OUT OF BALANCE

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Arkansas Renters Share their Experiences Navigating the State’s Unique Landlord-Tenant Laws

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Neil Sealy
ARKANSAS COMMUNITY ORGANIZATIONS
Landlord, landlord,
My roof has sprung a leak.
Don't you 'member I told you about it
Way last week?

Landlord, landlord,
These steps is broken down.
When you come up yourself
It's a wonder you don't fall down.

Ten Bucks you say I owe you?
Ten Bucks you say is due?
Well, that's Ten Bucks more'n I'll pay you
Till you fix this house up new.

What? You gonna get eviction orders?
You gonna cut off my heat?
You gonna take my furniture and
Throw it in the street?

Um-huh! You talking high and mighty.
Talk on— till you get through.
You ain't gonna be able to say a word
If I land my fist on you.

Police! Police!
Come and get this man!
He's trying to ruin the government
And overturn the land!

Copper's whistle!
Patrol bell!
Arrest.

Precinct Station.
Iron cell.
Headlines in press:

MAN THREATEN LANDLORD

TENANT HELD NO BAIL

JUDGE GIVES NEGRO 90 DAYS IN COUNTY JAIL.

Ballard of the Landlord
Langston Hughes
1940
ACKNOWLEDGEMENTS

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Report prepared by Ashley Bachelder, Community Program Manager in the Office of Community Based Public Health. Drs. Kate Stewart and Creshelle Nash of UAMS and Mr. Neil Sealy of Arkansas Community Organizations reviewed drafts and UAMS students, listed below, collected the survey data presented throughout the report. We thank Dr. Holly Felix for her assistance with data analysis. Cover design by Jake Coffey.

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EXECUTIVE SUMMARY

“This consider if you would want to live there. Would you want your family living there? What would you do to make it? No one is asking you to put pictures on the wall or anything, but make it presentable.”

— Mary, 60-year-old North Little Rock resident

This report presents the findings from a project that 21 students and 3 instructors from the University of Arkansas for Medical Sciences completed in partnership with Arkansas Community Organizations and its partner, the Arkansas Community Institute, to study Arkansas’s landlord-tenant laws and gather information regarding how the state’s lack of an implied warranty of habitability effects the health of the community. They collected over 1,100 surveys of Arkansas residents and conducted five in-depth interviews with Arkansans who have experienced problems in their rental properties and had difficulties with getting the landlord to make repairs. Some of the main findings include:

⇒ 32% of Arkansas renters have had a problem with their landlord making needed repairs.
⇒ The top three household problems were plumbing, heating or cooling, and pests or rodent control.
⇒ The majority of respondents had to ask the landlord repeatedly to make repairs. More than one-third of people with problems ended up moving.
⇒ Landlords eventually fixed the problems for just over half of respondents.
⇒ One-quarter of those who had a problem with their landlord experienced a health issue because of problems with the property. Those health issues included increased stress, breathing problems, headaches, high blood pressure and bites or infections.
⇒ Hispanic respondents were 2.2 times more likely to have problems with their landlord. They also experienced verbal abuse and were threatened with eviction at significantly higher rates than non-Hispanic respondents. Hispanic respondents also moved more frequently as a result.

Arkansas is the only state in the country that does not have an implied warranty of habitability. This project illustrates the need for such a policy given the high number of Arkansas tenants who reported problems with their landlords not maintaining their properties and making needed repairs. A warranty of habitability would be an important first step in addressing the state’s out-of-balance landlord-tenant laws by providing tenants with a tool to ensure the right to a safe and healthy living environment.

Note: Specific addresses, street names, neighborhoods and other identifiable information have been removed from this report. All names and photos are used with permission.
**BACKGROUND**

It has been long understood that housing conditions have a significant impact on health outcomes. Individuals and families who live in substandard housing are more likely to encounter pest infestations, mold, water leaks, poor ventilation, very high or very low temperatures and exposure to carcinogenic air pollutants among other issues or allergens that may trigger negative health effects. Exposure to these health hazards increases the risk of headaches, fever, nausea, vomiting, asthma, respiratory infections, decreased neurological functioning, elevated blood lead levels, mental and psychological distress, increased risks for injuries as well as some types of cancer and overall increased mortality. These home health hazards disproportionately affect the health of minority and/or impoverished populations more than others due to the fact that minority and lower income populations are more likely to live in unsafe housing and often lack necessary financial resources to change their living situations.

