



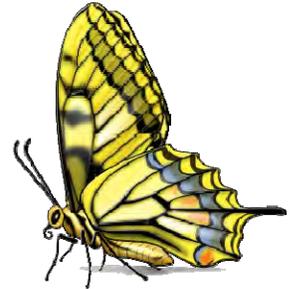
Maine Real Estate Managers Association

WWW.MREMA.ORG

Fall, 2009



Your Recipe for Success With Keynote Speaker Toni Blake - "The Butterfly Effect"



MREMA Annual Conference
October 19 - 21, 2009
Sugarloaf Conference Center

This year's conference, located at the Sugarloaf Conference Center in scenic Carrabassett Valley, will include all the ingredients you need to manage your properties successfully. The conference committee has put together a fun, informative and educational agenda that will please the most discriminating palate. A few of this year's hot items are: Legal Issues and Bed Bugs; Fire Alarm Systems and CCTV; Spectrum Tax Credit Compliance - What you don't Know Can Hurt You; In Depth Asset Workshop; NEAHMA Allowances/Deductions 201; and Resources & Programs for Families/Disabled.

Registrations are due by September 30. You've received your registration package (and if you haven't, e-mail ward@midmaine.com, and she'll send you one), so what are you waiting for?



Toys for Tots & Teens Auction December 3, 2009

Mark your calendar for this year's auction at the Holiday Inn Portland West to benefit the US Marine Corps Toys for Tots and Teens program.

Volunteers are needed to solicit donations, distribute flyers, organize donations, and on the evening of the event, to help set up and clean up, greet guests, and record auction purchases.

If you haven't attended before, begin this year! Bring a friend for this fun, entertaining event to benefit the children of Maine.

If you would like more information, please contact Susan Michaud-Bosse, smbosse@midmaine.com.

"... it is at Christmastime that want is most keenly felt, and abundance rejoices."
A Christmas Carol, Charles Dickens

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If you have comments, ideas, or suggestions, please email WWard@midmaine.com.

From the President's Corner by Susan Michaud-Bosse

We are only four weeks away from our 23rd Annual Conference and look forward to being at Sugarloaf. With your help, we already have 17 vendors/sponsors signed up and have more diversification than ever before. It is not too late to ask your contractors to join us for a great opportunity to network and have access to management companies that represent hundreds of properties.

In addition to great workshops, we also have great entertainment. Toni Blake will join us for comedy hour on Monday evening and Casino Night will be back on Tuesday evening. We have added three Texas Hold-Em tables knowing this game is a favorite.

Don't forget to sign up for the golf tournament on Monday afternoon at one of the premiere golf courses in New England. Take this opportunity to get to know one another.

Our annual business meeting will be held on Wednesday, October 21st at 9:00 AM. The meeting and breakfast buffet will be held in the Carrabassett Room in the hotel. All workshops on Monday and Tuesday will be held in the Base Lodge.

See you there!

MREMA Membership News by Cathie Whitney

MREMA's membership includes 110 member organizations and so far this year we've added twelve new members. At this time, we have 75 Regular Members and 35 Associate Members.

We're pleased to have Kinney Rentals return to MREMA. And welcome to new Regular Members Common Ties Mental Health and Group Home Foundation as well as new Associate Members Mid Maine Drug Screening, Protection One, Protection Professionals and Cross Insurance.

We encourage all members to visit our website at www.mrema.org. By selecting "About Us" and "Membership Listing" you'll be able to see exactly how your organization is listed on our website. Please keep in mind that the membership list is our source for members' email addresses and is used to send out information about training opportunities and industry updates including legislative activity. If you'd like to confirm or update the email contacts for your organization, please send a note to me at cwhitney@ccrealtymanagement.com

MREMA Board Members and Committee Chairs

Susan Michaud-Bosse - President, Convention Chair (smbosse@midmaine.com)

Gary Crowell - Vice-President (gcrowell@stanfordmanagement.com)

Sherrin Vail - Secretary (svail@avestahousing.org)

Diane MacDonald - Treasurer (macdonaldd@emeraldmanagement.biz)

Cathie Whitney - Membership Chair (cwhitney@ccrealtymanagement.com)

Sheila Malynowski - Education Chair (smalynowski@presmgmt.com)

Rosemary Moeykens - Legislative Updates (rmoeykens@avestahousing.org)

Wendy Ward - Newsletter/Web-Site Chair (wward@midmaine.com)

Sara LaBrecque (lpm375@verizon.net)

Sharon Pray (spray@shpmanagement.com)

Denise Paradis (dparadis@hallkeen.com)

Kelly Campbell (kcampbell@housinginvestmentfund.org)

MaineHousing Update

by Bob Conroy, Director of Asset Management

MaineHousingSearch.org

IT'S ALIVE! MaineHousingSearch.org was fully operational as of August 3rd. Prospective tenants seeking rental property are now able to use this free service to find housing that meets their needs. As of August 3rd, there were over 200 landlords enrolled (both market and rent restricted), over 7,000 units in the system and approximately 400 vacancies to query. MaineHousing and its partner, DHHS, are thrilled with the positive responses that have been received thus far. The work is far from over. We need more landlords to register their properties and post their vacancies.

As a marketing tool, MaineHousing sent posters and business cards promoting this free service to all the libraries in Maine, all municipalities, the American Red Cross, Catholic Charities, the CAP agencies, Pine Tree Legal Services, all regional DHHS offices, homeless shelters and variety of other agencies that would benefit from having this resource. The official announcement of this service will be held at the Affordable Housing Conference in Portland on October 19th. MaineHousing and the application administrator, Socialserve will be presenting more information about the service and will be conducting a workshop for those interested. Daniel Drost will also be conducting an information session at the MREMA Conference on October 20th.

