



OCTOBER 2009 NEWSLETTER

CAPITAL AREA HOUSING ASSOCIATION
"LANDLORDS WORKING TOGETHER"

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PRESIDENT'S MESSAGE

As fall arrives, everyone begins to start thinking about heating again. I'm sure we're all happy that the price of oil is lower this year; that's certainly a relief to all of us.

With the start of heating season in mind, we have scheduled a representative from J&S Oil, our selected supplier, to be the speaker at our next meeting [Tuesday, Oct. 13, 2009]. We hope that representative will be able to answer any lingering questions you may have regarding our contract with them, or other related questions.

Enclosed with this newsletter is a flyer from Liberty Mutual Insurance Company - enclosed at their expense. They gave a presentation to the membership in late spring attended by very few people. Since then, a number of board members have



Harold Booth
President

PRESIDENT'S MESSAGE, continued on page 3.

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NEXT MEETING:

OCTOBER 13, 2009 • 7 – 8:30 P.M.
K.V. FEDERAL CREDIT UNION
J&S OIL PRESENTATION

UPCOMING MEETING:

NOVEMBER 10, 2009 • 7 – 8:30 P.M.
K.V. FEDERAL CREDIT UNION
LIBERTY MUTUAL PRESENTATION

ASK THE LAWYER

New Requirements for Carbon Monoxide Detectors and Smoke Detectors

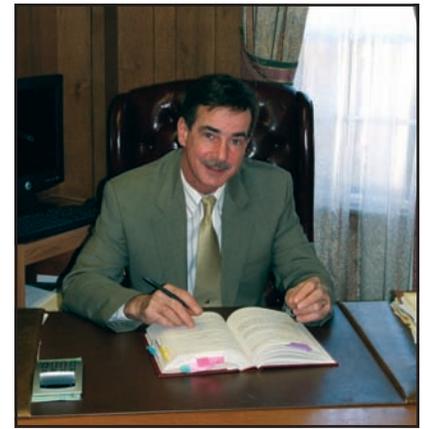
By now, most landlords are aware that each apartment in any multi-unit building must have at least one smoke detector on or near ceiling areas that provide access to bedrooms or within the bedroom itself. Multi-unit buildings of more than three stories in height must also have smoke detectors installed in each corridor and hallway on each floor. A number of years ago it became a requirement that smoke detectors be hard-wired into the building's electrical system. Certain properties remained entirely or partially exempt from the requirement to have a smoke detector at all, such as an apartment in a multi-unit building occupied by the owner and older single family homes. Carbon monoxide detectors were recommended, but not required.

Effective October 31, 2009, new laws become effective which more specifically regulate the type and manner of installation of smoke detectors, and which now require the installation of carbon monoxide detectors.

There are no more exemptions for dwelling units, although requirements for older single family dwellings remain somewhat less strict.

After October 31, 2009 smoke detectors installed in multi-family buildings, or newly constructed single family dwellings must be of the photoelectric type only and must be powered by both the electrical service in the dwelling and by battery. Likewise, carbon monoxide detectors must be similarly installed in each bedroom or in the areas giving access to the bedrooms in each apartment in all multi-unit buildings, and must be powered by both, by the electrical service in the apartment and by battery. For multi-unit buildings more than three stories in height, carbon monoxide detectors must also be installed in each corridor and hallway on each floor.

Landlords are required to provide the smoke and carbon monoxide detectors at the commencement of each tenancy and must confirm that they are in working order. The landlord must re-inspect the detectors prior to occupancy by each new tenant, and repair or replace the detectors within 24 hours actual notice of any defect. Failure to do so may constitute evidence of negligence in any civil action arising from death, property loss or personal injury related to a missing or defective detector.



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.

Furthermore, as part of any sale of a single family dwelling or multi-unit apartment building after October 31, 2009, the seller must sign and date a certification that the dwelling or each apartment in the building contains the carbon monoxide detectors and smoke detectors required by the new law. A buyer has a right to require a seller to install the detectors if they are not already in place, or to replace any that are not operable within 10 days of notice from the buyer by certified mail. The failure of a landlord to meet the new requirements of 25 M.R.S.A. §2464 regarding smoke detectors or §2468 regarding carbon monoxide detectors could prevent a landlord from being able to sell their property.

Furthermore, violation of either section is subject to a civil fine of up to \$500 for each violation. In the event a deaf or hard of hearing tenant occupies the dwelling unit, an owner must purchase, install and maintain approved detectors suitable to warn the occupant within the dwelling unit at the landlord's expense. Otherwise, the tenant may do so and deduct the actual cost from the rent.