An estimated 35% of the United States population, or over 42 million households and more than 107 million residents, currently rent the homes in which they reside. The vast majority of states have adopted legislation which requires landlords to maintain these rental properties at basic minimum standards; by means of providing clean and safe common areas, maintenance of electrical, plumbing, and heating systems, garbage storage and removal, etc. Model legislation, introduced in 1972 called the Uniform Resident Landlord Tenant Act (URLTA), established a balanced framework for landlord-tenant laws outlining rights and responsibilities for both parties and establishing what's called an implied warranty of habitability.

More than 375,000 Arkansans, or 33% of the state population, are renters. Arkansas is the only state that has not adopted any of the tenant protections the URLTA offers and has no implied warranty of habitability; meaning that Arkansas tenants have no legal rights to reasonably safe and habitable conditions or legal recourse against landlords who do not maintain their properties to those standards.

In March 2015 the Arkansas House Committee on Insurance and Commerce considered House Bill 1486, filed by Representative Greg Leding, which would have established specific property maintenance requirements (such as doors that properly lock and a functioning plumbing system) that all landlords must meet. The bill would provide tenants with greater rights and would prohibit landlords from retaliating against tenants who request repairs. Importantly, the bill would also provide the tenant a legal mechanism to terminate a lease without financial or legal penalty if the landlord does not maintain the property at the minimum standards required.

Similar bills have been considered in the past, none of which have received the political support needed to pass. In 2011, the Arkansas Legislature called for the creation of a commission to "study, review, and report on the landlord-tenant laws in Arkansas and other states." The Commission was comprised of representatives from the Arkansas Realtors Association, Landlords Association, Affordable Housing Association, Governor, Arkansas Bar Association, state House of Representatives and Senate and the deans of the University of Arkansas and the Bowen School of Law. It released its report and recommendations in 2013, in which it reported that Arkansas laws are "significantly out of balance" and proposed 15 reforms; including the adoption of an implied warranty of habitability. Commission Chair Stephen Giles, a Little Rock real estate attorney, elaborated, "There are good landlords out there who already voluntarily include many of these recommended protections in their lease agreements. If implemented, these reforms will not only put landlords and tenants on more equal footing, but also make it more difficult for unscrupulous landlords to compete with the good ones." The report also strongly recommended the repeal of Arkansas’s failure to vacate law, which makes it a crime for a tenant who fails to pay rent on time; although that is not the focus of this report.

Despite recommendations from the Commission’s report and support from many allied groups, including the Landlords Association of Arkansas, HB1486 failed to pass out of committee. Among the bill’s opponents included the Realtors Association, the Insurance Commissioner and the Arkansas Bankers Association. Arguments against the bill included concern over increasing rent prices, hindering housing development and increasing costs and liabilities for landlords. Child advocacy groups have since stated that this bill was a missed opportunity for advancing equity for racial minority and low-income communities.

It is important to assess the health impact of unsafe housing conditions and to detail the experiences and perspectives of the communities and individuals most affected by these conditions and policies. This report shares data collected through surveys and in-depth interviews of Arkansans’ rental experiences, their knowledge about the law, problems they have experienced and how they have impacted their health.
During the spring of 2015, 21 students at the University of Arkansas for Medical Sciences (UAMS) taking a course entitled "Racial and Ethnic Health Disparities: Theory, Experience and Elimination" at the Fay W. Boozman College of Public Health (COPH) learned about the relationship between housing and health and Arkansas' landlord and tenant laws. Through a partnership with Arkansas Community Organizations (ACO), a community-based non-profit organization that works with low income and working class families, students and their instructors completed a service learning project to assess how common renters face problems with their landlords making repairs and keeping the property up. Students administered paper surveys and in-depth interviews were later conducted with selected participants to gather in-depth information on these topics.

**The Instruments**

**Surveys.** The class instructors and ACO Director created the first draft of the survey which was then shared with students during a class meeting to gather further input and later piloted with a small group of individuals. Survey questions included rental history, the individual’s awareness of Arkansas’s landlord tenant laws, how many times the individual has had problems with the condition of their rental property, an inventory of those maintenance issues (if applicable), handling of issue by landlord (if applicable), health effects from rental issue (if applicable), and demographic information. The last question asked participants if they would be willing to be contacted for a follow-up interview. See Appendix A for survey instrument. A Spanish language version was also created for monolingual Spanish speakers. Students completed in-class training on how to administer the survey and practiced surveying each other.

**Interview Guide.** A semi-structured interview guide was created with three domains (household conditions, relationships with landlord and health impacts) that asked participants to provide details and tell stories about the problems they indicated on their survey. Participants also completed a consent form and additional demographics.

