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CAPITAL AREA HOUSING ASSOCIATION

"Landlords Working Together"

JUNE 2003 - NEWSLETTER

COME HEAR OUR RESIDENT EXPERT SPEAK

Come hear our resident expert on landlord and tenant legal issues, Eric Dick, Esq. Attorney Dick has 24 years of experience as a landlord and has handled landlord/tenant issues in the practice of law for the last 19 years. Attorney Dick has been a member of CAHA for many years and served on the Board of Directors. He was our author for the CAHA Eviction Manual as well as the CAHA Model Lease and instruction guide. Eric Dick very successfully represented CAHA's interests when called upon, most recently before the Augusta City Council with President Doug Keefer regarding the Disorderly House ordinance.

Attorney Dick grew up in Gardiner and was educated in local schools. He graduated magna cum laude with a B.A. in political science before attending Syracuse University College of Law in New York. He received his Juris Doctorate Degree with honors in 1984. He is presently president and principal attorney of Farris, Foley & Dick, P.A., at 88 Winthrop Street, Augusta. He is licensed to practice law in Maine, Massachusetts and in the Federal Courts.



Come hear Attorney Eric Dick discuss the latest regarding eviction procedures, changes in forms and service of process and other information pertinent to the eviction process. Come prepared with your questions ready!

From the Prez's Desk.....

Since February, we have accomplished many milestones and not without extensive effort. The Safe & Sanitary Housing proposal put forth by the City of Augusta was basically tabled, membership with the Chamber of Commerce, amended our By-Laws so that CAHA strives for improvement and quality of the existing rental housing stock, approved our once a year payment of dues instead of the burdensome monthly renewal method, and just recently, the Disorderly House ordinance that allows cooperation with the Augusta Police more favorably for Landlords will go into effect on June 19th of this year. Additionally, we are pursuing the Rubbish Ordinance issue for its impact, interpretation of wording, and legitimacy.

Positive results occur when we get involved and do our part with the City of Augusta. Obviously, there are limitations on what I, the Officers and Board of Directors, and others within CAHA can do. I have received numerous phone calls related to Evictions, rental policies, regulations, etc and, unfortunately, the Executive Committee and I cannot provide legal advice on some of your questions. But, for those of you wanting more information on Evictions, our June 10th regular meeting will deal with this issue. Now, I have a request! We need to hear from you on what subjects and areas of concern you would want presentations at our meetings and what you want in our Newsletter. In concert with this request, positive and, also, negative criticisms are welcomed. To do our best for you, you need to let us know. Tell us what you think and want. The phone numbers, E-mail address, and names are listed in our Monthly Newsletter.

Finally, and in a somewhat somber note, we have grown considerably from approximately 250 to, now, almost 600 members within the past 2 1/2 years. These members are our Active and paid in full members, but we also maintain what we call our

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Doug Keefer
622-0434

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Lewie Manter
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623-2824

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685-4570

Newsletter Editor

Norman R. Veilleux

**Next Meeting: June 10, 2003 at 7:00 p.m. (2nd Tuesday of each month)
Kennebec Valley Federal Credit Union - 316 Northern Avenue - Augusta**

"Inactive Membership" list. These members have allowed their yearly dues to lapse beyond 30 days or more and are still receiving the benefits that our current up to date members enjoy. A letter will be sent to each of the "Inactive" status members notifying you to please send in your dues to retain membership privileges. If not received within 30 days your membership and benefit privileges will be cancelled along with notification to Gagne Fuel Oil that you are no longer a member. This may seem harsh but it is not fair to the rest of us and to Gagne Fuel Oil to allow this to continue.

Minutes of Regular Meeting of Capital Area Housing Association Held Tuesday, May 13, 2003 at 7:00 p.m., at K.V.F.C.U., Northern Ave., Augusta

President Doug Keefer called the meeting to order with 27 members present. Introductions and vacancies were waived to allow time for the guest speaker's presentation.

Vice President Lewie Manter introduced the guest speaker. Martha Kluzak is now a Regional Housing Coordinator with Coastal Enterprises, a private non-profit agency. She is on contract with the State of Maine Department of Behavioral and Developmental Services. Ms. Kluzak discussed two programs which provide funding for rental assistance. The first is BRAP (Bridging Rental Assistance Program). The BRAP program is funded through state sources for about 1.1 million dollars per year. This program provides rental subsidies for persons with low income and disabilities. It bridges the gap between the time a tenant applies for housing assistance until they get a Section 8 voucher. In Augusta, there is a 2 ½ year waiting list for Section 8 housing.

Ten local housing agencies within the state administer the program. The program follows a lot of the same rules that Section 8 Housing requires. It lets tenants choose the rental unit with two criteria: 1) It must fall within the fair market rent for that particular county and bedroom size, and 2) it must meet the housing quality standards for safety, decency and sanitary conditions. For example, a one bedroom in Kennebec County has a fair market rent of \$453.00 per month, which includes heat, hot water and electricity. BRAP can go 10% higher to get the housing that it needs. If the tenant pays their own electricity, then a pro-rated amount, following the HUD utility chart, would be deducted from the rent amount.

