KANSAS LEGAL SERVICES

400 State Avenue, Suite 1015
Kansas City, Kansas 66101
913-621-0200

ALEXANDRA R. ENGLISH
Managing Attorney

MOLLY M. WOOD
President, Board of Directors

MATTHEW D. KEENAN
Executive Director

In-Person Proponent Testimony to Senate Bill 415
Speaker: Matthew Keenan
Date: February 9, 2026

Chairperson and Members of the Committee,

On behalf of Kansas Legal Services, thank you for the opportunity to submit testimony in support of SB 415, which would make actions by landlords that make a tenant's home uninhabitable subject to the remedies and enforcement provisions of the Kansas Consumer Protection Act (KCPA).

My name is Matthew Keenan and I am the Executive Director of Kansas Legal Services.

In Kansas today, there are multiple instances of properties falling into disrepair due to landlord negligence. In most cases, tenants are either forced out, or forced to live in unacceptable conditions.

In May 2025, the City of Gardner condemned 180 rental units at Aspen Place Apartments, displacing 700 tenants. Prior to the condemnation, the residents there experienced several interruptions to water service, roach and rodent infestations, and electrical issues. These issues persisted for years. Aspen Place tenants went without water for multiple days on multiple occasions, including the week of Christmas in 2023.

In August 2024, Timberlee Apartments in Topeka was condemned by the city due to a carbon monoxide leak and other unsanitary conditions. Many of the families displaced from Timberlee were not able to find new housing. Many more tenants have been displaced due to uninhabitable conditions at other properties. Please see the attached list of some of the condemned or uninhabitable properties in Kansas in the past few years.

While the Kansas Residential Landlord and Tenant Act (KRLTA) does provide remedies for tenants when their landlord fails to maintain the rental property in compliance with housing codes, the lease, or the landlord's duties under KRLTA, the only way for a tenant to access those remedies is to file an action against the landlord in district court.

However, it is not practical for most Kansas tenants to access those remedies because they cannot afford to hire an attorney to represent them.

Currently, the KCPA is inapplicable to transactions covered by KRLTA. *See Chelsea Plaza Homes v. Moore*, 226 Kan. 430, Syl. ¶ 2, 601 P.2d 1100 (1979). This means that the Kansas Attorney General

and District Attorneys cannot file an action against a landlord in order to seek damages and bring the landlord into compliance with the law.

Passage of SB 415 would clarify that the KCPA does apply if a landlord violates KRLTA and causes or allows a rental unit to become uninhabitable. SB 415 allows either the Attorney General or the District Attorney of the county where the property sits to step in and enforce the law on behalf of the tenants.

It's important to note that SB 415 only potentially punishes landlords who act so negligently that their properties become uninhabitable. Minor needed repairs or other violations of KRLTA would still only be able to be enforced by the existing provisions of KRLTA. Under SB 415, the KCPA would only apply in some of the most extreme situations which, unfortunately, have become too common in Kansas.

For these reasons, I respectfully urge the Committee to support SB 415.

Thank you for your time and consideration.

Matthew Keenan
Executive Director, KLS
Email: Keenanm@klsinc.org.
Cell: 913 579 5464.

Media Coverage of Some Condemned or Uninhabitable Apartments in Kansas Since 2019

1. Aspen Place Apartments – 101 Aspen St. Gardner, KS 66030 https://fox4kc.com/news/700-residents-impacted-by-aspen-place-condemnation-in-gardner-kansas/

2. Colony Woods – 333 Bethany St. Kansas City, KS 66102 https://www.kmbc.com/article/woman-shows-off-apartment-conditions-at-teh-property-in-kck/29897095

3. Crestwood Apartments – 2100 N. 57th St. Kansas City, KS 66104 https://www.communityvoiceks.com/2019/12/27/kansas-city-slum-lord-leaves-strange-trail-of-problems/

4. Pioneer Motive Powers Place – 1001 NE Atchison Ave. Topeka, KS https://www.cjonline.com/story/news/local/2025/05/14/topeka-leaders-concerned-by-conditions-at-pioneer-motive-powers-place/83499396007/?gnt-cfr=1&gca-cat=p&gca-uir=false&gca-epti=z11xx92p118050c118050v11xx92&gca-ft=206&gca-ds=sophi

5. Royal Towers Apartments - Manhattan https://www.ksnt.com/news/local-news/residents-weigh-options-as-manhattan-apartment-crumbles-around-them/

6. Timberlee Apartments – 341 SE Lawrence St. Topeka, KS https://www.ksnt.com/news/local-news/east-topeka-apartments-condemned-after-carbon-monoxide-leak-raw-sewage-found/