



**When helping your
tenant hurts you:
The helping trap**

If I knew for a certainty that a man was coming to my house with the conscious design of doing me good, I should run for my life.

—Henry David Thoreau

I liked the guy. I trusted him when he told me he would pay his back rent. Now it's been five months.

—Cambridge, Massachusetts Landlord

I've been watching Sandy and her three kids struggling for months. How could I evict her knowing her predicament? So I worked with Sandy...and worked with her and on and on until it became seven months without rent, and when I finally spoke up, the next call was from her lawyer!

—Malden, Massachusetts Landlord

In the previous chapter, we discussed why landlords help, why it feels good to do so, and how it can occur naturally. In offering help, however, it is necessary to exercise some care; otherwise, you could fall into what I call the “helping trap.” A helping trap is a situation where you try to lend a hand but you wind up getting hurt. In this chapter, we’ll discuss what a helping trap looks like, how much emotional stress and cost is involved, and how hard it can be to prevent it from happening. Let’s start by discussing an unfortunate landlord saga involving a young couple I worked with who, despite their good intentions, fell into the helping trap.

Joe and Maria's story

Joe and Maria, owners of a four-family building, are typical small landlords. “Our vision was to be able to buy a piece of real estate, fix it up, move in, and find good tenants,” said Joe. “We loved the sense of community and the chance to provide affordable housing while making a reasonable income.”

After they bought the building, Joe had a chance to put his carpentry skills to good use. The diversity of tenants they inherited in the building was also exciting to both of them. Brenda and Sam, a young couple with two kids, were among the new tenants Joe and Maria liked the most. The couple loved the apartment's charm, and seemed to ignore its disrepair. Joe and Maria realized that the unit needed quite a few improvements: a new tile floor in the kitchen, sanding and sealing the hardwood floors, remodeling in the bathroom, some new windows, and a back door. They expected to finance these improvements, amounting to about \$5,000, over time from the rental income.

Brenda and Sam, however, had a different idea. “Please don't go to all that trouble,” said Sam. “The apartment is fine as it is, and the absolute top dollar we can afford is \$750 a month.” For Joe and Maria, this was a new perspective on doing good, introduced by the very people they wanted to help. They could keep the rent below market and avoid the costly renovations. They would let their tenants' needs and priorities take precedence over their renovation plan.

Everyone signed the lease with a feeling of real optimism, and everything seemed to go well for the first few months. Small favors were exchanged, like doing some food shopping for each other and working together on a vegetable garden.

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“It was a moral decision for us,” said Joe, looking back on what happened. “We didn’t want to behave like typical gentrifiers, pricing the apartment out of reach of ordinary people. We wanted our apartment to be habitable, safe and affordable as well. We wanted to be different.”

Joe and Maria were very pleased with the arrangement. However, after a few months, Sam’s hours at the local tree service company were cut by one-third. At first, he made up the money by working odd jobs as a carpenter. But, in spite of this, the family income gradually deteriorated, and soon, so did their behavior. Suddenly, there were kids banging and yelling, day or night. Loud arguments between the adults also broke out, and these prompted several police visits. The neighbors began to complain. Growing numbers of empty beer bottles were set out for recycling. And Brenda and Sam fell behind in their rent.

Maria and Joe watched and waited, growing increasingly uncomfortable and angry. Eventually, they spoke to the tenants, who were apologetic and hopeful, which prompted Maria and Joe to be patient for some time regarding rent collection. Promises were made, but there were more incidents, and then more promises, but no rent.

By the time Brenda and Sam owed six months rent, Maria and Joe were done trying to work it out. Finally, after another two weeks elapsed, Joe and Maria started eviction proceedings. The case seemed clear. There were witnesses aplenty to confirm their testimony of property damage and nuisance behavior in addition to the back rent.

However, three days before the eviction trial day, Joe and Maria received legal documents, signed by a lawyer. And the trial date was automatically extended for two weeks. According to the lawyer, Brenda and Sam were now “rent withholding.” A building department report was enclosed, citing code violations based on the very problems the tenants had asked Joe and

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Maria not to fix! Brenda and Sam were now demanding thousands of dollars in rent abatements based on state law, dating back to the move-in. Joe and Maria were also charged with illegal access, harassment, retaliation, and a host of other allegations (which the tenants had never complained about). And, the lawyer stated, Maria and Joe couldn't even speak to the tenants! Everything had to go through the lawyer.

As you can imagine, Joe and Maria felt profoundly confused and betrayed. Not in their wildest dreams had they ever imagined this kind of treatment. The relationship they had developed with these tenants led them to expect cooperation not just in good times, but in difficult times too. In addition to choosing not to gentrify, Joe and Maria had sacrificed income to accommodate a family in need. But when Joe and Maria finally believed it fair to proceed with legal eviction, their tenants became highly resistant and combative to Joe and Maria's plan.

Perhaps you've experienced some version of this episode, with all the possible feelings of shock, anger, despair, and revenge. You may have discovered, to your dismay, how time-consuming, expensive, adversarial, and downright difficult it can be to work with these situations. Whether they come about from your tenants' legitimate needs or from their hidden agendas, these situations can trigger a profound desire to retaliate. Conflicts like these can suck the life energy out of you, leaving you cynical, revengeful, and ready to quit the business altogether. For over twenty years, in fact, I've watched many landlords lose their interest in, and even leave, the landlording business because of circumstances like these.

Damned if you do, damned if you don't

As a landlord you know the challenge: how can you be reasonable with your tenants while protecting your rights? You might phrase it differently

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when you are with your friends: “I want to be fair but not be a sucker!” Both statements sum up the same problem.

