phillips from UCHC was there and Miriam said to him, “so, Ted, what are you going to do about this?” It was the tone in her voice that made me say I’m in the right place! I found out how they fight for you to stay in your home. While they were getting plans to set up and having people call the Property Company. The Property Company started to leave signs on my door telling me to get out or come into the office. I went to the office and they stated they will rent to me.

30 years in my home as a home owner and they wanted me to be a tenant so DED said, “let’s have a protest at their office.” We did and what a wonderful turnout. After the protest their lawyer called my lawyer from DED, Robert Day, and said make us an offer to sell her her house back. I cried out and thanked God and thanked Him for Bob, DED, UCHC, Local 1299 [United Steelworkers], my family and friends for their support. **So please don’t leave your home. Fight, Fight, Fight. DED will be right there by your side.**

Detroit Property Exchange: Slumlord Watch!

Detroit Property Exchange is a company that sells and rents hundreds of homes in the City of Detroit. They do business using a variety of different names, but all their companies typically operate from the offices on **51 W. Hancock** in Detroit and use stationary with the name “Detroit Property Exchange” on it.

They rent and sell homes that are in terrible shape and expect their customers to pay to fix them up. They rent and sell homes with huge water bills already owing and expect their customers to pay them. Their homes often owe for years of back property taxes by the time they rent or sell them, and they expect their customers to pay the bill. They let many of the homes they own go into foreclosure due to unpaid property taxes. They use high fees and interest rates to get as much money as they can out of their clients. Their contracts are confusing and poorly written.

They use names such as Angel Group, American Equity Partnership, Frenchy Sirois LLC, Belmont Properties, Chase Loan Services, Detroit Youth Gardens, Woodlawn Properties, and many more.

Judge Cylenchia LaToye Miller of the 36th District Court of Michigan has called contracts used by Detroit Property Exchange “problematic to say the least.”

Channel 7 Local News reported that one woman paid nearly \$30,000 to Detroit Property Exchange for a deed to her home, only to discover that Detroit Property Exchange didn’t even own the home – the Detroit Land Bank did.

The Detroit News reported that an eviction case brought by Detroit Property Exchange was once dismissed after its own lawyer admitted “he wasn’t sure which company owns the house.”

If you’re a Detroit Property Exchange customer or thinking of becoming one, seek advice from one of the organizations listed that provide free legal help to people in certain situations.

Don’t sign anything before talking to a lawyer first!

United Community Housing Coalition

2727 Second Ave. Ste. 313
Detroit, MI 48201
313-963-3310

Lakeshore Legal Aid

2727 Second Ave. Ste. 318
Detroit, MI 48201
(888) 783-8190

Michigan Legal Services

2727 Second Ave. Ste. 333
Detroit, MI 48201
313-964-4130

Legal Aid & Defender Association

613 Abbott St.
Detroit, MI 48226
(313) 967-5555



The history-making Wayne County tax foreclosures that we have faced the past couple years, helped incentivize developers and speculators to buy up homes in “bundles.” Many have sat vacant or are rented out without any maintenance or repair and have hugely added to Detroit’s problem with slumlords. A lot of this is going unchecked by the city and county. It is important that we start giving each other information about slumlords that we are seeing in the city, old and newer. We need to rely on each other to share information, and organizing to fight. If you have experienced or currently are facing a slumlord please call 313-530-0216 or email us at detroitevictiondefense@gmail.com and we will add it to the slumlord watch list!

I didn't know Kenny when he played for Motown, when he was in the traveling house band for Motown, in the 60's...I didn't know about his experiences in the south, before the Civil Rights Act, when white colleagues would bring him food, while he waited on the bus...I didn't know him when his ground breaking music brought people together, black and white together, when it was dangerous to do so...all the people talking, eating and dancing together to the tunes of Motown. I didn't know him when his saxophone sang a song that was heard by the stars...but I knew his music, and through his music, I knew his spirit.

And when I met Kenny and Sandi, in the midst of their brave two year struggle to save his family home, I had the honor to know Kenny, and Sandi, as allies, and then as friends. In the midst of the struggle, we stole some precious times listening to Kenny's music at Bert's, on open mic night. We celebrated their beautiful wedding together, at Bert's and with a beautiful ceremony and delicious meal and music, in Hamtramck, with the color theme of black and white together!