Ms. Kluzak handed out a sample Inspection Form which meets the HUD standards. These are minimum standards. The rental unit either passes as a whole or fails as a whole. For example, if you do not have hard wired smoke detectors, then the unit would fail as a whole. For minor things,

the landlord is given thirty days to correct the deficiency. Motivational Services is the local agency that administers BRAP funds. Susan Thomas is the Housing Coordinator and she usually performs an annual inspection to see if the tenant and the landlord maintain the unit. The BRAP funds cover a security deposit of one month's rent. They will try to fix any damaged units.

How does the landlord get paid? The administering agency pays the landlord the full amount of the rent and then recovers the tenant's share from the tenant. This process may not continue, but they are working hard to preserve this service to landlords, so the landlord will not have to collect the tenant's share from the tenant and worry about not getting paid. If the tenant vacates the unit, the agency will give a thirty day notice and pay the full thirty days.

The second program is the Shelter Plus Care program. This is a federally funded program. It serves about 400 individuals statewide. This is considered permanent housing in HUD's eyes. It is funded year-to-year. This program specifically targets the homeless people with disabilities. It has the same rules as BRAP, and the same agency handles it. It can pay the security deposit plus one month's worth of rent for damages.

A question was asked about how long clients were typically on the BRAP program. The average is about 14 months. In BRAP, 51% of the tenant's income is paid by the tenant. That is higher than Augusta Housing Authority. Another question asked was if BRAP terminates because the tenant was non-compliant with the program and the tenant does not leave, what is a landlord to do? The response was a regular eviction process would have to take place. Sue Thomas interjected that a walk through inspection would be done before a tenant was placed in the unit. Motivational Services holds informational meetings on the 3rd Wednesday of the month from 1:00 p.m. to 2:30 p.m., at their offices.

The business portion of the meeting started at 7:35 p.m. Several questions from the members were presented to the President. One asked what does one gain from attending CAHA meetings. This raised lots of responses from the membership about the networking and sharing of information. The second question asked about choosing guest speakers. It was recommended to get someone to speak about evictions again.

A motion was made and seconded to accept the Secretary's minutes as printed in the Newsletter. The motion passed in the affirmative with no votes opposed. The Treasurer's Report was presented by Stefanie Barley. She gave a detailed report regarding the monthly deposits and transactions and balances. The Kennebec Savings Bank checking account held a balance of \$3,026.82, and the

K.V.F.C.U. share account held \$26.17 and the checking held \$1,938.22. The Certificate of Deposit was valued at \$11,570.78 as of 3-31-03. A motion to accept the Treasurer's report was made by E. Clark and seconded by C. Anderson. Motion passed in the majority with none opposed.

OLD BUSINESS: The Disorderly Housing Ordinance: Doug Keefer, a member of the Ad hoc Committee discussed the meeting of 4-26-03. CAHA's use of an attorney for advice and counsel was helpful. The Committee took out the 'posting' portion of the ordinance and simplified it. It also specifically defined what 'vicinity' meant. The first reading at City Council was held on 5-05-03 and the 2nd reading to be held on 5-19-03. If final Council vote is taken, then the ordinance will be in effect 30 days thereafter. Chief McCamish again reiterated his support for assisting landlords to correct any problems. A question was raised on whether a landlord should put language in their lease to protect themselves against suits by tenants due to this new ordinance. Mr. Wurpel shared his wisdom and suggested that a landlord should put language in their lease that any breaking of a city, state or federal ordinance or law would be grounds for eviction.

Another member described a situation where a vindictive neighbor could set up a disorderly situation. Once the police were apprised of all the facts of the situation by the landlord, then the appropriate party could be admonished.

The membership present was queried about their understanding and agreement to the new By-Law change regarding all annual dues being due in January of each year. The general consensus was that it was a good idea. The Secretary was directed to print the pro-rated membership dues list in the newsletter again. So noted.

NEW BUSINESS: A question from a member present was whether he had to offer his rental units to Section 8 housing applicants. The members present gave their advice that the best thing to do was to treat every applicant equally, and to give a rental application to everyone who requests one. Then, in a consistent fashion determine what standards you will apply to all applicants. You can choose not to rent to Section 8 applicants but must give fair justification for doing so. It was highly recommended to speak with Ms. Kluzak should a problem with someone on rental subsidies arise, so the problem can be addressed.

It was agreed, by general consensus, that no regular meetings of CAHA will be held in July and August. The issues that were hot topics last year have reached fruition.

Rubbish will be the next project. A member shared the language of the current ordinance and there was some

discussion about how consistently the ordinance has been applied. A show of hands showed a majority consensus that we would ask the City Council for clarification of the ordinance. One member was opposed. One member provided comments that he was owner-occupied and had been given several interpretations of the ordinance to his confusion and cost.

