



# CAHA

# DECEMBER 2008 NEWSLETTER

## CAPITAL AREA HOUSING ASSOCIATION “LANDLORDS WORKING TOGETHER”

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**CAHA Website**  
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### PRESIDENT'S MESSAGE

**Brrrrr. It's been a mite nippy lately – a [rather unwelcome] opportunity to be sure our heating systems are ready for the winter ahead. The**

**good news is that the price of oil has continued to drop, causing us to hope that we may be able to get through the winter without going into the red.**



Harold Booth  
President



*Some design flaws have been detected in this solar collector, but it has been blowing warmed air into a cellar.*

My solar collector [see photo] has been installed, and has been blowing warmed air into my cellar. The recent cold-snap – and the even more recent high wind and rain – have disclosed a couple of design flaws, which I hope to have addressed by the time you read this.

Others of us have taken different

*PRESIDENT'S MESSAGE, page 2*

### **Local Landlord Smiling All the Way to the Bank**

Jon Weymouth, owner of several multi-unit apartment buildings in Augusta and owner of New England Heating Alternatives, has turned his furnaces down for the winter because he's found a better way to heat his properties by using Comfort Zone infrared heaters. Lots of people have jumped on the same bandwagon, including CAHA board member, Stefanie Barley.

Jon was researching efficient ways to heat his properties, other than

*LANDLORD, page 2*

### UPCOMING MEETING:

DECEMBER 9, 2008 ~ 7:00 P.M.

K.V. FEDERAL CREDIT UNION

JON WEYMOUTH WILL PRESENT INFORMATION  
ON COMFORT ZONE INFRARED HEATERS

### NEXT MEETING:

JANUARY 13, 2008 ~ 7:00 P.M.

K.V. FEDERAL CREDIT UNION

GENERAL BUSINESS WILL BE DISCUSSED.  
ADDITIONAL SUBJECT TO BE DETERMINED.

# ASK THE LAWYER

**Q. I am purchasing a 5-unit apartment building. All the units are occupied by tenants who have written leases, although one lease is expiring and the tenant is expected to move out before closing of sale. How should the seller and I deal with the security deposits?**

**A. Transfer of Security Deposits – Title 14 §6035.**

When a landlord's interest in a rental property ends, whether by sale, assignment, death, appointment of receiver or otherwise, the prior owner/landlord must either transfer the security deposits and provide a written accounting to the new owner/landlord with written notice to the tenant, or the prior owner must return the security deposit to the tenant, less any lawful deductions.

A buyer of residential rental real estate takes title and possession of the property subject to any outstanding leases, which are considered a temporary interest in the rented premises. Where a tenancy is expected to be ongoing after closing of sale, the selling landlord should transfer the security deposits to the buyer. The law provides that in the case of a voluntary sale, the transfer of the security deposits and a written accounting must be provided to the new owner not later than the real estate closing of sale. At or before the closing of sale, the selling landlord must provide written information to each tenant by regular mail consisting of:

1. Notice that the security deposit is being transferred;
2. The name and address of the new holder of the security deposit;
3. A copy of the accounting provided to the buyer that reflects the amount of the security deposit being transferred.

Once the selling owner has transferred the security deposits with an accounting to the new buyer, and has given written notice to the tenants as required by §6035, the selling landlord is released of all further responsibility, and the new owner becomes directly responsible to the tenants for the security deposits. In the alternative, the law also permits the selling landlord to return the security deposit, or any remainder after lawful deductions, directly to the tenant.

In this instance, it would be appropriate for the selling landlord to retain responsibility to give timely notice concerning disposition of the security deposit to the one tenant that is vacating the building before closing of sale. However, the four remaining security deposits should be transferred to the new owner.



*Disclaimer: For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2008 Eric S. Dick, Esq., Augusta, Maine (207) 622-5872.*

## PRESIDENT'S MESSAGE, *continued from front*

approaches to dealing with the high cost of heat. Our guest speaker at the next CAHA meeting [December 9 at the Credit Union] will be Jon Weymouth (article on front page) – who will tell us about his use of Infrared heaters to cut his oil usage.

Early next year we will have speakers addressing other aspects of energy conservation – stay tuned to this space...

We have awarded the contract for the database work to CAHA board member Stefanie Barley. She will be working to get the renewals out to members, but time is short – memberships expire the end of the year – so when you get yours, please renew promptly.

The December meeting is also when candidates for the CAHA board are presented. There are five slots open. We think that we have found candidates for each of those positions, but if anyone else is interested, they should make that interest known, and perhaps come to the December meeting. Having more candidates than positions is not a bad thing. The election of board members happens at the annual meeting and banquet at the February meeting, which will be at the Elks Club this year [well, technically next year – February 10, 2009].

Stay warm.

Hal Booth

## LANDLORD, *continued from front*

with oil, and stumbled across infrared heating systems.

These heaters are basically designed to work with furnaces, not in place of them. You set your oil furnace thermostat at 62 and the infrared heater at 68, and the furnace will kick in only if the outside temperature drops significantly, and both systems are required to heat the indoor space.

With the infrared heaters in place, oil usage drops significantly, and the electric bill (which is required to run the infrared heaters) goes up by a small amount per month.

