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DECEMBER 2009 NEWSLETTER

CAPITAL AREA HOUSING ASSOCIATION
“LANDLORDS WORKING TOGETHER”

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PRESIDENT'S MESSAGE



Harold Booth
President

Good news! Last month I reported that the Fire Marshall's office was unable to provide someone to speak to us at our December 8th meeting. Well I don't know how she did it, but Ramona has managed to get someone from the Fire Marshall's office after all. That means that we'll be able to get our questions about the new rules for fire and carbon monoxide detectors answered.

We are also looking at establishing closer contact between CAHA and the Waterville landlords group. There seems to be the possibility of some mutually beneficial cooperation. Their president will be attending our December meeting at my invitation.

It's been just over a year since I installed my solar collector. I'm still very pleased with its operation. I did need to do some work on it over the summer. When I built it, I tried to keep it as light as possible to make it easy to handle. In so doing, I did not build in enough structure to withstand the forces created by having the inside up to 90° warmer than the outside, and I had some difficulty with seams warping open. I put in a bit more 'structure' and all seems well. It's nice to have a stream of 90° + air blowing into my cellar on sunny days.

The renewal notices have gone out - with the Banquet reservation form to save on postage. Please return both forms

PRESIDENT'S MESSAGE, continued on page 3.

NEXT MEETING:

DECEMBER 8, 2009 • 7 – 8:30 P.M.
K.V. FEDERAL CREDIT UNION
FIRE MARSHALL OFFICE REPRESENTATIVE
WILL BE ON HAND.

UPCOMING MEETING:

JANUARY 12, 2009 • 7 – 8:30 P.M.
K.V. FEDERAL CREDIT UNION
GENERAL BUSINESS TO BE DISCUSSED

ASK THE LAWYER

RADON TESTING AND MITIGATION

Radon is a radioactive, colorless, tasteless and odorless gas. It emanates naturally from the ground particularly in regions with soils containing granite, such as Maine. The gas is considered a health hazard due to its link to lung cancer, particularly when it accumulates in buildings. The State of Maine has adopted a requirement for periodic testing of residential rental units, for mitigation of radon levels that exceed the federal EPA's "National Action Level" of 4.0 picocuries per liter of air, and for notice to tenants of test results and mitigation efforts.

Under new Title 14, M.R.S.A., §6030-D initial radon testing must occur by 2012, and every ten years thereafter. The required testing must be performed by a person or company that is registered with the Maine Department of Health and Human Services. Upon a finding of elevated radon levels, mitigation efforts must likewise be undertaken only by a registered person or company. Registered professionals that provide the radon testing and/or radon mitigation services must report the results of any test performed, along with the client's zip code, to DHHS within 45 days of the date services are provided.

The landlord must provide written notice to each tenant of the initial test result, and thereafter to each **potential tenant** regarding the presence of radon in the building, including the date and result of the most recent radon test. DHHS will prepare a standard disclosure statement for use by landlords, and an accompanying brochure to explain the risks associated with radon exposure.

Noteworthy is that much like the lead hazard disclosure statement now required, the notice relating the most recent radon test results must be provided to a potential tenant before each tenancy begins. The disclosure statement form must contain an acknowledgement to be signed by the tenant or potential tenant which confirms receipt of the required information.

If radon levels exceed 4.0 picocuries per liter of air, then within six months of the test result (or six months after obtaining any necessary permit, whichever is later) the landlord must engage a registered professional to reduce radon levels below 4.0 picocuries per liter of air at the landlord's expense. Once radon levels have been reduced, the landlord must also provide written notice to existing tenants confirming that radon levels have been mitigated. Any person who violates the requirements of new Section 6030-D commits a civil violation and is subject to a \$250.00 fine per violation

Mitigation of indoor radon levels may require efforts as simple as covering any dirt floor or crawl space with a radon barrier and plastic sheeting. Other efforts may include sealing concrete floors and walls and caulking all gaps to prevent entry of sub-soil gases. More expensive methods may include sub-slab venting or depressurization, or even a whole building positive pressure ventilation system.

Landlords will soon have to begin planning for the required testing, and for the provision of the radon disclosure materials to all tenants and applicants. In the meanwhile, persons who are acquiring residential property for rental to others may wish to include a provision in the purchase and sale contract which requires the seller to provide any mitigation services necessary to meet the state standard before closing on purchase of the building.



Disclaimer: For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2009 Eric S. Dick, Esq., Augusta, Maine (207) 622-5872.

**Minutes of Regular Meeting
Capital Area Housing Association (CAHA)
Held at Kennebec Valley Federal Credit Union
November 10, 2009**

At 7:07 p.m. no quorum was established; so, the business portion of the meeting could not be conducted. However, our scheduled representative, Darryl Arnold from the Liberty Mutual Group provided a very informative power point presentation of their insurance package and savings to CAHA members.

Darryl stated that Liberty Mutual not only offers insurance to landlords but to tenants as well. It is up to the tenant to enroll with them, if they want the insurance coverage.

Meeting adjourned 8:25 p.m.

Respectfully submitted,
Barbara A. Eckhardt, Secretary

**Minutes of Board Meeting
Capital Area Housing Authority (CAHA)
Held at Hatties Chowder House Restaurant, Hallowell
October 27, 2009**

After a social time, President Harold Booth called the meeting to order at 5:40 p.m. with the following present:

Vice President & Board Member, Charlie Anderson

Secretary & Board Member, Barbara Eckhardt

Treasurer & Board Member, Emmy Swanton

Board Member, Stefanie Barley

Board Member, Ratna Don

Board Member, Ramona Venskus

President Booth opened the discussion concerning Eric Dick, Esq.s, bill of \$5,000 for the work he did on the new lease and eviction manual. A lengthy discussion followed. Motion was made by Charles, and seconded by Stefanie, for CAHA to make a payment of \$3,000 on the bill. Another payment of \$2,000 would be paid, contingent upon delivery of the DOC files. Motion passed unanimously.

President Booth wanted to know what to charge for the new lease and eviction manual. A lengthy discussion also followed. Motion was made by Charlie, and seconded by Ramona, to charge \$10 to email the PDF file of either the lease or eviction manual to CAHA members, and \$40 each to non-members, contingent upon receipt of payment. Additional charges would be \$15 each for a CD, or \$25 for both documents on one CD, to CAHA members, includes burning and mailing. Non-members would pay \$50 for each CD, or \$80 for both documents. Motion passed with 5 ayes and 1 nay.

President Booth presented the September 22, 2009 Board Member Meeting Minutes for approval. Motion was made by Stefanie, and seconded by Ramona, for the Board to approve the minutes. Motion passed unanimously.

A short discussion concerning the CAHA meeting program followed. A representative from Liberty Mutual is scheduled to speak at the November meeting. Ramona suggested that a representative from the Fire Marshalls office come in December and agreed to make the call.

Meeting adjourned at 7:02 p.m.

Respectfully submitted,
Barbara A. Eckhardt, Secretary

PRESIDENT'S MESSAGE, *continued from front*

- well, the banquet form only if you're making a reservation - with your check as soon as possible. Don't forget to check the information on the renewal form - we want to be sure our database has correct information.

In the meantime, we have started to plan the banquet so stay tuned . . .

Be sure you read Eric Dick's *Ask the Lawyer* column this month. It contains important information about another new requirement for landlords that will take effect soon. Eric's columns are always informative, but the information in them lately has been especially important.

Let me take this opportunity to wish you and yours a joyous holiday season.

Take care,

Hal Booth





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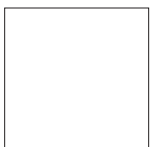
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small enough to care"**

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