



Tel. 512-2180

CAPITAL AREA HOUSING ASSOCIATION

“Landlords Working Together”

Post Office Box 2901 • Augusta, ME 04338-2901

SEPTEMBER 2006 - NEWSLETTER

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CAHA Website

caha4u.org

THE PRESIDENT'S MESSAGE ...

We are ending summer and starting the season when CAHA monthly meetings resume.

Please note there are some changes in our Executive Committee. Norman R. Veilleux, the Treasurer has resigned as well as Devon Dobbins, our Vice-President. They should no longer be contacted for CAHA business. The contact information is listed on the left sidebar.

Energy efficiency statements are required of landlords now, and we will be discussing the requirements.

Maureen Brown the “HUD Program Manager” from MSHA will be speaking on the new Energy Efficiency Disclosure Form for Rental Units in Maine, and on the Section. 8 Voucher Program. Maureen looks forward to meeting with CAHA and welcomes any comments or suggestions you may have.



We need to start planning for the annual meeting, which could use some volunteers.

I am interested to hear what topics you want us to try to get speakers for this fall. Email or call.

Ernie Clark, President

SEPTEMBER 12TH MEETING - 7:00 P.M.

KV Federal Credit Union - 316 Northern Avenue - Augusta

Guest Speaker: Maureen Brown

Next Meeting: October 10 - 7:00 p.m. - KV Federal Credit Union

We will have a booth at the Chamber of Commerce Business to Business Expo on Wednesday, October 11th. All CAHA members are invited at the Augusta Civic Center from 4:00 to 7:00 p.m.

Minutes of Regular Meeting - June 13, 2006
Capital Area Housing Association (CAHA)
Held at KV Federal Credit Union, Augusta

President Ernie Clark called the meeting to order at 7:03 pm with approximately 31 members present.

Secretary's report was presented as written in the Newsletter and approved by all members present.

Treasurer's report was presented and approved by all members present.

Gardiner Savings Account = \$2473.07 - KV Savings Account = \$22,649.84

KV Checking Account = \$26.00 - \$10,000 bonds with 6.75% interest rate. Current value of the bond is \$7500.00

Guest Speaker - Jim Pietkiewicz, General Manager, Downeast Energy, provided detail information about oil prices for the 2006-2007 season.

Option # 1 Prepay

Based on Downeast Energy's average cost for that day plus \$0.25 for consumption of 4000 gallons or more. Consumption under 4000 gallons will be based on Downeast Energy's average cost plus \$0.30. This price can be locked in on a daily basis with the payment required same day along with the signed contract.

Option # 2 Rack plus

Downeast Energy Rack plus \$0.18 per gallon for consumption of 4000 gallons or more and under 4000 gallons will be Downeast Energy Rack plus \$0.20 per gallon. Paid within 30 days or price will default back to retail.

Option # 3 Easy pay

Spread your entire year supply of oil over 10-month period. First payment is due by July 10, 2006. Downeast Energy Rack plus \$0.18 per gallon for consumption of 4000 gallons or more and under 4000 gallons will be Downeast Energy Rack plus \$0.20 per gallon with a cap of \$2.759.

Jim has answered all questions raised by the members.

Per the members' request, Jim extended prepay deadline from June 16th to June 23rd and for the 2007-2008 season, he agree to give us one price structure regardless usage of more than 4000 gallons or less than 4000 gallons.

Jim said that Downeast Energy will work with the customers who has good credit history to come up with a payment plan and those customers do not have to pay the entire prepay amount up front.

CAHA members also will enjoy 20% discount on service contracts. Downeast Energy offers service contracts only customers who purchase oil from Downeast Energy.

Old Business

There were many members who have expressed their dissatisfaction toward President and the Board about handling of oil price quotes from different oil companies.

President Ernie Clark and Board Member Cheryl Dostie have explained the membership that board has took into considerations not only Downeast Energy's ability to delivery of their promises, and also their service department's capability of servicing furnaces.

A motion was made to create an Oil Price Searching Committee for the 2007-2008 season. By 18-2 vote motion passed.

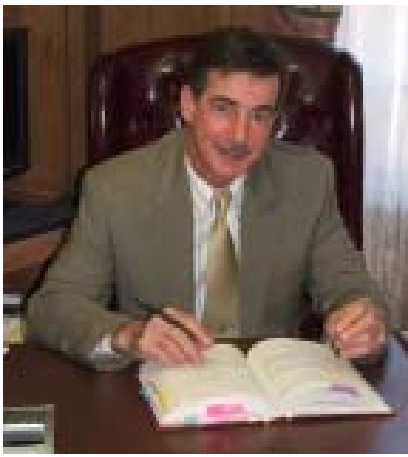
Following members volunteered to be in the Oil Price Searching Committee.

Dale Ackerson - Bob Gilbert - Don Gilbert - Don Gasink - John Ruffing

They will start their work in February 2007.

Meeting adjourned at 9:01 PM

Respectfully submitted, Ratna Don, Secretary



“ASK THE LAWYER”

QUESTION:

Please explain State Law concerning residential security deposits.

