



CAPITAL AREA HOUSING ASSOCIATION

Landlords Working Together

Tel. 512~2180 Post Office Box 2901 • Augusta, ME 04338-2901

SEPTEMBER 2007 - NEWSLETTER

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Gerard Bechard, Jr.

CAHA Website
caha4u.org

Vice-PRESIDENT'S MESSAGE

As the summer draws to a close, it's time to start thinking about CAHA again. Your board has been meeting regularly through the summer, keeping the store open.

It's no secret that we've been having 'growing pains' with President Ernie Clark's resignation in May and Tiny Bechard assuming the Presidency.

Coincidentally, we made the decision to change the supplier of our web services and expand our newsletter to include the minutes of Board meetings.

Along the way, some things got missed - the Board minutes were included in the June newsletter, but the regular meeting minutes were not.

Unfortunately, those regular-meeting minutes [of the May meeting] contained the information about the decision taken at that meeting to select Webber Energy Fuels as our heating-oil supplier for the coming year, leaving those of you who were not at that meeting wondering who our oil-supplier was.

Many thanks are due our heating-oil committee who spent many hours drawing up our bid specifications, sending them out, and evaluating the responses. This is the most pro-active approach I've seen to the process. Many of the suppliers seemed unprepared for the sophistication of our bid-specifications.

While it is not a requirement that you use our official fuel-oil supplier, you are all encouraged to do so. Our strength lies in our size. The more customers being

selected as the CAHA fuel-oil supplier brings in, the greater the value of CAHA as a potential customer-base to the oil-dealers. It is this customer-value that gives us the leverage to obtain good prices in the future, so buying from the official CAHA supplier helps us all.

On another front, we had wonderful meetings with area legislators last winter.

As a direct result of those meetings, we were made aware of legislation which would have improved our lot in dealing with evicting problem tenants.

Unfortunately, that legislation died in committee, but starting this fall we are planning to work with some legislators to craft some legislation for future consideration.

This is a long, drawn-out process - unlikely to be considered in the legislature until the next 'regular' session in 2009 - but we need to start now.

We need your help. We could use some more people to serve on the board. We also need people to work on a committee to craft legislation, and the oil committee needs to continue its work. We are also always looking for ideas for speakers at the monthly meetings. Please tell us what you are interested in hearing about.

CAHA is about landlords working together. Thanks for your help.



Hal Booth Vice-president.

September 11th ~ 7:00 P.M.

Guest Speaker
Greg Coniff

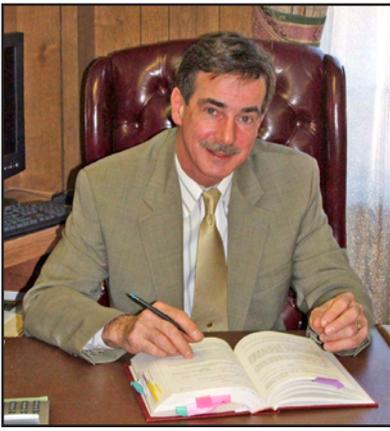
Augusta Fire Department

October 9th ~ 7:00 P.M.

K.V. Federal Credit Union

Darren Mathews ~ Webber Energy

Topic: Service Cost & Heating Efficiency



ASK THE LAWYER

This month I depart from the usual question and answer format to share some of the practical tidbits I have picked up in over two decades of being a landlord and in representing landlords:

1. **Identify your building and each apartment with clearly visible numbers/letters.** If the civil sheriff deputies have difficulty locating a tenant for purpose of service of eviction papers due to lack of identification, a “diligent search” fee may be assessed. Moreover, highly visible numbers on the building and apartments will help minimize response time of emergency personnel of an ambulance, fire department, etc. I can envision circumstances where a tenant might assert a claim against the landlord where the tenant’s loss or injury is exacerbated by the delay caused by the inability to promptly locate the emergency due to lack of numbers/letters;

2. **Change the entry locks to the apartment after each tenancy.** Tenants often make up extra keys to their entry doors and pass them out to friends and family. While the tenant may surrender the keys provided by the landlord at the end of the tenancy, other copies may be out there in the hands of unknown persons. If the lock has not been changed, a copied key could be used to burglarize or victimize subsequent tenants. A landlord can maintain an inventory of tumblers and locks to rotate through their various units over a course of years to minimize the risk of access by unknown persons;

3. **Get your money before surrendering the keys or possession.** Make sure the tenant has completed all paperwork and paid the full security deposit and pro-rata rent before you surrender the keys or otherwise give the tenant possession of the rental unit. Otherwise the landlord may be forced to provide a notice to quit and incur the cost of an eviction once the tenant has taken possession even if the tenant has not paid the security deposit and first month’s rent;

4. **Account for payment of rent last.** It is usually cleaner to evict a tenant for non-payment of rent than for non-payment of the security deposit or utilities. Therefore, always apply money received from a tenant against all non-rent items first such as for any sum owed for the security

deposit, oil or other utilities before applying the balance against rent owed. Make sure the receipt provided to the tenant clearly reflects the allocation;

