



P.O. Box 2901, Augusta, ME 04338-2901 * (207) 512-2180



March 2013
Newsletter

CAPITOL AREA HOUSING ASSOCIATION

“LANDLORDS WORKING TOGETHER”

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President's Message

Again, this year we have teamed up with CMAOA in Waterville and many other landlord organizations in Maine to introduce landlord-friendly bills to the Maine Legislature. We are making steady progress, and I am happy to inform you that there are two bills pending.

The Hearing for the LLC bill, LD-640 will be held on Wednesday, March 20th at 1:00 PM at the Judiciary Committee. Members from CAHA are strongly encouraged to attend, and written testimony is also requested. Please plan on attending if to do nothing more than wear a sticker that shows support for our cause. It makes a difference. We have been told that when lot of people show up to a hearing it is a big deal.

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Plan to attend the hearing on LLC bill

On March 20, 2013 @ 1:00 p.m. the Judiciary Committee will hold a public hearing on LD 640. Urge the Judiciary Committee to support LD 640. Tell them we need to preserve small apartment owners. We do not want to see only large corporations being able to afford to own

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Message from State Senator Roger Katz

A letter from State Senator, Roger Katz:

There is good news for landlords in the Legislature! LD 328, sponsored by my colleague, Sen. Rod Whittemore of Skowhegan would help solve some of the hardship caused by Maine's current radon testing laws.

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Meeting is cancelled

There is no Member meeting on March 12, 2013

President's Message

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Current law prohibits landlords who have LLC to represent themselves in court and requires they hire a lawyer. The LLC bill allows landlords who have properties with LLC to represent themselves in court. This bill could save landlords thousands of dollars in legal fees.

We do not know when the legislative committee hearing for the radon bill will be held. As soon as we know the date and time, we will inform you. Further details on this event will be shared with you when it becomes available.

Current law requires landlords to complete radon

testing in their rental properties by March 2014. The radon bill proposes the reduction of radon-testing requirements for rental properties. This bill has the saving potential of \$3000.00-\$5000.00 per building.

We had a successful annual meeting on Tuesday, February 12th. There was good food and great door prizes. Every member who attended went home with a door prize thanks to the generosity of local businesses. I would like to thank all the door prize donors and all the members and guests who attended. I would like to extend special thanks to our guest speaker, legislative lobbyist Dan Burnier, and the CAHA board members who made this event possible.

Ratna Don

CAHA President

Plan to attend the hearing on LLC bill

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apartments. Rental property ownership is a true "Main St." business. Urge them to support LD 640 which would allow single member LLCs to represent themselves in eviction hearings:

In particular:

- 1) Maine allows corporations to represent themselves in small claims Court, but it will not allow a single member LLC to represent itself in an eviction hearing.
- 2) Small apartment owners are already representing themselves in eviction hearings. They are not forming LLCs. Maine should allow small apartment owners to form LLCs and still represent themselves in an eviction hearing.
- 3) Larger landlords can afford to hire legal counsel to represent themselves in eviction hearings. That is a big expense for smaller landlords.
- 4) Most eviction hearings are uncontested hearings and they are simple hearings like small claims.
- 5) Landlords can often be drawn into lawsuits for actions of their tenants. For example, if a tenant's dog bites somebody and then the person who is bitten sues the landlord or if a tenant throws a wild party and someone falls and they sue the landlord. An LLC protects a landlord in those situations in that if the landlord's insurance doesn't cover the lawsuit the only thing the lawyers can take is the apartment building. They can't take the home the landlord lives in or the landlord's retirement accounts or other personal assets. The reason we have things like limited liability companies and corporations is to encourage people to invest in property or businesses without worrying about losing their own personal home.

- 6) Do we want only large corporations to have this protection?
- 7) Small landlords should be encouraged to invest in property and set up LLCs to protect their personal home that they live in.

Please email the members of the Judiciary Committee or write letters (please include 20 copies as required of written testimony) and urge them to support LD 640. The names and emails for the Committee members are the following:

Senate Chair:	Linda M. Valenino	D York	senatorvalentino@gmail.com
	John L. Tuttle, Jr.	D York	SenJohn.Tuttle@legislature.maine.gov
	David C. Burns	R Washington	SenDavid.Burns@legislature.maine.gov
House Chair:	Charles R. Priest	D Brunswick	RepCharles.Priest@legislature.maine.gov cpriest1@comcast.net
	Kimberly J. Monaghan-Derrig	D Cape Elizabeth	RepKim.Monaghan-Derrig@legislature.maine.gov kmderrig@maine.rr.com
	Jennifer Dehant	D Bath	RepJennifer.DeChant@legislature.maine.gov dechantforbath@gmail.com
	Matthew W. Moonen	D Portland	RepMatt.Moonen@legislature.maine.gov matt.moonen@gmail.com
	Stepen W. Moriarty	D Cumberland	repsteve.moriarty@legislature.maine.gov smoriarty108@aol.com
	Lisa Renee Vila	D Harrison	RepLisa.Villa@legislature.maine.gov Villa98staterep@gmail.com
	Jarrold S. Crockett	R Bethel	RepJarrod.Crockett@legislature.maine.gov jarroldscrockett@gmail.com
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	Anita Peavey Haskell	R Milford	RepAnita.Peaveyhaskell@legislature.maine.gov
	Stacey K. Guerin	R Glenburn	RepStacey.Guerin@legislature.maine.gov
	Wayne T. Mitchell	Penobscot Nation	waymitch10@hotmail.com repguerin@gmail.com