**Recruitment and Data Collection**

**Surveys.** The main survey collection location was at ACO’s free tax filing site. Sixteen students volunteered as greeters at the main office in Little Rock and everyone who received assistance with their taxes was asked if they would like to take the voluntary survey as part of the check-in process. Surveys were also part of the registration process at ACO’s second tax location in Pine Bluff, although no students volunteered at this location. Five students identified alternative survey collection sites including a childcare center, laundromat, church and two Central Arkansas college campuses. The majority of participants chose to self-administer the survey which took approximately 3-5 minutes to complete. Surveys were collected in February and March 2015.

**Interviews.** One instructor called participants who provided their phone number and indicated their willingness to participate in an interview. Participants were only called if they reported problems with their properties and the landlord. Interviews lasted approximately 30-60 minutes and participants were given $25 in cash. The interviews were audio-recorded and notes were typed on a laptop. All interviews were completed in English.

**Data Analysis**

**Surveys.** Paper surveys were scanned and responses were entered into an excel database using ABBYY FlexiCapture technology. The data were cleaned and verified and transferred into STATA for analysis. Analysis included frequencies and descriptive statistics, bivariate analysis of outcomes by race, and logistic regression to identify demographic characteristics associated with having problems with a landlord making repairs. Variables used in the regression model are shown in Appendix B.

Initial analysis examined the percent of respondents who needed a repair and had a problem with the landlord making the repair. Subsequent analysis focused on understanding characteristics associated with having a problem with the landlord. For the latter, the data were categorized into three race categories: white, Black and Hispanic. Although ethnicity (Hispanic or non-Hispanic) was asked in a separate question, Hispanic was treated as a race because many respondents did not select a race if they selected Hispanic. Therefore, if respondents chose Hispanic and any other race category, they were dropped from the racial group they identified and included only in Hispanic (e.g. someone who selected White and Hispanic is only represented in the Hispanic group). Due to the small number of respondents identifying multiple racial categories, we included individuals who choose both white and Black races only in the Black category. Also because of the small number of respondents, those who selected Asian, Native Hawaiian or Pacific Islander, Native American or Alaskan Native or race other were dropped from the dataset. Because only three persons selected transgender/other for gender, they were also dropped.

**Interviews.** Written transcripts were prepared from the interviews and selected aspects are presented to illustrate key points throughout the report.

This project was reviewed by the UAMS Institutional Review Board and determined not to be human subjects research.

**Participants**

**Surveys.** A total of 1108 surveys were collected; approximately 600 from ACO’s Little Rock office, 350 in
the Pine Bluff office and the remainder from the alternative sites. More than half (54%) currently reside in Little Rock zip codes, 13% in North Little Rock zip codes, 19% in Jefferson County zip codes and 14% in some other zip code. Of the 1108 surveys, 157 respondents answered that they had never rented in Arkansas before. Those respondents were removed from the analysis, leaving a sample size of 951 respondents who currently rent or have previously rented in the state.

Table 1 summarized the demographics of the sample. The age range of respondents spanned from 16- to 81-years-old. The mean age was 42-years-old. The majority were female (62%) and Black or African American (71%). Almost one-fifth (19%) of the sample identified as Hispanic. Two-thirds of the sample (66%) had a combined household income under $30,000. More than eighty percent (81%) have a high school education or higher; and 11% hold a Bachelor’s degree or higher.

FINDINGS

Survey participants were asked if they ever had to ask their landlord or property manager for a repair, and if yes, if they had a problem getting the landlord to make the repair. Of the 923 renters who answered if they asked for a repair, 587, or 63% did ask for a repair at some time. More than half of this group (306 of the 579 who answered, or 53%) also indicated having a problem with the landlord. Compared to all renters, this group comprises 32% (306 of 951) who needed a repair and had a problem with their landlord or property manager. Figure 1 illustrates these frequencies.

Survey participants were asked if they were aware of the law that “requires tenants to pay the rent regardless of the property condition and that landlords are not required to maintain their properties at basic, safe or livable housing standards.” Of the 880 who answered, about one-third (282 or 32%) were aware of the law and two-thirds (598 or 68%) were not.

2/3 of the sample was not aware of this law

It’s a shock the things Arkansas does. I didn’t know about these laws. You already know Arkansas is the worst about a lot of other things, but I didn’t realize it was as bad for the renters. It’s like you need to know someone to get a good place to rent.— Mr. Alfred Davis
Risk Factors for Problems with Landlord

We compared those individuals who needed a repair and were having problems with the landlord with those who did not have problems with the landlord. Being Hispanic was significantly associated with having a problem with the landlord. The odds were 2.2 times higher for Hispanics than non-Hispanics (OR= 2.21; p=0.03). Blacks had a 20% higher odds of having problems (OR=1.198), although the difference was not significant (p=0.49). There were no other significant differences by gender, education or income levels; although having a household income below $10,000 was trending toward being a significant indicator of the likeliness of having a problem with the landlord (p=0.06). See Appendix C for details.

