



# CAPITAL AREA HOUSING ASSOCIATION

“Landlords Working Together”

Post Office Box 2901 • Augusta, ME 04338-2901

## FEBRUARY 2007 - NEWSLETTER

Another CAHA newsletter so soon! How come?

**W**e want the membership to know that we will be electing Directors at our *Annual Meeting* and Banquet as we do each year, and we want to publish those interested in being Directors. (For the nominees, see the minutes of the

last meeting in this issue.) This is **the last call to renew membership** before the \$15 *late fee* that starts after Jan. 31. It is also **the last chance to register for the banquet.** (*no admissions without registering and paying by Jan. 31.*)

### ANNUAL CAHA BANQUET RESERVATION FORM

Date: Tuesday, February 13, 2007 • Place: Elks Lodge, Civic Center Drive, Augusta

Time: Social 5:30 p.m. - Dinner 6:30 p.m. • Price: Free to CAHA members

(must put their membership number in the fee space)

Guests: 1st guest = \$ 8.00 - All additional guests = \$ 15.00

(Please no children under the age of 16)

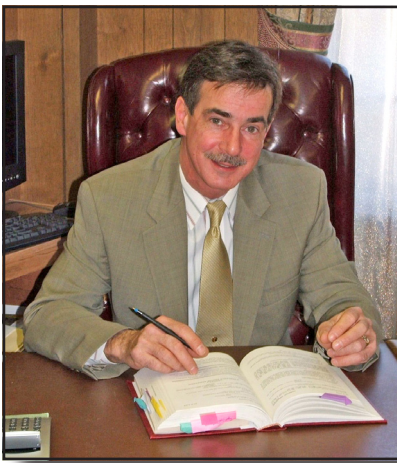
Separate check must accompany this reservation form and be received by February 1, 2007

Member: _____	Card # _____	FREE
1st Guest: _____	Price \$	8.00
2nd Guest: _____	Price \$	15.00
3rd Guest: _____	Price \$	15.00
4th Guest: _____	Price \$	15.00
5th Guest: _____	Price \$	15.00

Total Number Attending \_\_\_\_\_ Total Enclosed \$ \_\_\_\_\_ (Non-Refundable)

**DEADLINE: Thursday, February 1, 2007 (NO Tickets sold at the door)**

Mail to: CAHA, Post Office Box 2901, Augusta, ME 04338-2901



## ASK THE LAWYER

### QUESTION:

**I divided a single family house into separate rental units with separate electrical meters. The furnace and lights in the hall run through one of the apartment electric meters. Is this okay?**

### ANSWER:

Title 14 § 6024; Electric metering in common areas.

The law provides that a landlord may not lease or offer to lease an apartment in a multi unit building where the expense of providing the electricity to a common area is the responsibility of the tenant unless both parties to the lease have agreed in writing to a specific reduction in rent or other consideration that approximately offsets the actual cost of electricity to the common areas.

Multi-unit residential buildings will have a separate electrical meter for each apartment where the tenant is to pay for their own electricity. Often, there is an extra electrical meter in the landlord's name which supplies power to the common areas of the building which includes, but is not limited to outside lights, hallways, stairways, basements, attics, storage areas, furnaces or water heaters used in common with other tenants. §6024-A states that a utility service provider, such as Central Maine Power Co., cannot terminate utility services to a rental building which are billed to the landlord, without first giving the tenant the option to assume and pay those costs. The utility cannot collect such costs from the tenant without the tenant's agreement, but if the tenant agrees to pay for such costs, the

tenant can legally deduct the cost of those utilities from the rent due to the landlord.

Importantly, if any common area electrical expenses are to be paid by one of the tenants, there must be a written agreement where the tenant agrees to pay for such costs in return for a stated reduction in rent, or other specific consideration that approximately equals the actual cost of the electricity to those common areas.

Such written agreement must be in place before the tenant takes possession of the rental unit and the law provides that any written or oral waiver of this requirement is against public policy and is void.

In practice the landlord should be sure to disclose to prospective tenants that the electrical meter for that unit includes costs of electricity provided to the common areas and facilities. The landlord or prospective tenant can obtain a print-out of the actual cost of electricity paid by the prior tenant of the apartment from the utility provider.