Message from State Senator Roger Katz

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It is entitled "An Act Relating to Radon Testing and Disclosure to Tenants". This bill will bring some common sense relief to all small business owners who own apartment buildings. At the present time, Maine has one of the most strict laws in the country around radon testing. The fact is that most states have no requirement that apartment owners have to test for radon. Although it probably makes sense to do so here in Maine, the current law simply goes too far. For example:

*If you test the first floor of a three story building, Maine law could be read to require you to test the upper floors of the building. If the first floor does not have a radon problem, the second and third floors would not need to be tested, but current law appears to require it anyway!

*If a tenant renting a first or second floor unit wants to store a bicycle in the basement, current Maine law would require the owner to test the basement!

*Under Maine law, if an apartment tested positive for radon, the owner must install a radon mitigation

system. Respectfully, Maine landlords should have the option of not renting the apartment or selling the building. Some small apartment owners simply are not going to be able to afford expensive radon mitigation systems.

Sen. Whittemore's bill presents common sense solutions. The law is modeled after the much more reasonable Illinois statute. For instance, under Illinois law, an owner can simply inform the tenant they have not tested the storage basement, but if a tenant still chooses to use the basement for storage, that is fine. Also, Illinois law allows for either the tenant or the landlord to administer a radon test, where Maine requires a "professional" who may be quite expensive. The fact is that these tests are not difficult to administer.

I am certainly no expert when it comes to radon testing, but it seems to me that these changes proposed by my colleague are reasonable and make sense. I urge each of you to contact your local legislator and urge their passage of this balanced proposal.

~ *Roger Katz, State Senator*

Board Meeting Minutes Capital Area Housing Association (CAHA) Held at Lucky Gardens Restaurant, Hallowell January 15, 2013

President Ratna Don opened the meeting at 6:35 p.m. with the following present:

Treasurer Emmy Swanton
Secretary & Board Member Barbara A. Eckhardt
Board Member Peter Allen
Board Member Charlie Anderson
Board Member John McNaughton
Board Member Ramona Venskus
Staff Person Lisa Montagna

Business: Motion was made by Charlie, and seconded by Barbara, to approve the December 18, 2012 Board

minutes. Motion passed unanimously.

Motion was made by Charlie, and seconded by Barbara, to approve the Treasurer's report. Motion passed unanimously.

Motion was made by Charlie, and seconded by Barbara, to roll over the \$6,315.30 CD when it comes due on January 26, 2013 for one year.

Staff Person: Lisa's resignation will take effect on January 31, 2013. Ramona stated she had someone in mind to fill the Staff Person's position.

Motion was made by Charlie, and seconded by John, to pay Emmy \$14.00 an hour to do the database management work until CAHA fills the staff person's

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Board Meeting Minutes - CAHA
January 15, 2013
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position. Motion passed unanimously. Ratna will temporarily help Emmy by preparing the newsletter, posting the oil prices, and updating Constant Contact.

Auditing the Treasurer's Books & Accounts: It was the consensus of the Board to have Charlie and Ratna do this.

Annual Banquet: Details for the Annual Banquet were finalized. The Elk's Club charges \$2.25 per person for the desert. It was the consensus of the Board to appropriate \$100 for Ramona to buy a couple of sheet cakes from various bakeries in the area.

Legislative Committee: It was the consensus of the Board to support to hold the Legislative Breakfast on Tuesday,

January 29, 2013 at 7:30 a.m., at the Senator Inn. Issues on the Legislative Table are the LLC and radon testing.

March Member Meeting: It was the consensus of the Board to invite Eric Dick, Esq. to speak on the Eviction Process at the regular meeting.

Board: The President and Vice-President seats are vacant. Members running for the Treasurer and Secretary's seats are Emmy Swanton and Barbara Eckhardt.

Members running for Board of Directors are Peter Allen, Charlie Anderson, John McNaughton, Harrison Wolfington, and Ramona Venskus

Meeting adjourned at 8:08 p.m.

Respectively submitted,
Barbara A. Eckhardt, Secretary

Board Meeting Minutes
Capital Area Housing Association (CAHA)
Held at Elk's Club
February 12, 2013

President Ratnasiri Liyanage-Don called the meeting to order at 8:35 pm with the following present:

Secretary & Board Member, Barbara A. Eckhardt
Treasurer, Emmy Swanton
Board Member, Ramona Venskus
Board Member, Charlie Anderson
Board Member, Harrison Wolfington

Charlie Anderson nominated Ratnasiri Liyanage-Don as President of CAHA, seconded by Ramona Venskus. Approved unanimously.

Charlie Anderson nominated Barbara Eckhardt as Secretary of CAHA, seconded by Ramona Venskus. Approved unanimously.