Jon will bring several Comfort Zone heaters with him to the CAHA meeting [December 9], and will set one up to show everybody how it works.

**Minutes of Regular Meeting  
Capital Area Housing Association (CAHA)  
Held at KV Federal Credit Union  
November 11, 2008**

President Harold Booth opened the meeting at 7:15 p.m. There was no guest speaker.

The meeting began with the business portion. Motion was made by Stefanie Barley, and seconded by Herbert Mann, to approve the minutes as written in the newsletter. Ratna Don distributed the Treasurers report, which showed an income of \$30,636.48 (\$22,192.56 of which is in a CD). In addition CAHA has a \$10,000 bond. Motion was made by Stefanie Barley, and seconded by Rose Johnson, to approve the Treasurer's report. The Treasurer's report was accepted as presented.

President Booth opened the discussion of the only item of the meeting which was the database bid process. A copy of the specifications was passed on to Stefanie and Herbert Mann. Board members were emailed the specifications prior to the meeting. President Booth stated it was the final copy and requested for the members to make any suggestions as to any additions, or anything that should be there and was not. Tim questioned paragraph D. Financial, #3 Provide a report of all monies received on a monthly basis. He asked if this money would be forwarded to the Treasurer. Harold responded affirmatively. Tim questioned paragraph E. Ownership of Process, #1. All data and the tools developed to process that data (queries, forms, etc.) become and remain the property of CAHA. Do we need to put anything else in there? President Booth stated CAHA is not worried about the hard wear, it is the soft wear CAHA is concerned about having control over. What we should be getting on a monthly basis is the updated data and the soft wear in order to run it. Tim reiterated that CAHA would be downloading data on a monthly basis.

Stefanie inquired if CAHA sent out mailings by bulk mail. Ratna was not familiar with the term bulk mail. Stefanie's son

Douglas gladly informed everyone about the bulk mail system. Ratna stated that CAHA was not eligible as a non-profit organization at the post office, but he would follow-up on it.

President Booth stated there were four responses to the database bidding. Stefanie inquired about the criteria, which was: 1) Computer skills; 2) The price; and 3) Data and software compatibility with Microsoft Access 2000.

Harold will include Pay Pal into the bid and see if anyone knows how to do it.

The bids must be in within two weeks for the Board to vote on them at its November 25, 2008 meeting.

President Booth mentioned that the Board members were looking for a new place to meet, as Lucky Gardens was too noisy. Stefanie said she would look into finding a new meeting place for them that was somewhat semi-private.

Tim inquired about monthly meetings. President Booth stated that the by-laws require that CAHA have at least five monthly meetings in a year. What we could do is keep the monthly meetings and have it as a Board meeting; and when there is a speaker, then we will open it up to the membership. In that way we carry the letter of the law by having monthly meetings. We could do this without having to change the by-laws because changing the by-laws is very cumbersome.

Stefanie inquired as to when the seats on the Board will be filled? President Booth stated that this will be done in December-four seats will terminate and one new seat will be added. Stefanie nominated her daughter-in-law Venita Barley, who was with her, to fill the new seat.. President Booth invited Venita to be present at the elections in December to be placed on the ballot.

Sign in sheet indicated 10 members attending. Rose Johnson won the \$25 door prize.

Meeting adjourned at 8:00 p.m.

Respectfully submitted by, Barbara A. Eckhardt, Secretary

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**Minutes of Board Meeting  
Capitol Area Housing Association (CAHA)  
Held at Hatties Chowder House Restaurant, Hallowell  
November 25, 2008**

President Harold Booth opened the meeting at 5:45 p.m., with the following present:

**Vice President & Board member, Tim Dennett  
Treasurer & Board member, Ratna Don  
Secretary & Board member, Barbara A. Eckhardt  
Board member, Ramona Venskus  
Board member, Herbert Mann**

Ratna presented his research on postage, bulk mailing, to President Booth. It was considered to be too expensive for CAHAs needs and not worth the hassle.

President Booth brought forth two bids for the Boards review, one from Edna Comstock of Empowerment Enterprises and Stefanie Barley. Stefanie's bid was much more reasonable than Edna's according to price with a flat fee of \$350 plus expenses for paper, etc. Whereas, Edna's bid was \$400 plus

expenses for paper, etc., or \$20 an hour. Even though Edna has a professional contractual organization, the consensus was it could not compare with Stefanie's experience and knowledge of how CAHA operated, and that Stefanie's database skills were compatible, as well. Motion made by Ratna, and seconded by Tim to accept Stefanie Barleys bid of \$350 flat fee for the database contract. Motion passed unanimously.

President Booth stated there will be five seats available for the Board to vote on in December-Tim, Ramona, Tiny, and Herbs seats will be terminating. These four may choose to run again. And there is an additional seat to fill with one candidate indicating interest.

Ramona informed the members that the annual banquet will be held at the Elks Club. The entertainment has not been selected yet, but an idea such as playing Bingo for wining prizes was suggested.

Meeting adjourned at 7:00 p.m.

Respectfully submitted by, Barbara A. Eckhardt, Secretary



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