

**Addendum #1  
March 7, 2022**

**RFP 22-0218**

## **Tenant Litigation Services**

**Housing Authority of Kansas City  
3822 Summit Street  
Kansas City, MO 64111**

### **NOTICE TO ALL RESPONDENTS**

The following addendum to the Request for Proposals comprises this addendum and is hereby made part of the RFP.

1. Is HAKC seeking proposals for a flat fee per case from law firms for all unlawful detainer, immediate eviction, and rent and possession cases, whether or not they are opposed or go to trial? Or is HAKC expecting cases that go to trial to be hourly in nature and outside of the flat fee proposal? Please submit a proposal for a flat fee per case that does not go to trial. My preference is to see trials billed hourly, but we will also accept flat fee submissions. Please keep in mind that HAKC residents are often unrepresented, the trials are usually not longer than 30 minutes, and they are bench trials before Associate Circuit Judges. Although there may be a great volume of cases most cases are not labor intensive.
2. How many unlawful detainer, immediate eviction, and/or rent and possession trials did HAKC have in 2021?
  - a. What types of cases were tried in 2021? (e.g., how many were unlawful detainer cases; rent and possession cases; emergency eviction cases; and identify other types of case that went to trial?).
  - b. How many of these trials were jury trials / how many were bench trials?
  - c. Was the number of HAKC trials in 2021 typical compared to prior years? If not, how many trials does HAKC typically have in a given year (a range will be helpful to us)?
  - d. HAKC typically does not file rent and possession cases. Cases are filed as either unlawful detainer and/or emergency eviction. In 2021 there were 32 cases filed by Outside Counsel:
    - i. 8 trials
    - ii. 12 dismissals
    - iii. 10 default judgments
    - iv. 2 consent judgments
  - e. Of the 32 cases filed only 1 was for an emergency eviction. It is difficult to predict the number of trials that will take place as residents will oftentimes request a trial to buy more time and then consent to leave or vacate prior to trial. The number of case filings for 2020 and 2021 was low due to the moratorium. Case filings will increase in 2022 as we will resume issuing 30-day termination notices for failure to pay rent. Should a tenant fail to vacate we file as unlawful detainer.

3. Subpoenas:

- a. What is the scope of work HAKC is seeking from the law firm? Outside Counsel processes the case from petition to write of restitution.
- b. We assume the law firm is preparing written objections, and written responses to subpoenas, as well as preparing documents for production and reviewing for privilege.
- c. Are the subpoenas for documents only, or are some subpoenas for documents and testimony (by testimony, we mean is HAKC testifying to more than just the records custodian/authentication)?
- d. If for testimony, is the law firm defending the deposition?
  - i. Subpoenas are rarely issued. When a subpoena is issued it is for a resident who witnessed an incident, or a witness previously employed by HAKC or the security team. Usually we ask witnesses to testify and they oblige. There is a possibility that a subpoena will be needed for documents although that is rare. HAKC generates most documents that are needed. Many of our residents will request a grievance hearing and when that happens I will have gathered most relevant documents and those can be used by Outside Counsel in court. There has not been a deposition in an eviction case during my term here and it would be unusual for a deposition to be required.

There are no other changes at this time.

This written response is being submitted to the Housing Authority of Kansas City, Missouri in conjunction with the Request for Proposals (RFP) 22-0218 dated February 18, 2022.

**I hereby represent that I am a duly authorized agent for the company identified below, AND THAT I HAVE RECEIVED THE ADDENDUM #1.**

**Company:** \_\_\_\_\_

**Authorized Signatory:** \_\_\_\_\_  
**Printed Name**

**Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

NOTE: THIS COVER PAGE MUST BE ATTACHED TO THE WRITTEN BID SUBMITTED