And I was with Kenny and Sandi when the local Sussex goons, illegally and without permission, entered the property at 7 in the morning, and cut down one of the trees. I remember when Kenny ran out in his pajamas in January, to block them from cutting down the other one, by driving his old van in front of it.

Kenny suffered from blindness and congestive heart failure, but that did not stop him from fighting for his home against a heartless vulture investor from California, who took joy in mocking him in court, for two years, by their thuggish legal team, who harassed and threatened him every step of the way, until they won possession of Kenny's home.

Kenny's legacy and his spirit shall live on, forever. He walks with the ancestors now...but when I listen to his music, I know he is with us still. With much love —Sharon

DANIEL MURRAY

To follow updates on Daniel Murray's case (written about in our last issue) you can go to our website.

The Free Press also recently printed a story about Daniel's case and the Land Bank: <http://on.freep.com/2sihxZI>

Daniel Murray is fighting the Land Bank for illegally evicting him without notice, destroying his possessions, and demolishing his home.

Our good friend, Kenny Brinkley, has passed away. Kenny was 86 years old. Our condolences to his wife, Sandi, and to his many friends. As a young man, Kenny learned to play the saxophone. After a time in the army, Kenny returned to Detroit and got a job playing in the traveling band for a young Motown records. Kenny played horn on Stevie Wonder's first hit: Fingertips. Kenny made his living as a musician and in 1973 took over his aunt's home on Taylor Street in Detroit. His aunt had lived there for 22 years, since 1951. Kenny and his wife Sandi lived in the home on Taylor Street until

2016. Kenny became ill, Sandi had lost her job, and they were behind on property taxes. **Sussex Immobilier, a company run by John Haedrich**, a nursing home operator from California,



bought Kenny and Sandi's home at the 2014 tax auction. Kenny and Sandi worked with Detroit Eviction Defense and mounted a campaign to save their home. Offers were made to Haedrich to allow Kenny and Sandi to buy back the home, so they could remain there. Haedrich, his attorney Ryan Hill, and his local property manager **Eric Novack of Blackbird Asset Management**, refused all offers and pulled out all the stops to put Kenny and Sandi out of their home.

The terrorism against the seniors begins

This included a slew of harassing text messages, letters, and phone calls to the elderly couple, along with aggressive surveillance designed to frighten and intimidate. Once, when Sandi was at a restaurant with her grandchildren, an agent of Sussex called the restaurant and asked to speak with Sandi, berating her and letting her know that she was being watched while she was out with her grandchildren at the restaurant. Haedrich has been buying Detroit houses at the tax auctions for a few years now. He is a tax scavenger; that is, he is from California and buys up houses cheap at the tax auction. Haedrich has called Kenny, Sandi and their supporters "terrorists" for organizing to save their home and to oppose Haedrich and Sussex. Haedrich sued Kenny and Sandi and after a long struggle prepared to evict them. He sent agents to cut down trees at the house by surprise while Kenny and Sandi still lived there.

The terrorism causes Sandi's heart attack

Sandi was so shaken up by the incident that she suffered a heart attack at that time. She has recovered and is doing much better. Kenny's health was failing; they had to move. Kenny now has passed away. We honor the memory of Kenny Brinkley. Kenny stood his ground against the scavenger and his agents from Sussex Immobilier, and also stood with other families facing eviction from their homes. His spirit was strong.

Speculators are scamming the city

A Financial Times article from May, 2016 says this: "Mr. Haedrich says he contributes to the local economy by employing people for renovations as well as paying taxes. (Quoting Haedrich)" Former neighbors of Kenny and Sandi say their home on Taylor St. was finally rented out a few months ago. It had been empty. Another house of Haedrich's on the east side was rented out. The city shows that neither of these houses is registered as a rental property; neither has been issued a certificate of occupancy; and neither has been inspected by the city. All of these things are required by City of Detroit ordinances. But several of Haedrich's houses in Detroit remain empty. The one Haedrich bought on Balfour, also on the east side, remains empty. Windows are gone. Neighbors say some community group put boards on the windows but kids tore down the wood and now the house is open to the elements and a blight and danger to the community. This is Haedrich.

Community Fans Out Across O'Hair Park to Educate and Unite Homeowners and Tenants

They swept across the mile-square area of O'Hair Park in Northwest Detroit on Saturday, May 20, alerting neighbors of the scourge of unethical housing schemes that take advantage of unsuspecting tenants.