5. **Get a personal guarantee of a non-tenant if appropriate.** College students, young persons starting out and certain other tenants present a greater financial risk to a landlord because they have few assets/income to pay rent and any damage or losses sustained by the landlord beyond the security deposit paid at the outset. In such circumstances, a landlord may request the tenant to provide a personal guarantee of a parent, grandparent or other financially established/responsible person to personally guarantee the financial obligations of the tenant under the lease. The parent/grandparent, etc. should sign the guarantee at the same time the lease is signed, and will be jointly responsible for any rent and losses caused by the tenant, and in turn, have an incentive to exert family influence to insure such losses do not occur;

6. **Videotape/photograph the rental unit.** A series of photographs or a videotape of the rental unit taken just prior to the tenancy is strong proof of the condition of the unit and can be very effective in any court proceedings where the tenant claims that a particular defect or problem “was there when I moved in”. A videotape or photographs of the unit after the tenant moves out can be equally effective in depicting damage caused during the tenancy. Moreover, the cost of a modest video recorder or camera may be entirely tax deductible when used for business purposes. In tenancies involving a lease, any defects or problems with the rental unit should also be noted on the lease itself;

7. **Never enter a tenant’s apartment alone.** While a landlord has the right, as well as the need, to periodically enter a tenant’s apartment to perform work or other valid reasons, a landlord should never enter the apartment alone, particularly if the tenant is not present. Otherwise, the landlord is left open to the potential claim that cash or other valuables are missing after the landlord’s entry. Accessing the tenant’s apartment with at least one other responsible person does not eliminate this exposure, but does supply a witness for the landlord.

Disclaimer: For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2007 Eric S. Dick, Esq., Augusta, Maine (207) 622-5872.

Minutes of Executive Committee Meeting
Capital Area Housing Association (CAHA)
Held at KVFCU
July 24, 2007

President Tiny Bechard called the meeting to order at 6:00 pm with the following Officers and Board members present:
Treasurer & Board Member, Ratna Don
Secretary, Louise Hinkley
Board Member, Ramona Venskus
Board Member, John Gwazdosky
Board Member, Lewie Manter
Member guest, Don Gilbert

Tiny, Ratna and Ramona signed paperwork to have their names on the KVFCU accounts. It was also agreed that names on the bond with Edward Jones would be changed to Tiny, Ramona and Lewie.

It was clarified that John G. is coordinating the information for the CAHA website, then David Jackson is posting and maintaining the information. Norman Veilleux is still producing the newsletter.

John moved, Lewie seconded, to have the Secretary send a letter to Cheryl Dostie, informing her that due to her absences and inability to attend meetings, she is being relieved of her duties as a Board member. The letter will include information about filling the position, and the hope that Cheryl will return to the Board when her circumstances change. Motion passed unanimously.

Lewie moved, Ratna seconded, to appoint Don Gilbert as a new Board member. Motion passed unanimously. Ramona took a picture of Don, and will get it to David to post on the website. It was agreed, to only include one picture per person on the website, indicating with that picture if the person holds two positions (eg. Both Treasurer and Board member).

There have been problems with Webber refusing to give out oil price information over the phone. Ratna persuaded them to give information, but then wait for membership confirmation before setting up accounts. Ratna was instructed, per motion passed at the June meeting, to send a list of members' names and membership number only, to Webber to use for confirmation.

Ratna will change the message on the CAHA phone, referring members to John's phone number if Ratna is unavailable, and they

need immediate assistance. Tiny and Ramona will make arrangements with Norman to have his name removed from the CAHA phone account. Ramona will also take care of getting the President's name changed on the Chamber of Commerce website.

John had an inquiry about membership from the Sugar Maple Terrace Assoc., which sounded more like a development association than a rental management group. He will get back to them to clarify who they are and to explain CAHA membership.

Ratna reported that we now have 560 members. He cashed in the KVFCU CD and deposited the funds in the Gardiner Savings checking account. Total on hand is \$ 29,203.92. Ratna also provided a basic projected budget for the remainder of the year. John moved, Lewie seconded, to move \$12,000 from the GSI checking account to a CD at KVFCU for one year. Motion carried unanimously. Ratna will take care of this in the next few days, and will turn in the newly-signed signature papers for the accounts at KVFCU.

Meeting adjourned at 7:20 PM.

Respectfully submitted,

Louise Hinkley
Secretary



Welcome
Don Gilbert
Board of Director

I am married to my best friend Lois and I have two grown daughters. I own an apartment building with five units, I am a graduate of UMA and I retired from the US Navy as a Chief Petty Officer. I am from Augusta Maine where I grew up on eastern avenue.

olliejetrock@juno.com

September 11th ~ 7:00 P.M.
Guest Speaker
Greg Coniff
Augusta Fire Department

October 9th ~ 7:00 P.M.
K.V. Federal Credit Union
Darren Mathews ~ Webber Energy
Topic: Service Cost & Heating Efficiency

<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 Feldmus</p>	<p>SHOP FROM HOME FLOORING 626-3100 10% off any regular price Sales & Installations Sam Macmaster</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><i>Bayleigh Flooring</i> Flooring & Lighting Sales Essence Wilkins (207) 620-8888 - FAX 620-7024 ewilkins@bayleighflooring.com</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>NEWCOMER RELOCATION SERVICES "Upscale Rentals" Phone/Fax 622-4312 - Cell: 446-4312 email: ramona@NewcomerRelocation.com www.NewcomerRelocation.com No application fee for CAHA Members</p>	<p>Dave Labbe Plumbing 622-2566 DISCOUNT ON LABOR</p>