Meeting adjourned 8:30 p.m.

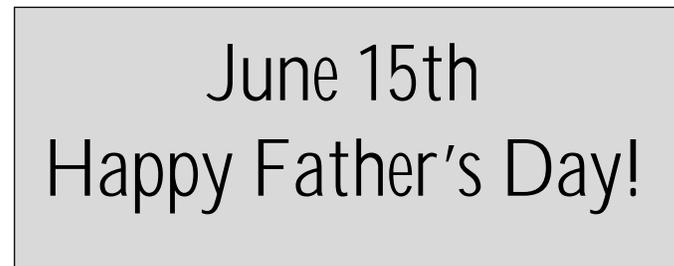
The dollar game gave Louise Hinkley half the pot, or five dollars, and Keith Brown won his dollar back. The \$25.00 Chamber of Commerce gift certificate door prize winner was Keith Brown.

Respectfully submitted,
Diana Parks,
Secretary

PRORATED MEMBERSHIP DUES

For the remainder of the year 2003, the membership dues will be prorated. Thus, if your membership dues are due in March, the 3rd month, then only nine months of dues are owed. Example: 9 months X \$2.08 per month (\$25.00 divided by 12) equals \$18.75. Review the chart below to determine the amount of dues you owe for the remainder of 2003.

May:	7 mo.	\$14.58
June:	6 mo.	\$12.50
July:	5 mo.	\$10.42
Aug.:	4 mo.	\$ 8.33
Sept.	3 mo.	\$ 6.25
Oct.	2 mo.	\$ 4.17
Nov.	1 mo.	\$ 2.08
Dec.:	2004	\$25.00



A bit of Humor!

 A 6 year old boy was overheard reciting the Lord's Prayer at a church service: "And forgive us our trash passes, as we forgive those who passed trash against us".

<p>● <i>Present your CAHA membership card and receive a discount on your purchases</i></p>	<p>Aubuchon Hardware 623-9844 20% off Glidden Paint - 10% off all other regular price items Aaron Seldmus</p>	<p>Davis Property Management 582-2388 Property Management Ongoing or temporary Bob Davis</p>	<p>Sherwin Williams 622-6818 Paint, Wallcovering and Accessories 10-20% off all products Aaron Smith</p>
<p>Central Maine Wall to Wall 582-1526 email: cmww@ctel.com Carpet and upholstery cleaning Rick Bonenfant</p>	<p>Hammond Lumber Co. 495-3303 Full Service Lumber & Building Materials 10% off Retail and Free Delivery Dale Tobey</p>	<p>Major Appliance 622-5859 Free Delivery Farmingdale, Maine Ken Martin</p>	<p>Steve's Appliance Service and Sales 621-0520 - 547-3294 New and used appliance sales service - Free Delivery & Removal</p>
<p>Dave Labbe Plumbing 622-2566 DISCOUNT ON LABOR</p>	<p>H.T. Winters Company 629-5561 www.byme.com/htwinters Flooring and Instalation Ceramics, slate, vinyls, carpet and hardwood - Special price for landlords.</p>	<p>Gagne Fuel Oil Corp. 495-3313 Range & Fuel Oils Emergency 495-2295 .16 cents over NY posted price</p>	<p>D.R. Struck Landscape Nursery 395-4112 15% discount on your purchase Robin Struck</p>
<p>Rick's Downeast Building & Property Maintenance 923-4054 & 623-7535 10% discount on property maintenance excluding the new Depo-section. Ricky Bradstreet</p>	<p>ATTENTION LANDLORDS Struggling to find the time to clean that rental unit? I can do it for you! Colleen Marble - 621-8668</p>	<p>Moody & Company Office Supplies, Inc. 622-6616 25% off list and Free Delivery</p>	<p>TC & Company Cellular: 242-8499 or Phone: 621-8090 Handyman jobs at a 10% discount No jobs too small Tim Dennett</p>
<p>Foreign Auto Parts 626-7070 - 632-4692 1-800-224-3126 Frank J. Venskus, Sales Supervisor/Maine David Gardner, Store Mgr / Augusta</p>	<p>Madore Siding & Insulation Co. 622-0625 Siding, insulation and windows Ray Madore</p>	<p>O&P Glass (the clear choice) 622-3652 Fax: 622-3268 Auto, residential commercial, stained glass</p>	<p>CERTA PROPAINTERS •Painting (Exterior & Interior) •Pressure Washing •Plaster/Drywall repair Andy Mann - 622-6065 10% off for CAHA Members</p>
<p>Kents Hill Lumber Company 685-3510 1-800-660-2027</p>			<p>Winslow Aluminum 622-6500 - 1-800-924-0412 Windows, Doors, Siding, etc. 40% off Replacement Windows Rick Heffernan Sales Representative</p>

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