A tenant is responsible to keep fresh batteries in the detectors. No one, including the tenant, may knowingly interfere with or render the detectors inoperative. However, the owner or their workmen may temporarily disconnect the detectors within a dwelling unit subject of construction or rehabilitation, so long as they are immediately reconnected at the end of each day.



**Minutes of Board Meeting
Capitol Area Housing Association (CAHA)
Held at Hatties Chowder House Restaurant, Hallowell
July 14, 2009**

After a social time, President Harold Booth called the meeting to order at 5:50 p.m. with the following present:

Vice-President & Board member, Charlie Anderson

Secretary & Board member, Barbara Eckhardt

Treasurer & Board member, Emmy Swanton

Board Member, Gerard (Tiny) Bechard, Jr.

Board Member, Stefanie Barley

Board Member, Ratna Don

Board Member, Ramona Venskus

Board Member, Venita Barley

President Booth presented the first order of business concerning CAHA purchase of Quicken software. Motion was made by Tiny, and seconded by Ramona, for CAHA to purchase the Quicken software. Motion passed unanimously.

President Booth felt that we should re-invest the CD of \$22,675.28. The amount of the CD would be divided into four CDs in order to stagger the maturity dates. The total amounts of the CDs would be \$24,000 and the difference of the present CD would be withdrawn from the checking account. Motion was made by Charlie, and seconded by Stefanie, to divide \$24,000 into four CDs, each at \$6,000, to mature at six months, one year, eighteen months, and two years respectively. Motion passed unanimously.

President Booth stated that we need to start working on board elections, as the slate of candidates will be presented at the regular meeting in December. Currently, Ramona, Tiny, Charlie, and Venita are in the first half of their two-year terms. Barbara, Ratna, and Stefanie's terms will end. Emmys term as treasurer will end but is renewable and her elected board position status will be confirmed at this time.

President Booth gave the line-up of guest speakers to attend the CAHA Members meeting this fall. They are Doug Barley from Maine State Housing in September, J & S Oil in October, and Liberty Mutual Insurance in November.

Stefanie would like the Board to consider having Venita job share with her when her database manager contract is up in December 2009 or January 2010..

Although President Booth realizes Board members are prohibited from being paid for their services, the possibility of the CAHA officers (president, secretary, treasurer) receiving compensation for this office should be considered. Motion was made by Charlie, and seconded by Tiny, to compensate CAHA's officers; this item will be placed on the agenda for further discussion. Motion passed unanimously.

Meeting adjourned at 6:45 p.m.

Respectfully submitted by,
Barbara A. Eckhardt, Secretary

PRESIDENT'S MESSAGE, continued from front

changed to Liberty Mutual, saving considerable money with our CAHA discount in the process. We've decided to offer the presentation again in hopes of reaching a wider audience.

A representative from Liberty Mutual will be the featured speaker at our November 10th meeting. Knowing how much



**Liberty
Mutual.**

money the Board members have saved, I urge you to make an effort to attend this meeting, so you can take advantage of the savings as well. Even if you're

unable to attend the meeting, or if you don't want to wait, you can contact Nick [cell: 333-0736, e-mail nicholas.parker@libertymutual.com], or Darryl [cell: 314-6560, e-mail darryl.arnold@libertymutual.com] for a quotation.

Unfortunately, attendance at the September meeting was very low, but an interesting and informative presentation was given by Doug Barley, from Maine State Housing Authority, describing a new program that offers free apartment listings on-line. There was no formal meeting in September because we didn't have a quorum present.

I understand that Eric Dick [Ask the Lawyer] is dealing with a new law about hard-wired smoke-detectors and Carbon Monoxide detectors in his column this month. This is a new law, just passed this year, that seems to have eliminated some of the exclusions [fewer than four units, owner-occupied] in the previous law. This [new law] is an important change. I urge all of you to read Eric's column carefully. I suspect that many of us will have to take action to come into compliance with this law, and 'grandfathering' does not seem to be an option.

As I mentioned last month, I'm approaching the end of my second year as president of CAHA, as well as the end of a two-year board position. At this point, I'm not planning on another term as president, so I'll just have another year as 'past president' on the board. There are four board positions that are up for election, so if you're interested, please make that interest known ASAP. Just contact any of the board members [we're listed on the 'Masthead' on the front of this newsletter]. We welcome your participation.

The candidates for board positions are presented to the membership at the December meeting [12-8], so don't delay. Board members don't get paid, but board meetings - usually the fourth Tuesday of the month - are held at a restaurant where CAHA pays for the meal. Serving on the board allows you to take an active part in shaping the CAHA of the future while working with a great group of people.

Stay warm.

Hal Booth

Hal



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