Hispanics were 2.21 times more likely to have problems with their landlord than non-Hispanic respondents.

The remainder of this report describes the problems people faced who had challenges with landlords making repairs (n=306).

Description of Housing Problems

Participants were asked how many times they had problems with their landlord making repairs. Of the 285 who responded, the majority (207 or 73%) had experienced problems 1-2 times; although more than one-fifth (21%) reported problems 3-4 times.

The remaining questions asked the respondent to think about the most recent time they had a problem with the landlord and to answer based on that situation. First they reported the type of housing they were living in when they had the problem. House or duplex was the most common response (46%), followed by apartment (37%) and trailer or mobile home (17%).
Participants were given a list of household problems to select all that apply regarding the problem(s) in their rental property. Of the 287 respondents, the most common response was plumbing problems (51%), followed by heating or cooling (42%), pests or rodents (36%), windows or doors (25%) and electric (24%). The chart at the bottom left illustrates all problems reported.

**Community Highlights: Doors and security problems**

Kevin is a 59-year-old resident of Little Rock. He is one of the 25% of respondents who had problems with his doors or windows. He explained, “for the whole time we were there we never had a key to the front door. The type of lock would require a special configuration type of key and they [the landlord] weren’t going to pay for it. We had to use the side door and could only use the front door if someone was home. And the side door was faulty. It wouldn’t close because of the leveling of the house. No one ever broke into the house, thankfully.”

Participants were then asked what they did about the problem. Of the 287, the most common response was that they asked the landlord to fix the problem more than once (73%), followed by moving (38%). When stratified by race, a significant difference was found that showed 50% of Hispanics moved whereas only 30% of Whites and 33% of Blacks (p=0.019) moved. The chart at the bottom right shows all responses for what the tenant did about the problem.

**Community Highlights: Those who moved**

When Ms. Dedrick decided she had to leave her roach infested apartment, she faced challenges. She explained, “finding a new place wasn’t easy. The application process for this [new apartment] took a while. The [former] landlord wasn’t being very good—telling the [new] property manager I didn’t pay rent because I broke the lease and not giving me a good reference. I had about five months left, but I just had to leave. I got into my new place about three weeks later. We had to stay with my mom in between.”

Mary, a 60-year-old retired VA nurse has lived most her life in North Little Rock neighborhoods. She has moved around a lot in her later years after being challenged with security and safety issues in multiple rental properties. She currently finds herself homeless after moving from a bad situation with her landlord over heating and cooling problems. She has been homeless for over three months. She has stayed with family and has been at two different shelters—although she has now stayed the maximum amount of time allowed at the second shelter and needs to move again. She is still trying to tie up loose ends from her previous residences—she owes some back rent and had to borrow money from family—both debts she fully intends to pay back. Making it more difficult, she's never been given a security deposit back, “I’ve never lived in a place where the deposit is returned—even when it’s in the agreement the reality is it never happens. It goes straight from my hand to their bank account.”

Kevin’s landlord contracted day to day management needs to a property management company in Little Rock. “You had to request repairs online. Usually all we got was a phone call and a ‘promise’ but they never did anything,” he explained. “Communications were just lip service. Any repairs you make you can’t deduct from the rent, even with receipts. If you fix something it’s on you.” After two years of problems from termites to security issues, mold, leaking ceilings and cracking floorboards, Kevin decided to pack up and move. “When we said we were moving, the owner tried to sell me the house. I laughed to myself—‘if it were together.’ I’m paying $1200 a month for it. The conditions were intolerable. I moved reluctantly since I liked the potential of the house so much. If they had worked with us more we probably would have stayed longer. It's still vacant. I went over there one day and saw someone looking at it. I told them—it’s beautiful but a house of horrors.”
Mr. Alfred Davis, 41-year-old North Little Rock resident

Mr. Davis and his girlfriend have lived in a North Little Rock rental house for about 8 months and have experienced a handful of problems during this short time. The water lines have burst several times, even when taking precautions like leaving the water dripping. The electrical wiring is outdated and insufficient—there are only two circuits for the 5 room house and limited outlets. They have to make choices about how to use the available circuits—in the summer they need to decide what to unplug to use the air conditioner. A large extension cord runs from the front of the house to the back, carrying electricity from one end to the other to power appliances in the kitchen. He has requested repairs to the plumbing system that go unanswered. He has tried to fix the plumbing problems himself; he bought particle pipes and crawled under the house but found the plumbing system to be very piecemeal with different types of metal, iron and plastic pieces. "If it were my house we would have all one type of material. It's too pieced together to really know what to do" he described. The landlady eventually arranged for someone to come out and take a look but nothing was fixed. Mr. Davis has had to leave work on several occasions because of the plumbing problems; and because he is self-employed and works on cars around town he loses business each time. Mr. Davis also has heating and insulation problems that dramatically increase his energy costs and make it difficult to properly heat his home. "We are heating the outside," he said when describing the poor insulation around the doors.