Nearly 30 activists, including O'Hair Park residents, students and faculty from U-M Dearborn, UAW members, people from Detroit Eviction Defense, walked the square mile, block-by-block, house-by-house, passing out leaflets to 2,100 homes inviting the community to a free legal clinic the following Tuesday at Corpus Christi School.

At the same time, 16 activists knocked on 187 doors and talked with tenants who are living in homes owned by large speculators in an attempt to determine if the neighbors were being treated with respect.

Some tenants were afraid to talk about their situation because of potential repercussions from the landlord. One woman on Rosemont, who was renting from a speculator for a month had a list of problems and said the neighbor across the street also was having problems with the same landlord.

"We are going to contact all of the neighbors who said they were having problems with their landlords," said Patt Taylor-Braxton, president of the O'Hair Park Community Organization. "From now on, landlords and speculators will treat Detroiters with respect."

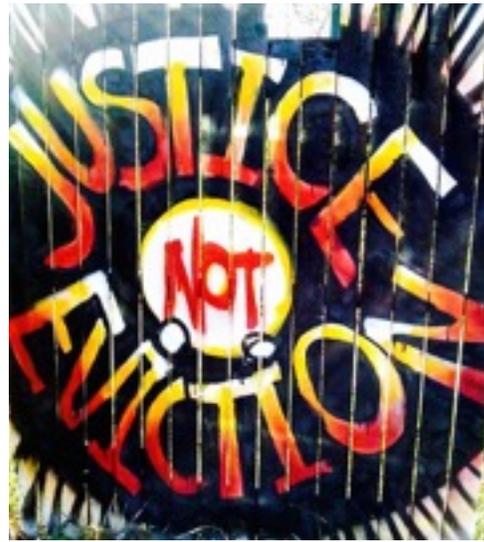
The idea is to educate the community about the pitfalls of land contracts, rent-to-own schemes and reverse mortgages.

Tenants speak out at community meeting

This was the first outreach in O'Hair Park by Detroit Eviction Defense in a long-term action, in conjunction with community groups, to stop the mistreatment of tenants by vulture developers. The follow-up organizing meeting and clinic on May 23rd went well. Speakers from the O'Hair Park Community Association and from Detroit Eviction Defense welcomed more than 50 people who came out to the meeting. There was a good discussion about people in neighborhoods organizing together to defend homeowners and tenants and to fight the banks, the government and the slumlords who attack us, our neighbors and our communities. There also was discussion about how these are racist attacks on our communities and our neighborhoods and the importance of

uniting our forces and communities to fight back.

From the discussions and the clinic, it's clear that people in O'Hair Park reflect what is going on around the city and the area in working class neighborhoods. Many long time homeowners owe much more on their mortgages than their homes are worth and can't get the banks to reduce the principal of the



loan or to renegotiate to fair and reasonable terms. Other homeowners face the loss of their homes to tax foreclosure or already have lost their homes due to unfair assessments, where the taxes are based on inflated home values which do not correspond to the actual value of the home.

Former homeowners are now fighting against new slumlords, new "developers" who are attempting to trick people with rent-to-own agreements or shady land contracts which put all responsibility for repairs, taxes and other costs on the tenants, leaving the slumlords responsible only for taking people's money, for collecting rents.

Other problems exist in our neighborhoods that were discussed in the meeting such as water and sewage bills, that are unfairly assessed and are tacked onto property taxes, one of the many reasons a lot of people had their home stolen from them and put into tax foreclosure auctions. Our struggles are many, and inter-related. Our direction now should be to unite homeowners, tenants and people facing crazy rent to own agreements, in solidarity and struggle against the banks, the government and the slumlords which hold all of us down. We will continue to build bridges between the homeowners and tenants, as the vulture developers/slumlords have displaced former homeowners. Whether homeowner or tenant, what happens on our blocks effects us all. We have to stand together, all of us, and take direct action in defense of our homes, our neighbors and our communities.

What are Land Contracts? Questions and Scams to be Aware of

DED has seen land contracts as an opportunity for vulture investors to prey on poor and working people trying to own homes. The vultures will collect as much money as possible from you without having to do any repairs and then find a loophole to say that you defaulted. Then the vultures will reclaim the property back, and keep all your money. Keep informed and be careful entering into land contracts!

If you'd like to become a homeowner but are unable to obtain a mortgage or pay cash for a home, you're probably going to have to decide whether or not a land contract is right for you. Land contract buyers have different rights and responsibilities than tenants, and land contracts are different from mortgages in important ways.