Ramona Venskus nominated Emmy Swanton as Treasurer of CAHA, seconded by Barbara Eckhardt. Approved unanimously.

The next Board meeting will be held on February 19, 2013. The place to meet will be announced at a later date.

Meeting adjourned at 8:50 p.m.

Respectively submitted,
Barbara A. Eckhardt, Secretary

**Minutes of Annual Meeting
Capital Area Housing Association (CAHA)
Held at the Elks Club
February 12, 2013**

After a social time and a delicious buffet dinner, President Ratna Don called the meeting to order at 7:25 p.m.

President Don presented Stefanie Barley with a plaque of appreciation for the many years of service she gave to CAHA as a Board member.

President Don presented the Board members who were elected to a two-year term:

Peter Allen, Charlie Anderson, John McNaughton, Ramona Venskus, and Harrison Wolfington

Motion was made by Harold Booth, and seconded by Stefanie Barley, for acceptance of the nominations. Motion passed unanimously.

CAHA Clerk Erick Dick, Esq., swore in the Board members.

The business portion of the meeting ended at 7:45 p.m.

Past Vice-President Charles Anderson introduced the guest speaker Lobbyist Dan Bernier. Mr. Bernier encouraged the CAHA members to come to the Legislative hearing in order to reverse the Maine radon testing law. A sign-up sheet was passed to each table requesting the members to give their support when CAHA notifies them of the date of the Legislative hearing.

Charlie Anderson emceed the door prizes. Winners listed separately.



President Don expressed a special thanks to Ramona Venskus for coordinating the banquet and to both Ramona Venskus and Charlie Anderson for coordinating the door prizes.

Respectfully submitted,
Barbara A. Eckhardt, Secretary

A Big Thank You to all our 2013 Vendors!

Name	Company Name	Gift
Al Sutherland, Jr.	Al's Certified Auto Repair	Two \$25.00 gift certificates
Jason Archie	Aubuchon Hardware	Faucet and two tool sets
Harrison Wolfington	Colley Hill Candles	Gift basket
Troy Lambert	Downeast Energy	Gift basket
	Friendly's Augusta	Gift certificate
Tom Bloster	Gosline's Hardware	Wallpaper remover
Levi Jackson	Home Depot	Ten 5 gallon buckets with supplies
John Babb	J&S Oil	Service contract and free oil change certificate
Darryl Arnold	Liberty Mutual	Target gift certificate and tote bags
Tyler Avery	Lowe's	Ten 5 gallon buckets with supplies
	Lucky Garden	\$20.00, buffet for two

Peggy	Lapoint Lumber	\$50.00 gift certificate
Ramona Venskus	Newcomer Relocation	Two tool sets
Sarah Sach	Northeast Bank Loan Department	\$150.00
Stephanie Byron	Northeast Bank	\$50.00
Chuck Bishop	Sherman Williams	12 gallons of paint, ladder, two buckets with painting supplies and coupons for a free gallon of paint
Andrew Waller	Staples	Portable computer table, travel neck pillow and a box of heavy duty trash bags
	Village Jewelry	\$20 gift certificate
	Tractor Supply Company	Fillet knife set

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<p>Newcomer Relocation Services "Upscale Rentals" Phone/Fax: 622-4312 Cell: 446-4312 ramona@NewcomerRelocation.com www.NewcomerRelocation.com No application fee for CAHA members</p>	<p>Liberty Mutual (207) 622-0518 Darryl Arnold (x-52909) New Auto and Home Insurance Benefit CAHA member benefits include savings on auto and home insurance! Purchase high-quality auto, home, condo, and renters insurance at low group rates.</p>	<p>Gosline's Hardware (207) 582-1900 563 Maine Ave. Farmingdale, ME Paint, paint supplies, plumbing, heating, electrical, lawn & garden, hand & power tools.</p>	<p>Northeast Bank (207) 623-0303 Cell: (207) 446-0990 Mortgage loans for residential and investment properties ssachs@northeastbank.com \$250.00 discount on already low closing costs.</p>
<p>Sherwin Williams Paint + Paint Supplies (207) 622-6818 sw5736@sherwin.com Property Solutions Flat, ES, SG From \$17.33 per gallon 10-40% discount + free delivery</p>	<p>Your Ad Can Go Here</p>	<p>Eric S. Dick, Esq. Farris, Foley & Dick, P.A. (207) 622-5872 ffdlaw@gwi.net Discount off regular hourly rate to CAHA member on landlord/tenant matters</p>	<p>Your Ad Can Go Here</p>

UPCOMING MEETINGS

APRIL 9 • MAY 14 • JUNE 11

7:00 – 8:30 p.m.

KV FEDERAL CREDIT UNION

316 West River Road, Augusta, ME

meeting dates are subject to change or elimination as determined by the Board

**On March 20, 2013 @ 1:00 p.m. the Judiciary Committee will
hold a public hearing on LD 640**

An Act Regarding Legal Representation in Certain Eviction Actions

Join us in changing this law!!!

Capital Area Housing Association
P.O. Box 2901
Augusta, ME 04338-2901