Clockwise: Mr. Davis outside his home; kitchen door he tried to insulate and power cord for appliances; power cord that runs across house; two circuit breaker box

Community Highlights: Plumbing, electric, heating and pest problems

Ms. Ashley Dedrick, 22-year-old Sherwood resident

Ashley Dedrick is a 22-year-old mother of two young children. She currently lives in an apartment in Sherwood that she is very happy with, but had to move from an unsuitable living situation in North Little Rock where she and her family had major problems with the heating system. In the middle of winter, the hot water heater broke and they were left without heat. She asked the landlord to fix it immediately, but her request went unanswered. After about a week she bought a window heating unit from a pawn shop. "It was the dead of winter and freezing. It was snowing. I had a 1-year-old then. I couldn’t wait any longer," she recounted. She couldn’t take hot showers at home and would pay her neighbors to use their shower. The water heater was eventually fixed after three months. The apartment also had a constant cockroach infestation. "The roaches were just unbelievable. They were all in the bed—I had to pick them out of my baby’s hair. They were in our food. When we would get out of the shower we had to shake the towels because they would get in them too. We were coughing a lot." The landlord did not help remedy the roach problem, and Ashley tried to bomb the apartment herself but the roaches always came back.
Next they reported how the landlord responded. The highest response was that the landlord eventually fixed the problem (55%), followed by threatened eviction (20%), and did nothing or ignored the request (10%). This question also showed significant differences by race; forty-five percent of Hispanic respondents were threatened with eviction versus only 10% of whites and 10% of Black respondents (p=0.00). Similarly, 17% of Hispanic respondents experienced verbal abuse from their landlord versus 7% of whites and 6% of Blacks (p=0.029). The chart below shows all responses.

Community Highlights: Unanswered requests

Mr. Davis has requested many repairs to his home—the plumbing system, for the home to be weatherized, the heating system checked and the uneven floor to be looked at. His landlady lives out off state and he has only met her once. “I call her and she’ll call someone then decide if she’s going to fix it. A lot of times I just don’t get a response. She just blows you off.” The landlady did send one person to look at the plumbing problem but nothing came of it, “they were just guessing themselves,” Mr. Davis explained. The only repairs he has gotten are superficial ones, like repainting the walls to make the décor look clean. Mr. Davis was recently threatened with eviction, which the landlady told him was because of his rent payment. He explained, “Most people allow you to directly deposit or transfer your payment straight to their account, but she does not.” He has to mail his payment from out of state, and if she does not receive it before the due date it is late. He has to be sure to get to the post office several days before rent is due to ensure it gets there on time. “You never know what to expect from her,” he said.

Kevin had a bad termite problem at his home and informed the property management company right away. He described the termites: “they were coming through the sockets, vents, cracks in the wall. We were sucking them up with a vacuum. We would wake up and they’d be in our face. Thousands of them. It’s hard to sleep when you’re breathing in termites and you wake up and your bed is full of them. We went out and got our own spray, but you have to spray and then sleep there.” His request for assistance was never acted on, “they finally came out after termite season. We complained all season. I called the owner, too; they gave us the big run around. When the inspector did finally come out he looked at the wood and said he doesn’t know what’s keeping the house up. The owner had over 25 properties—he just didn’t have the finances or the desire to put anything into the houses he has. He said ours was one of the better ones. He and his wife live in a Winnebago—they travel a lot. They use the property management company to deflect the heat and not really do anything.”
Health Impacts

Participants next answered a few questions regarding if and how their housing problems impacted their health or the health of their family. Of those who had problems with their landlord making repairs, one quarter (70 of 279 or 25%) said those problems impacted their health.

When asked about the types of health problems, increased levels of stress was the most frequently cited response with 69% of participants. Almost half (46%) also reported breathing problems, 37% indicated headaches and 27% with blood pressure problems. A significant racial difference showed that all (100%) of those who said they had blood pressure problems were Black (p=0.004). See the chart below for additional health problems.

Of those who experienced these health problems, 27% (18 of 67) had to seek care from the emergency room or their doctor. Because children are more vulnerable to many health problems that can have long lasting impacts, respondents who reported health problems were also asked how many children under 18-years-old lived in the residence. The mean number of children was 1.82.