A landlord who violates §6024 may be sued by the tenant for actual losses, or \$100, whichever is greater, plus their reasonable attorney's fees and court costs.



**Minutes of Regular Meeting**  
**Capital Area Housing Association (CAHA)**  
**Held at KV Federal Credit Union**  
**January 9, 2007**

President **Ernie Clark** called the meeting to order at 7:05 pm. He presented the guest speakers, Senator **Earl McCormick**, Rep. **Stephen Hanley**, Rep. **Kim Silsby**, and Rep. **Sharon Treat**. They introduced themselves, and the members present introduced themselves. Discussion followed regarding laws about Theft of property, Theft of services, the eviction process, and the Energy Efficiency bill. Suggestions included working with individual local legislators to get a bill submitted (probably not this session) to change the Theft of services law to include non-payment of rent, then work with the appropriate Legislative committee members, and other relevant organizations to lobby for the bill. It would be important to identify possible opposition, and try to talk and work with them.

Regarding the Energy Efficiency bill, CAHA should talk both with staff at the Public Utilities Commission, who are overseeing the implementation and must provide a report to the Legislature in January 2008, and with members of the Legislature's Public Utilities committee. We need to let them know that the reporting form is not very useful, is rarely being used, is not needed if the landlord is paying the utilities, and raises liability concerns. Plus, if the goal is to increase residential energy efficiency, the law should not be targeted just at rental units. The Legislators present encouraged CAHA to hire a lobbyist to work on these issues for us, and who could keep us informed of any other pending legislation affecting landlords. Barring that expense, we can set up a request on the legislative information website to receive e-mail updates on specific bills.

**Ratna Don** gave the Treasurer's report, announcing that 411 members had joined or renewed for 2007 as of January 8<sup>th</sup>. CAHA funds at Kennebunk Savings, Gardiner Savings, and KVFCU total \$36,714.36, plus a \$10,000 bond. **Harold Booth** moved, **Lewie Manter** seconded, to approve the Treasurer's report, and to approve the minutes of the December 12th meeting as printed in the newsletter. Both motions passed.

Elections for Board directors will be held at the Annual Meeting. The two year terms for **Ramona Venskus**, **Cheryl Dostie** and **Louise Hinkley** are expiring. **Ratna Don** and **Gerard Bechard** have another year in their terms. **Harold Booth** was appointed to fill **Devon Dobbins'** seat, who was elected last year, but he requested that he be officially on the ballot to fill the 2<sup>nd</sup> year of the term. **Lewie Manter** serves ex-officio as most recent Past President. The following were nominated from the floor:

**Ramona Venskus**, **Cheryl Dostie**, **Louise Hinkley**, **John Gwadowsky** for two-year terms, and **Harold Booth** for one year. Anyone else interested in running for the Board, or for an officer position, please call CAHA or **Ernie Clark**!

**Bob Gilbert** reported for the Oil Committee. They have met several times, and sent a letter to 18-20 local oil suppliers informing them that a letter requesting proposals will go out next week. They hope to negotiate a package that would include consistent pricing for all (no minimum number of gallons), a pre-pay program and a 30-day cash program, a capped price but with downside protection, and service discounts. Companies need to respond by February 10<sup>th</sup>.

- Reminder that the Annual Meeting has been scheduled for February 13, 2007, at the Elks Lodge. It was noted that we need some door prizes (10-20). Each Board member has agreed to solicit at least 2; **Ramona Venskus** is coordinating, so let her know if you have or will approach a business for door prizes. Louise reported that Cony High School will be providing music entertainment.

- The Board will be reviewing the By-Laws in the near future, and then present any recommended amendments to the membership.

- Because of the Banquet and solicitation of nominations and door prizes, it was decided to try to get the newsletter done and mailed out early.

- **Harold Booth** won the monthly Chamber gift certificate drawing (again!). Sign in sheet indicated 16 members attending, with 143 units, and 7 vacancies.