The kind of situation illustrated by Joe and Maria’s story presents an enormous trap for landlords. It can be very difficult to pursue legal procedures against a nonpaying tenant, particularly if they’re at risk of homelessness. You don’t want to be the reason why someone loses their home let alone becomes homeless. Thus it is natural to be patient with a tenant who “needs some time” to pay the back rent. And most tenants



expect you to be patient if all they need is time. But how much time? The need to avoid homelessness can motivate many tenants to push you past the limits of your patience, which can be self-fulfilling for landlords not wanting to be perceived as scrooges. This sets the stage for tremendous rent losses if tenants ultimately cannot pay the back rent for months before landlords take legal action.

What if you keep the rent low but the tenant still cannot pay? Communication has broken down. You throw your hands up and decide to “go legal.” You serve an eviction notice. But then you hear back. You

get an inspection report of the unit from the local building department. Your tenant denies you access to make needed repairs. Your tenant demands her security deposit be returned, alleging you’ve mishandled it. You smell the makings of a full legal defense. You face the legal costs, countless hours of prep time, and the emotional stress of having to fight against a tenant with whom you have been patient and flexible, and to whom you have extended a helping hand! And you have lost lots of money!

Joe and Maria certainly learned one important lesson, in perhaps the most painful way possible. That is, in whatever way they may have exchanged lower rents for keeping costs down, they will still be held to the

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highest legal standard if they face a fight over eviction. Avoiding spending money on maintenance and repair, as Joe and Maria did, can be a recipe for legal disaster.

Beyond codependency as a landlord

We've seen how Joe and Maria tried to be helpful by setting up an exchange, that is, receiving below-market rents in exchange for low overhead.

I've heard from numerous landlords how seeing vulnerable tenants motivates their desire to help. The sight of a low-income single mom struggling to get her kids off to school, knowing she is doing whatever she can to provide for her family, inspires **compassion**. Whether it is offering a ride, a grocery run, or patience with the rent, helping such tenants to avoid homelessness is a unique contribution that landlords can make. Think about it: no other individual is able to meet such a basic need as providing a home for tenants at such a vulnerable moment! Many landlords tell me that they experience great satisfaction from performing such an important act.

Compassion, whether for a friend in need or for a tenant who is struggling, encourages one to help out. Providing too much help with no clear **boundaries**, however, can become a problem. Many landlords I've worked with will extend extra months of credit with only modest hope of

DEFINITION: COMPASSION

Compassion is "sympathetic consciousness of others' distress together with a desire to alleviate it." (*Webster's Online Dictionary*)

DEFINITION: BOUNDARY

A **boundary** is "something that indicates or fixes a limit or extent" (*Merriam-Webster.com*). Ideally, one develops flexible boundaries.

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being paid. And when past due payments pile up for too many months, unfortunately many tenants will not be able to make up the gap, even with outside assistance.

In cases like these, a landlord's compassion may turn into codependency—that is, making the tenant more dependent on the landlord and causing the relationship to deteriorate. By the time the landlord does pull back, he may already be very resentful and full of revenge. These feelings will surely escalate if the tenant mounts a legal defense.

Here is the kind of complaint I often hear from landlords: “How could she turn against me now? After I waited patiently for months without having received rent, while having allowed extra roommates, taken her kids to daycare, researched job leads, and overlooked the property damage—after all that, when I finally took legal action, she then mounted a legal defense! I feel so betrayed!”

Is it possible for landlords to avoid this experience? As landlords make a profit, can they also be helpful without becoming victims of their own good intentions? Understanding what **codependency** (see page 104) means can help.

Finding a balance

Being a landlord offers the potential to express much generosity—and make a profit—without becoming codependent. Landlords, uniquely, can be helpful while still pursuing their own interests. Many landlords, whether or not they recognize it, balance financial gains with the capacity to do good for tenants, the neighborhood, and the world. “Balance” is the operative word here. Learning to balance the pull between self-interests and other interests is the key to success.

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In Chapter 5, we discussed the great satisfaction that lending a helping hand can bring. In this chapter, we raised the specter of the helping trap—offering too much help without setting good boundaries, thereby becoming a victim of your own compassion. This helping trap can destroy the landlord-tenant relationship, causing great financial and emotional pain to both parties.

Looking ahead

In the following chapters, you will discover strategies for finding a balance between flexibility and self-interest. Instead of being too helpful in certain instances, running the risk of getting burned, you will learn how to pursue your enlightened self-interests. You'll learn how to avoid “going legal” in certain instances. You'll also learn how to assess when eviction should be pursued. And you will learn how to pursue eviction when you need to, and how to do so without escalating the dispute unless absolutely necessary.

Do these strategies work? Absolutely! Many landlords, myself included, have been employing them with success for years. They can be learned. And once you understand their added value, all you need is the will and the effort to make them happen.

DEFINITION: CODEPENDENCY

Codependency is a relationship in which one person is engaged in habitual and unproductive behavior while the other person unwittingly supports that behavior. Codependents often become attached to their role as helpers and, in so doing, become less likely to improve the situation. By not pursuing eviction against a nonpaying tenant for many months, for example, a landlord may actually be encouraging a greater degree of nonpaying behavior. The tenancy relationship has become codependent. Codependent landlords may cause their tenants to become more dependent on them while codependent tenants cause their landlords to protect them, hence limiting the tenant's ability to become independent and self-reliant in the future.

**Questions for reflection: When helping your tenant hurts you:
The helping trap**

1. *Is the example of the landlord helping trap at all familiar? Why might it be easy to fall into this helping trap? Can you imagine that situation happening to you as a landlord? Has it ever happened to you? Please describe.*

2. *What do we mean by “codependency”?*

3. *How can you distinguish between helping that inspires a positive tenant response and helping that furthers dependency?*

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