Anonymous, a 41-year old Hispanic woman living in Southwest Arkansas (previously pictured) described several problems in her last rental apartment, but the worst one was a severe ant problem. She explained, “in regards to the ants, being at work was just enough time for them to mingle around to my kid’s bedroom. After getting off of a long day, I had to move the bed, vacuum, and change sheets before I could put her to sleep. It was very time consuming and tiresome over the course of months, but was something I had to do to protect my child from ant bites.”

After the landlord failed to respond to her requests for assistance, she tried to get rid of the ants by purchasing many types of ant poisons or repellants, and although the problem improved, they never fully went away. The ant problems extended beyond a nuisance, causing real health problems. “I had to take my 5-year-old daughter to the ER one time. She developed welts and suffered an allergic reaction to the ant bites. They itched so bad, they later got infected and she needed further follow ups with her primary care physician.” Her daughter was covered by ARKids Part A, so she did not personally incur any financial costs from the ER visit or follow up care. She concluded, “I moved as soon as my lease was over as I could not handle my child constantly having ant bites, and substandard provisions despite me paying my rent on time, every time.”

The roach problem was so bad at Ms. Dedrick’s apartment that it triggered a visit by DHS where she was told she needed to improve the living conditions or risk losing custody of her daughter. Ashley explained how her landlord would not help and how she tried bombing the apartment herself on multiple occasions. After a second visit from DHS, Ashley became severely depressed and felt helpless, to the point she was suicidal and admitted to UAMS where she stayed for three days.

For Kevin, the day to day issues he had to deal with—the door that wouldn’t lock, the termites and invading water bugs, the weak floors and leaky ceiling among other inconveniences—just added to the regular daily stressors. “It causes stress and blood pressure. You’re reluctant to have company because of the embarrassing conditions. Around that time I started going to the doctor more often. That was when I started feeling that I had to find out what was up with me, I was not quite myself—my energy level was down.” Kevin is a veteran and has health benefits and coverage from the VA.
The survey wrapped up by asking about the monthly rent price and if participants received any subsidies for housing costs. Almost half (45%) of participants paid between $400-$599 in monthly rent, and about a fourth paid less than $400 (25%) or between $600-$799 (23%).

The majority (77%) of respondents resided in a private rental without subsidized funding. Of the remaining, 7% lived in public housing, 5% in subsidized apartments and 11% in private residences with Section 8 vouchers.

Community Highlights: Subsidized & private housing

Ms. Dedrick now lives in a new two-bedroom apartment that she thinks is better quality than her last one. She receives a housing subsidy that covers about half of the total $600 monthly rent. She wishes she had received housing assistance at her old place, because that would have made the landlord fix the problems—or risk losing payments from the housing authority. At her new place she has experienced some minor problems like needing new knobs on the sink and a small crack in the window; but nothing major, and timely repairs are made.

DISCUSSION

One-third of the renters surveyed had problems with their landlord making needed repairs. Hispanic individuals had significantly higher odds of having a problem with their landlord, at a rate of 2.21 times higher than non-Hispanics. Plumbing problems were the most common issue, and heating/cooling, electric, pests or rodents, and problems with windows and doors were also frequently cited. The survey showed that the majority of tenants asked multiple times for their landlord to address the problems, while some tried to fix the problems themselves and even more moved from the residence. Half the people who had problems said their landlord eventually fixed them, although a smaller percentage were threatened with eviction, experienced verbal abuse, and were ignored by the landlord. One-fourth of the people with landlord problems also experienced a health issue that they attributed to the housing problem. The majority reported higher stress and a large number also had breathing problems, headaches, and some with high blood pressure and bites or infections.

Some of these problems were unevenly distributed. With Hispanics already having increased odds of having problems with their landlord, they were also significantly more likely to experience verbal abuse and be threatened with eviction than white or Black respondents. Hispanics were also much more likely to move than others. Although Blacks were not significantly more likely to have problems with the landlord, they did have significantly more problems with high blood pressure that they reported resulted from their housing problems than Hispanics or whites.

Limitations

Sample. The sample was comprised of majority low income persons. Arkansas’s median household income is $40,768. Approximately 80% of renters who completed the survey had an income under $39,999. While a more robust distribution of income would be more representative of the state population overall, it is important to note that tenant rights and tenant issues affect low and moderate income persons more than higher income individuals. Previous research has shown household income and homeownership to be positively correlated; that is that those in lower income levels have lower rates of homeownership. National data from the American Housing Survey show that 50% or more of individuals with incomes less than $20,000 rent their homes. Given these trends, because our sample is largely low and moderate income persons, it is more likely to be representative of Arkansans that rent than if we had sampled from a more diverse income range.

Instrument. The percent of landlords who ignored requests from their tenants is likely underrepresented (reported at 10%) because of a flaw in the instrument. There was no option on the survey for “landlord ignored
write-in responses and the fact that all interviewees spoke about how their landlord ignored their request, we believe the actual percentage is much higher.