Land contracts can be attractive, but you should take care that you understand the terms of the contract and the obligations you are taking on before you sign. This guide is meant to help you get started in doing just that. This is a short introduction and doesn't explain every aspect of land contracts, and it probably doesn't touch on everything that might be relevant to your situation. But it does cover some key areas that are often overlooked by land contract buyers.

Talk to a lawyer. There are local agencies which provide free legal advice to people in certain situations. (see Page 3 for listed resources of free legal counsel)

What is a land contract? A land contract is a written agreement to purchase real estate which provides that the buyer will pay the purchase price in installments to the seller and will not receive the deed to the property from the seller until the entire purchase price is paid plus any interest or fees accrued.

Inspect the condition of the property Unlike tenants who rent their homes, land contract buyers usually buy their properties "as-is" and the seller is almost never required to maintain the property or make repairs during the life of the land contract.

Make sure that the seller actually owns the property. It's best to pay a title insurance company to check this for you, but you should at least check who owns the property yourself at the county register of deeds. Check for liens, mortgages or other recorded documents that may affect title to the property.

Get it in writing and record a memorandum. Land contracts must be in writing and signed by both parties. Land contracts do not need to be recorded with the county register of deeds, but the seller should sign a memorandum of land contract and have it notarized so that the memorandum can be recorded with the county register of deeds. This way there will be a public record of your status as a land contract buyer of the property. Land contracts must be in writing and signed by both parties. When it comes to the terms of the agreement, what counts is what's in writing – not what the seller might have told you in person or over the phone. So if you want to be able to make sure that a seller keeps one of their promises they've made to you, make sure it's in the written agreement that they've signed.

Take interest in the interest rate. Land contracts can charge up to 11% in annual interest. Keep the interest rate in mind when estimating how long it will take you to pay off the purchase price and how much you will eventually have to pay to get the deed to the property.

What are the payments? Most land contracts have a down payment that you make at the start of the land contract relationship. The down payment isn't like a security deposit in a lease because you are not entitled to get it back if you end up needing to move. The land contract should give a specific amount that your monthly payments will be.

You may also have monthly payments that you are required to make under the contract for property taxes and property insurance (sometimes called "escrow").

Look out for balloon payments. Check to see if the land contract requires you to make a balloon payment at any point. A balloon payment is when a contract requires you to pay the seller a large amount of the total amount owed on the contract all at once. If your land contract requires a balloon payment and you fail to make the payment in full when it is due, you will have defaulted on the land contract. If there's a specified term, don't assume that your monthly payments will be enough to pay off the entire contract amount by the end of the term. You can try to check this by doing the math yourself using what are called "amortization calculators" available for free on many websites.

What about the property taxes? You should check to see if there are any property taxes owed on the property. The city treasurer or assessor's office keeps records of property taxes that are owed but not yet delinquent, and the county treasurer's office keeps records of delinquent property taxes. If there are any property taxes already owing on the property, the land contract should state who is responsible for paying those taxes and when they must be paid. If delinquent property taxes aren't paid, the county can foreclose and take ownership of the property. The land contract should also state who is responsible for paying the property taxes going forward. If your land contract provides for this arrangement, you should check regularly to ensure that the seller is actually paying the property taxes.

Check the water bill. Unless the agreement states otherwise, you're responsible for the water bill and all previous water payments on the property.

Who has to get the property insured? Some land contracts require the buyer to pay for the property to be insured. Sometimes the buyer is required to get the property insured and pay for it themselves. In such arrangements, if the buyer fails to keep the property insured, they are considered to have defaulted on the land contract. If your land contract provides for this arrangement, you should check to ensure that the seller is actually keeping the property insured.

What happens if things go wrong? If either party fails to perform their duties under the land contract, they are considered to have defaulted on the land contract. If the seller defaults on their obligations under the land contract, you may be able to sue the seller to compel them to perform their obligations and/or compensate you for any damages caused by their failure to perform. If you fail to make payments or fulfill any other obligations (such as paying the property taxes or keeping the property insured), the seller can file a court case to take the house back from you, compel you to perform your obligations, and/or to make you compensate the seller for any damages caused by your failure to perform. In most cases, if you default and do not cure your default by becoming current on the contract and meeting all your obligations within a certain legal deadline, the seller can take back the house and keep all money that you have paid so far. If the seller takes you to court, seek legal advice right away.