CITY OF TOPEKA

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To: Senator Kellie Warren, Chair
Senate Committee on Judiciary

From: City of Topeka

Re: SB 415 - Proponent Testimony

Thank you, Chair Warren, Vice Chair Titus, Ranking Member Corson, and members of the committee for the opportunity to submit testimony in opposition to SB 415.

SB 415 provides an important and necessary update to Kansas law by allowing certain violations of the Kansas Residential Landlord and Tenant Act to be enforced under the Kansas Consumer Protection Act when a dwelling unit becomes uninhabitable. This bill ensures that tenants and communities have meaningful remedies when landlords fail to meet their most basic obligations to provide safe housing.

In 2025, a Topeka apartment complex lost its HUD funding due to severe and unsafe living conditions that posed a direct threat to residents' health and safety. Inspections revealed black mold, dangerous levels of carbon monoxide, and raw sewage leaking into occupied apartments. These conditions were widespread and could not be remedied while residents remained in place.

As a result, more than 70 families were displaced in a community that already faces a significant shortage of affordable housing. Families were forced to secure alternative housing, incur moving expenses, and navigate significant disruption through no fault of their own.

Under current Kansas law, the remedies available to tenants in this situation are limited. The Kansas Residential Landlord and Tenant Act generally restricts damages to rent and does not allow tenants to recover costs associated with relocation, such as moving expenses or other financial losses caused by uninhabitable conditions. As a result, tenants bear the financial burden of a landlord's failure to maintain safe housing.

SB 415 helps close this gap by allowing egregious habitability violations to be addressed under the Kansas Consumer Protection Act. This approach recognizes that when a landlord provides housing that is unsafe or uninhabitable, tenants should have access to remedies that reflect the full scope of harm suffered.

The City of Topeka believes SB 415 strikes the right balance. It does not penalize responsible landlords, but it provides meaningful consequences for those whose neglect endangers tenants and imposes significant costs on communities.

For these reasons, the City of Topeka respectfully urges the Committee to support SB 415. Thank you for your time and consideration.