**Future Research Needed**

We are not aware of other projects that have studied how the state’s landlord-tenant laws impact the health and wellbeing of tenants. This project provides valuable data directly from tenants, but there are many unexplored areas.

The following topics deserve further attention to identify ways the law may negatively impact tenants and to determine strategies for bringing it more into balance:

- **COMPARE TO OTHER STATES.** Every state other than Arkansas has some version of a warranty of habitability. It would be valuable to compare the prevalence of tenants who have problems with the landlord maintaining the property in these states that do have greater tenant protections, and if the types of problems tenants face are similar or different.

- **CODE ENFORCEMENT.** Although Arkansas does not have an implied warranty of habitability, some cities have voluntarily elected to adopt minimum housing code enforcement programs and rental property inspection programs. Future research could investigate if there are differences in how landlords maintain their properties in cities with code enforcement versus those that do not. This should also include perspectives from tenants about the efficacy of such programs in keeping rental properties safe and healthy.

- **DISPARATE IMPACTS.** Hispanic respondents experienced problems at increased rates compared to non-Hispanics. Future attention needs to look at why they experience a higher level of problems. We suspect language barriers and legal status attribute to these challenges, and protective factors need to be explored to identify policy and program strategies to lessen these disparate impacts.

- **OUT OF STATE LANDLORDS.** Are there differences between how responsive landlords are to tenant needs and requests based on where the landlord resides (two of our interviewees spoke about out of state landlords)?

- **PROPERTY MANAGEMENT COMPANIES.** Are there differences regarding responsiveness to tenant needs based on if they work directly with one landlord versus a property management company (one of our interviewees spoke about needing to work through a third-party company)?

- **CRIMINAL FAILURE TO VACATE LAW.** Although this project did not consider the impact of Arkansas’s criminal eviction statute, research is needed to document how the criminality of not paying rent on time impacts the livability of properties and the health and economic wellbeing of individuals and the community.

**Policy Implications**

The findings from this project stress the need for Arkansas to adopt an implied warranty of habitability modeled on the URLTA. Since previous attempts to accomplish this through the legislative process have failed, alternative methods or different legislative strategies need to be explored. We strongly recommend that current tenants be involved in the crafting of future bills that would establish habitability standards. As one of our interviewees put it, “I guarantee the people that really make these decisions are not even renters in the first place.” This report offers suggestions that describe the most common problems that tenants face, but direct tenant participation in the policy making process will ensure that future legislation will address issues that are most relevant to real community needs. Any legislative body that considers future policy should give a fair hearing in which the experiences of tenants are weighed independently and equally with those of lobbyists and other stakeholders. If public policy is to improve health and reduce racial and socioeconomic disparities, policymakers must make their decisions based on how policy, or lack of policy, impacts those individuals most directly affected, and specifically how it impacts (positively or negatively) minority populations.

If you had to live there, wouldn’t you want all the basics; whatever it is you need for the house to work. Not to get fancy or extravagant, just to work. Most people are working people and just need a good place to live. I guarantee the people that really make these decisions are not even renters in the first place.
REFERENCES


Appendix A. Survey instrument

Arkansas Community Organizations is working with the UAMS College of Public Health to learn about people’s experiences renting in Arkansas and how that might affect people’s health. We are interested in learning about the quality of rental properties and relationships between landlords and renters. If you have ever rented in Arkansas before, we want to hear your story. This survey is completely voluntary and the information you give us is confidential.

ARKANSAS RENTERS SURVEY

1. Do you rent or own the property you currently live in?
   Rent (Skip to Question 3)
   Own

2. Have you ever been a renter in Arkansas before?
   Yes
   No (Skip to Question D1)

3. Have you ever had problems with the condition of your property or problems with your landlord while renting in Arkansas?
   Yes
   No

Arkansas has a law that requires you to pay the rent regardless of the property condition. The law does not require landlords to maintain their properties at basic, safe, or livable housing standards.