*Meeting adjourned at 8:50 pm. ...*

*Respectfully submitted,*

*Louise Hinkley, Secretary*

<p><b>CERTA PROPAINTERS</b>  * Painting (Exterior &amp; Interior)  * Pressure Washing  * Plaster / Drywall repair  Andy Mann - 622-6065  10% off for CAHA Members</p>	<p><b>Aubuchon Hardware</b>  623-9844  20% off Glidden Paint - 10% off all other regular price items  Aaron Feldmus</p>	<p><b>SHOP FROM HOME FLOORING</b>  626-3100  10% off any regular price  <b>Sales &amp; Installations</b>  <b>Sam Macmaster</b></p>	<p><b>Sherwin Williams</b>  622-6818  Paint, Wallcovering and Accessories  10-20% off all products  Aaron Smith</p>
<p><b>Central Maine Wall to Wall</b>  582-1526 - email: info@cleaningmainescarpets.com  Carpet and upholstery cleaning  Rick Bonenfant</p>	<p><b>Hammond Lumber Co.</b>  495-3303  Full Service Lumber &amp; Building Materials  10% off Retail and Free Delivery  Dale Tobey</p>	<p><b>Major Appliance</b>  622-5859  Free Delivery  Farmingdale, Maine  Ken Martin</p>	<p><b>Steve's Appliance Service &amp; Sales, Inc.</b>  621-0520 - Fax:547-4083  Heaters - Mattresses  New &amp; used appliance sales / service</p>
<p><b>Farris, Foley &amp; Dick, P.A. Eric Dick, Esq.</b>  88 Winthrop Street, Augusta  LEGAL SERVICES • 622-5872  \$ 25.00 off standard hourly rate on landlord/tenant matters</p>	<p><b>DOWNEAST ENERGY.</b>  Oil • Propane  Equipment Sales &amp; Service  191 Water Street - Hallowell  622-7521</p>	<p><b>Central Maine Property Management</b>  Property Mgmt - Maintenance  Lawn care - Bookkeeping - Snow removal  20% discount to CAHA members  Devon L. Dobbins • 622-7691</p>	<p><b>D.R. Struck Landscape Nursery</b>  395-4112  15% discount on your purchase  Robin Struck</p>
<p><b>Rick's Downeast Building &amp; Property Maintenance</b>  923-4054 &amp; 623-7535  10% discount on property maintenance excluding the new Depo-section.  Ricky Bradstreet</p>	<p><b>SEARS</b>  • Appliance packages  • Maintenance Equipment packages  Discounts based on brand  SGM Tess Zardus or ASM Peter Sullivan  621-2088</p>	<p><b>Moody &amp; Company Office Supplies, Inc.</b>  622-6616  25% off list and Free Delivery</p>	<p><b>TC &amp; Company Cellular: 242-8499</b>  <b>or Phone: 621-8090</b>  Handyman jobs at a 10% discount  No jobs too small  Tim Dennett</p>
<p><b>POULIN PROPANE Propane Appliance Installation &amp; Service Edward Poulin 441-1574 Discount on Labor</b></p>	<p><b>Moreau Home Improvement Property Management &amp; Maintenance</b>  (207) 215-7500 - (207) 549-5724  10% off - \$45.00 hr.</p>	<p><b>O&amp;P Glass (the clear choice)</b>  622-3652 Fax: 622-3268  Auto, residential commercial, stained glass</p>	<p><b>Winslow Aluminum</b>  873-0412 • 1-800-924-0412  Windows, Doors, Siding, etc.  35% off Replacement Windows  Rick Heffernan  Sales Representative</p>
<p><b>Big Daddy's Handyman Service</b>  Painting &amp; 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><b>R&amp;R Property Management</b>  Rob Jordan  (207) 485-1237  Tenant Relations - Handyman service  Landscaping &amp; Odd Jobs  Discount on Labor for CAHA members</p>	<p><b>NEWCOMER RELOCATION SERVICES</b>  <b>"Upscale Rentals"</b>  Phone/Fax 622-4312 - Cell: 446-4312  email: ramona@NewcomerRelocation.com  www.NewcomerRelocation.com  No application fee for CAHA Members</p>	<p><b>Dave Labbe Plumbing</b>  622-2566  DISCOUNT ON LABOR</p>

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