

ALOC NEWS

www.cumberlandlandlords.com

June 6, 2006

Associated Landlords of the Cumberland Area
ALOC Phone (301) 759-0530 P.O. Box 1867

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Leases

I recently was forwarded a lease by one of our members that was obtained "on line" from one of the many outfits popping up on the Internet. Unfortunately the lease obtained did not conform to either Maryland or federal laws and quite frankly it would certainly have exposed the Landlord to some very real lawsuits. The cost I saw for this document appeared to be around \$ 15 - \$ 20 which is quite expensive compared to the cost of an ALOC lease!

For years ALOC has provided at very minimal costs forms that help Landlords conduct their business. This includes rental applications, leases, move-in checklists, MDE and Title X disclosure and receipt forms. These forms were reviewed by the late John Robb (landlord viewpoint) and we have seen no problems in Court using these items. In addition the City Attorney for Cumberland (tenant viewpoint) some years back also reviewed the forms and though he had some questions or concerns about some of the clauses we jointly came to the conclusion that the lease contained no provisions, clauses or terms that were in violation of Maryland Landlord-Tenant law. Please keep in mind that this doesn't necessarily mean that a given judge will not question some of the language or clauses, as judges are frequently known to add their own interpretation to the cases they handle! But the point is our lease has passed muster twice!

Beginning next month we will run a series explaining the landlord paperwork process including emphasis on the proper use of leases and the specific language that should and shouldn't be used. Hopefully this will make it easier for the membership to understand the legalities involved. This is definitely an area that you cannot leave to some boiler plate documents prepared by those unfamiliar with the peculiarities of Maryland Law!

We have been asked by many members to supply our forms on a CD so that they can be printed out on your computer at home. ALOC would certainly like to pursue this idea, however we need to determine the level of interest among our members and we have to determine what it will cost to develop and produce the CD's. Please contact Jeff Hutter at 301-777-0379 (h) or email at jjhsr@hereintown.net.

Encapsulating Paint

We recently received a report that a paint company is marketing an encapsulate paint (for painting over lead painted surfaces such as window sills to avoid stripping or covering with aluminum or vinyl) for use in houses with possible lead paint. They are supposedly informing Landlords that they can use this paint without any special clearances or conditions in MDE (pre-1950 houses) affected properties.

As best as we can determine any and all encapsulate paints must be cleared on an individual basis in advance with the MDE. This is not a blanket arrangement and every unit and every separate paint job will require this clearance.

Mediation Advisory Council

The Cumberland Human Relations Commission and Mediation Advisory Council will be conducting FREE community mediation training. This 50 hour basic course will be conducted in July followed by a second phase including mediation observation and a final training session.

Any interested parties are advised to contact the city at 301-777-0338 or via email at fairhousingspecialist@allconet.org.

Surety Bond in lieu of Security Deposit

HB 1620 was signed into law by the governor on May 16th. This bill allows tenants to purchase surety bonds instead of paying all or part of the security deposit to protect a landlord against (1) nonpayment of rent; (2) damages due to breach of lease or (3) damages caused by the tenant or the tenant's family, agents, employees, guests or invitees in excess of ordinary wear and tear to the leased property, common areas, major appliances or furnishings owned by the landlord. The landlord is not required to consent to the tenant's purchase of the bond.

This is a watered down version of a previous bill that would have required landlords to accept surety bonds. We believe that these bonds should be avoided due to complications that may be involved in the collection process. More details will follow as we receive them.

National Tenant Network

Brian D. Haymaker
President
15 East Boscawen St. 2nd floor
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866-387-6320
www.ntnnet.com

Carey Walker

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Maryland Property Owners Network and etc.

The Maryland Property Owners Network met on May 4th to review the status of real estate bills that passed or failed with the Legislature and to continue their efforts to establish a formal statewide group with officers and a Board of Directors. Bill Russell from Frostburg and Jeff Hutter from ALOC attended along with other groups from around the state. By-Laws and the legal structure have been agreed on and we anticipate that the MPON will be formally set up as a Corporation before the end of the year.

Changes to the Cumberland Housing Code continue to be considered and hopefully sometime in the next couple of months it will be in a finished form for submission to the City Council. We believe the proposed Code will improve the rental process for all involved however the exact shape it may take depends on the Mayor and City Council. We will keep you informed and as soon as it is ready for a public hearing at a City Council meeting we will ask that our members turn out in support of the new Code.

Please note that Cumberland mailed out their Rental Registration renewal forms this past week and the fee for renewal has increased from \$ 15.00 per unit to \$ 25.00 per unit. If you remember this was voted in last year and though none of us like to see the increase it is still lower than the fees charged by many other Municipalities around Maryland.

ALOC recently held some Landlord Training classes (May 6 and May 27) and approximately a dozen members took advantage of this opportunity to learn more about the business. We have a couple of the Landlord Manuals leftover and they are available to the membership for \$ 15.00 each and can be obtained at TWR Communications on 549 N. Centre St. along with our standard ALOC rental forms.

NEW PRICES FOR Leases and other Documents

Increased costs have forced us to raise the prices on some of our forms and the revised pricing is listed below that takes effect May 1, 2006.

ALOC has available leases, rental applications and tenant checklists for sale, at cost, to members. The cost for each item is as follows:

Large print regular or HUD Lease @ \$ 1.70

Rental Application @ \$ 0.50

Move in Checklist @ \$ 0.50

Lead Paint Brochures, both EPA & Maryland and document receipt@ \$3.50 for the set -

Document Receipt for MDE & EPA brochures (disclosure) @ \$ 0.25

These forms are kept at Jeff Hutter's office, TWR Comm. at 549 N. Centre Street. Any paid member can stop by and pick up whatever they need. If you need more than 5 of each item please call at least 24 hours in advance so that we can make sure we have plenty on hand. Call 777-2692 ext 115 Monday through Friday and you can talk to Pam, Kathy or Gary. Please note: We do not keep MDE or City Housing registration forms on hand.

ALOC Officers

J. Jeffrey Hutter President

Carey Walker Vice President

Stephanie Wharton Secretary

J. Jeffrey Hutter Treasurer

Board of Directors

Clarence Anderson

Steve Jenkins

Bob Saville

Meeting Schedule

September 11, 2006

November 13, 2006

February 12, 2007

May 14, 2007

**Meetings are held at the
South Cumberland Library
on Race and Seymour St.
at 6:30 PM**

Thoughts for the Month

Keeping in mind the 62nd anniversary of the D-Day Normandy landings

We will have no truce or parley with you (Hitler), or the grisly gang who work your wicked will. You do your worst – and we will do our best.

The V sign is the symbol of the unconquerable will of the occupied territories, and a portent of the fate awaiting the Nazi tyranny.

Sir Winston S. Churchill

If you see a WWII veteran, thank them for fighting for our freedom!

TWR Communications 301-777-2692 9-30-06

TWR supplies quality high speed Internet Access, both dialup and Wireless in the Tri-state area. TWR provides other computer services including training, computer repairs, networking and website hosting. If you have need of storage space check out our self-storage facilities on Necessity St.

TWR is an agent for Cellular One, operates a wide area network with wide area paging and mobile 2-way radio. Check us out at twr@hereintown.net

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