ANSWER: Security Deposits – Part I of III

A security deposit is defined by **Title 14 §6031(2)** as an advance of money, regardless of amount, paid to secure the tenant’s financial responsibilities under a written or oral rental agreement.

Under **§6032** a security deposit may be in any amount, so long as it does not exceed the equivalent of two months’ rent, regardless of whether the sum paid is characterized as a security deposit, a pet deposit, a key deposit, payment of last month’s rent in advance or some combination thereof.

Under **§6022** the landlord or agent must provide a written receipt for any security deposit payment received, partially or fully in cash, at the time the payment is accepted. The only exception is where the tenant retains a rent card signed or initialed by the landlord or agent reflecting the details of the payment. In those cases, a separate receipt is not required.

If a security deposit is paid in installments, a receipt must be provided each time a payment is made in cash, and if a single payment is part payment of rent and partially toward the security deposit, a separate receipt must be provided for each portion of the payment.

Importantly, under **§6038** security deposits received by a landlord are not the landlord’s property and cannot be spent by the landlord, nor be co-mingled with the landlord’s assets during the tenancy. The security deposit remains the property of the tenant during the tenancy and the landlord is required to place all security deposits in a bank account identified as being property of others being held in trust by the landlord so that it is not subject to claims of any creditors of the landlord, including a bank which may foreclose upon the landlord’s real estate. The interest paid by the bank, however, is property of the landlord and need not be paid or credited to the tenant. A landlord may use a single bank account to hold all security deposits paid to that landlord. Upon request of a tenant, a landlord must disclose the name of the bank and account number where the security deposit is held.

When the landlord’s interest in the apartment building is terminated, by sale, death or otherwise, the security deposits are transferred to the buyer or other person acquiring the landlord’s interest. Under **§6035** the landlord or agent must provide the buyer, or other person acquiring the interest, an accounting which reflects the amount of each security deposit paid. The landlord must also provide each tenant with a written notice advising of the transfer of the security deposit, along with the name and address of the person now holding the deposit, along with a copy of the accounting provided to such person.

In next month’s column I will comment upon the scope of appropriate deductions that may be made from a security deposit at the end of the tenancy, the strict time limits the landlord must meet to return or account for the security deposit, and the harsh penalties imposed upon the landlord if the requirements of state law are not strictly met.

Disclaimer: For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2006 Eric S. Dick, Esq., Augusta, Maine (207) 622-5872.

<p>CERTA PROPAINTERS * Painting (Exterior & Interior) * Pressure Washing * Plaster / Drywall repair Andy Mann - 622-6065 10% off for CAHA Members</p>	<p>Aubuchon Hardware 623-9844 20% off Glidden Paint - 10% off all other regular price items Aaron Seldmus</p>	<p>SHOP FROM HOME FLOORING 626-3100 10% off any regular price Sales & Installations Sam MacMadden</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: info@cleaningmainescarpets.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 & Sales, Inc. 621-0520 - Fax:547-4083 Heaters - Mattresses New & used appliance sales / service</p>
<p>Farris, Foley & Dick, P.A. Eric Dick, Esq. 88 Winthrop Street, Augusta LEGAL SERVICES • 622-5872 \$ 25.00 off standard hourly rate on landlord/tenant matters</p>	<p>DOWNEAST ENERGY. Oil • Propane Equipment Sales & Service 191 Water Street - Hallowell 622-7521</p>	<p>Central Maine Property Management Property Mgmt - Maintenance Lawn care - Bookkeeping - Snow removal 20% discount to CAHA members Devon L. Dobbins • 622-7691</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>SEARS • Appliance packages • Maintenance Equipment packages Discounts based on brand SGM Tess Zardus or ASM Peter Sullivan 621-2088</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>POULIN PROPANE Propane Appliance Installation & Service Edward Poulin 441-1574 Discount on Labor</p>	<p>Moreau Home Improvement Property Management & Maintenance (207) 215-7500 - (207) 549-5724 10% off - \$45.00 hr.</p>	<p>O&P Glass (the clear choice) 622-3652 Fax: 622-3268 Auto, residential commercial, stained glass</p>	<p>Winslow Aluminum 873-0412 • 1-800-924-0412 Windows, Doors, Siding, etc. 35% off Replacement Windows Rick Heffernan Sales Representative</p>
<p>Big Daddy's Handyman Service Painting & Lawn maintenance Apartment clean-ups - Odd jobs big or small Discounted rates for CAHA members Sean Fritz 441-2490 93 Green Street - Augusta, ME</p>	<p>R&R Property Management Rob Jordan (207) 485-1237 Tenant Relations - Handyman service Landscaping & Odd Jobs Discount on Labor for CAHA members</p>	<p>AUGUSTA AREA NEWCOMERS & Relocation Services by ramona "Upscale Rentals" Phone/Fax 622-4312 - Cell: 446-4312 email: ramona@aan-newcomers.com www.aan-newcomers.com</p>	<p>Dave Labbe Plumbing 622-2566 DISCOUNT ON LABOR</p>

ADDRESS SERVICE REQUESTED

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