

ALOC NEWS

www.cumberlandlandlords.com

September 5, 2006

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

Vol. 12, Issue 9

Leases

This month we continue our discussion on leases and hopefully the membership will be better equipped to keep their paperwork in order after this session!

Pets are a common subject for problems and generally the Landlord can choose to allow or not allow pets on the premises. The one exception is guide dogs for the blind or other cases where pets are mandated by certain laws. Many Landlords have chosen to charge separate Pet Security Deposits, however be careful to not exceed the two times rent rule. Having a Pet Security Deposit can be problematic when the tenancy ends as you would probably need to treat each Security Deposit separately. I am not aware of any case law that has established any precedence's here, so proceed with caution.

Noise and behavior rules are not generally regulated by any state laws and the only consideration to make is for any local noise ordinances. This is an important clause and can allow you to end a tenancy and evict a tenant if they create a nuisance or interfere with the other tenant's *quiet enjoyment* of their apartment or rental unit. When moving in a new tenant this is an important clause to discuss!

Charges against tenants treated as additional rent is also important. In ALOC's lease we specifically cover this item laying out exactly how any payments are allocated against late fees, court costs, water/utility bills, repair charges, past due rent and lastly to current rents due. When going to court it is important that you only refer to all of these other items as rent due and not the water bill or whatever. The lease has already made them additional rent so don't complicate things. To make this crystal clear send a letter to the tenant as these extra charges accumulate and conclude with a total as rent due. Make sure you deduct payments per ALOC's lease and you will be in good shape.

Maintenance and repairs seems to be a difficult area for many Landlords and your lease needs to properly address these items. ALOC's lease covers these items in depth and it also covers the maintenance of areas used only by each tenant as well as common areas.

More next month!

A Discussion with our States Attorney

Some months back a newspaper article bemoaned the problems faced by a Landlord who had his unit trashed by a tenant as they moved out. This prompted a number of ALOC members to call me about seeing if we could have tenants like this prosecuted for destruction of property. With that thought in mind I met with our States Attorney Michael Twigg and asked him what his thoughts were on the possibility of prosecuting such offenders.

Mike believes that the vast majority of such cases if pursued would never make it to court as we would have to have proof that the tenant caused the damages and that there was criminal intent involved. The extent of damages would also be a critical part of the equation. Typically most of the damages we might believe are destruction of property would not rise to that level. The Landlord would also need to provide some witnesses or other proof that the tenant actually committed the crime.

The bottom line is that the chances of having a tenant brought up on charges will be difficult unless you have a witness and the damages are extensive!

Landlord Training in October

Allegheny College will be running Landlord Survival Training on October 10, 2006 from 5:00-9:30 PM and the course will be modified from previous offerings to concentrate on the more difficult aspects of being a Landlord. A lot of the basics covered in past courses will not be covered. The course number is PRO027 and you can register for the course by calling ACM at 301-784-5341 and you can fax registration forms to 301-784-5023.

Speaker for the November Meeting

Beginning with the November meeting we will have speakers scheduled. Our first speaker in November will be Daryl Smith with Allstate Insurance in LaVale. Daryl contacted me recently regarding Renter's Insurance and I thought that it was a good subject for one of our meetings. While our lease clearly indicates that we are not responsible for the tenant's property it is appropriate that we know more about Renter's Insurance and mention it to our tenants when they move in.

National Tenant Network

Brian D. Haymaker
President
15 East Boscawen St. 2nd floor
Winchester, VA 22601
866-387-6320
www.ntnnet.com

Carey Walker

Lead Inspections for Rental Housing
Visual Inspections and Dust Wipes
201 Massachusetts Ave.
Cumberland, MD 21502
301-722-8328 3-07

Chestnut Flats LLC Rental Property Management

www.chestnutflats.com

Telephone 301-729-1086 FAX 301-729-0608
3-30 / 9-30

Robert Saville

VISUAL INSPECTOR
MDE Inspections Lead Dust Wipes
LEAD PAINT SUPERVISOR
"Excellent Rates"

Telephone/FAX: 301-729-2994 1-07

MDE Yearly Report for 2005

As we mentioned last month the MDE has released its yearly report for 2005 with in depth information about lead poisoning among children in Maryland. Overall we see the cases reducing across the boards, but keep in mind that changes made to lower the lead blood levels for the Qualified Offer (from >20ug/dL to >15ug/dL) have not kicked in yet. These new levels started in February of this year so it is likely that the numbers will go back up next year or at best remain the same as 2005. Below are listed the rankings of the top ten County/City units based on Qualified Offers. You will also note that we have clarified the poor statistical accounting done by the MDE (all of their percentages are rounded to one decimal place which hides important information).

	Number of Qualified Offers	MDE %	Actual %
1. Somerset	3	0.6 %	0.614 %
2. Baltimore City	70	0.4 %	0.39012 %
3. Garrett	2	0.4 %	0.375939 %
4. Dorchester	2	0.3 %	0.3284 %
5. Worcester	1	0.1 %	0.143678 %
6. Wicomico	3	0.1 %	0.143129 %
7. Calvert	1	0.1 %	0.13 %
8. Allegany	1	0.1 %	0.096 %
9. Carroll	1	0.1 %	0.068 %
10. Washington	3	0.1 %	0.061 %

Leases and other Documents

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.

TWR has limited Saturday hours from 9am-1pm most Saturdays (closed some Holiday weekends)

Please note: We do not keep MDE or City Housing registration forms on hand.

ALOC Officers

J. Jeffrey Hutter President

Carey Walker Vice President

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

I have never seen a monument erected to a pessimist.

Paul Harvey

Treat your friends as you do your pictures, and place them in their best light.

Jennie Jerome Churchill
Mother of Winston Churchill

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

Marsh Neilson & Sons General Contractors

Replacement windows, doors, painting, trained in Lead Abatement, Also roofing, porches and decks, plumbing and electrical work.

Lets us take care of your lead problems!

For more information call

Rick 301-697-6530

A-1 Inspections, Inc.

PRE-PURCHASE/PRE-SETTLEMENT
INSPECTIONS RESIDENTIAL AND
COMMERCIAL LEAD INSPECTIONS

PHONE 301-724-LEAD

301-724-5323 6-07

Ideal Property Management, LLC

"Call Us TodayFor A Peaceful Tomorrow"

2-07

A full-service, cost effective Management & Maintenance Company for Cumberland, Frostburg & surrounding areas.

Bonded and Insured *Complete Management Staff *Member of ALOC &FLA

Office: 301-777-2775

Email: ideal4@verizon.net

Residential \$ Commercial.....Jay @ 240-727-5495

College Units.....Tabby@ 240-727-5494

Visit us on the web at:

mysite.verizon.net/vzzerx99k