4. Are you aware of this law?
   Yes
   No

5. Do you currently live, or have you ever lived in an apartment or house where you had to ask the landlord or property manager to make repairs?
   Yes
   No (Skip to Question D1)

6. Did you ever have a problem getting the landlord or property manager to make the needed repairs?
   Yes
   No (Skip to Question D1)

7. How many times have you lived somewhere that you had this problem? (Check one):
   1-2 times;
   3-4 times;
   5 or more times

8. The most recent time you had this problem, did you live in (Check one):
   House or duplex
   Apartment
   Trailer/mobile home
   Other: __________________________

9. What was the nature of your problem the most recent time it happened? (Check all that apply):
   Plumbing problems
   Electrical problems
   Heating/cooling problems
   Pest/rodent control
   Floor/roof problems
   Windows/doors
   Wall problems
   Mold
   Other: __________________________

10. What did you do about it? (Check all that apply):
    Nothing
    Asked landlord to fix it one time
    Asked landlord to fix it more than one time
    Refused to pay rent
    Tried to fix it myself
    If yes, did you incur a cost?
       Yes
       No
    Moved
    Other: __________________________

11. If you requested your landlord to address the problem, how did s/he respond? (Check all that apply)
    N/A – I did not ask the landlord to fix
    Promptly fixed it
    Eventually fixed it
    Verbal abuse
    Threatened eviction
    Physical/violent abuse
    Sexual harassment
    Other: __________________________

12. Did these problems impact your health or the health of your family?
    No, it did not impact my health (Skip to Q15)
    Yes, it impacted my health a little bit
    Yes, it impacted my health a lot
13. How did these problems impact your health or that of your family? (Check all that apply)
   - Increased stress
   - Breathing problems
   - Headaches
   - Blood pressure
   - Skin problems
   - Bites or infections
   - Other: ____________________________

14. Did you or a family member have to go to a doctor or emergency room because of these problems?
   - Yes
   - No

15. How many children under 18 years old live or lived in this residence? ____________________________

16. Please give the address of the property described above: ____________________________

17. Please give the zip code of the property described above: ____________________________

18. In the situation you described above, how much was the total monthly rent?
   - $0
   - Less than $400
   - $400-$599
   - $600-$799
   - $800-$999
   - $1,000 or more

19. In the situation you described above, what kind of housing did you live in?
   - Private rental property
   - Public housing
   - Subsidized apartment complex
   - Private residence with Section 8 voucher

DEMOGRAPHIC QUESTIONS

D1. How many people live in your residence? ________

D2. Current zip code: ________________

D3. Are you (Check one):
   - Male
   - Female
   - Transgender/other

D4. What is your race? (Check all that apply)
   - White
   - Black or African American
   - Asian
   - Native Hawaiian or other Pacific Islander
   - Native American or Alaskan Native
   - Other

D5. Are you Hispanic or Latino?
   - Yes
   - No

D6. What is the combined family income for your household from all sources?
   - Less than $10,000
   - $10,000-$19,000
   - $20,000-$29,999
   - $30,000-$39,000
   - $40,000-$49,999
   - $50,000-$74,999
   - $75,000 or more

D7. What is the highest level of school you completed?
   - Some high school
   - High school or GED
   - Some college
   - Associate degree
   - Bachelor’s degree
   - Graduate/Professional degree

D8. What is your age? ________

D9. Would you be willing to participate in an interview with someone from UAMS about this experience?
   - Yes
   - No

D10. If yes, please complete the following:
    Name: ________________________________
    Address: ________________________________
    Daytime Phone: ________________________________
    Evening Phone: ________________________________

    Someone will contact you soon to set up an interview.
    ..............................................................................................................................................
    FOR OFFICE USE ONLY

    Surveyor ID: ________________________________
    Survey ID (Surveyor ID-xx): ________________________________
Appendix B. Bivariate analysis of variables included in regression model

<table>
<thead>
<tr>
<th>N=587</th>
<th>Problem with landlord</th>
<th>p-value</th>
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<tr>
<td><strong>Gender (n=528)</strong></td>
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<tr>
<td>Male</td>
<td></td>
<td>119</td>
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<tr>
<td><strong>Race (n=548)</strong></td>
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<tr>
<td>Hispanic</td>
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<tr>
<td><strong>Combined family income (n=520)</strong></td>
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<tr>
<td>Less than $10,000</td>
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<tr>
<td>$10,000-$29,999</td>
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<td>$30,000 or more</td>
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<td><strong>Education level (n=534)</strong></td>
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<td>More than high school</td>
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</table>

Note: Comparisons of variables made with Pearson’s chi square test.
**Appendix C.** Regression analyses of having a problem with the landlord.

<table>
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<tr>
<th>Variable</th>
<th>Odds Ratio</th>
<th>p-value</th>
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<tbody>
<tr>
<td>Black</td>
<td>1.198</td>
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<td>Hispanic</td>
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<td>Male</td>
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<td>Female</td>
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<td>High school education</td>
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<td>More than high school education</td>
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<td>Household income less than $10,000</td>
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<tr>
<td>Household income between $10,000-$29,999</td>
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<tr>
<td>Household income $30,000 or more</td>
<td>2.318</td>
<td>0.075</td>
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</table>

Note: Comparisons of variables made with multivariate logistic regression