Any questions or comments regarding MaineHousingSearch.org may be directed to Daniel Drost at ddrost@mainehousing.org or Jennifer Boardman at jboardman@mainehousing.org.

Multifamily Database

The Asset Management and Development Departments of MaineHousing have been working on updating and enhancing its current database for multifamily properties in production or currently part of the active property portfolio. This has been a long and arduous process, but we are confident that the new application will increase our capacity to track important data and be a useful tool in providing quality service to our housing partners.

As is true with any database update or enhancement, missing or incomplete data will need to be gathered and erroneous data corrected. MaineHousing staff may be calling upon property owners and managers to help fill in missing data, particularly in the area of unit configurations and amenities. Your assistance in this data integrity project is greatly appreciated.

The HUD Programs Team

Quality Control auditors from the Department of Housing and Urban Development visited MaineHousing on July 28-30. The review was focused on the financial reporting of the Housing Choice Voucher Program. They noted major improvements since their review two years ago and commended staff and the agency's selection of an experienced software vendor. They do not expect to conduct another review for 4 years.

MaineHousing was selected to receive 100 Housing Choice Vouchers for the Family Unification Program. These vouchers will be targeted to families who are in the process of unifying children that have been in foster care or are at risk of entering the foster care system. MaineHousing will be working with the Department of Health and Human Services.

Rural Development Update

by Robert Nadeau, Multi-Family Housing Specialist

Funding Updates

All of the Notices of Funding Availability (NOFA) have closed. Rural Development in Maine has received funding for the following programs:

New Construction

- Avesta Stonecrest, LP - This represents 25 units of elderly housing for the Town of Standish.
- Fort Kent Housing, Inc. - This represents 16 units of elderly housing to replace the units lost in the May 2008 flooding.
- Goose River Partners, LLC - This represents 24 units of housing for the City of Belfast.
- Maliseet Indian Tribal Housing Authority - This represents 6 units of family housing for the Maliseet nation in Houlton.

Multi-Family Preservation and Revitalization (MPR) program

We received approval to proceed with underwriting seven pre-applications representing nine properties throughout the state. Details can be found at:

<http://www.rurdev.usda.gov/rhs/mfh/MPR/MPRHome.htm>

Click on the link "MPR Selection List for 2009"

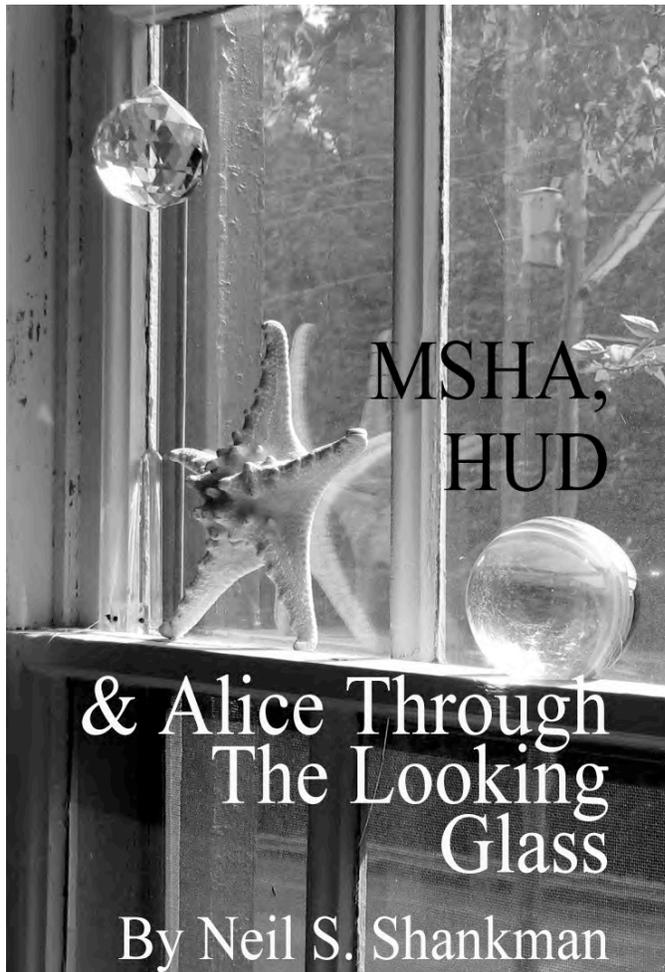
It will be a busy new construction and rehabilitation and repair season next spring!

Property Visits

Recently we conducted some impromptu visits at a number of properties on a random basis. It is often noted that a barrier to completing essential capital repairs to properties is the lack of funding. We noticed however a number of deficiencies that really do not cost a lot of money that could readily be resolved with some extra effort by site management. Examples include:

- Laws not being mowed and overgrown with weeds.
- Overgrown bushes that block the windows and trap moisture against buildings.
- Cobwebs on entrance lighting fixtures, within laundry rooms, etc.
- Dumpsters overflowing and/or without enclosures.
- Furniture on or near walkways and parking areas.
- Vehicles that appear to be inoperable, in a couple cases with grass growing up around them.
- Lack of appropriate signage in laundry and/or public areas such as grievance and appeal procedures, AFHMPS, Justice for All posters, etc.
- Lack of adequate accessibility signage.

While we recognize that some major repairs cannot be accomplished without supplemental funding sources, there are still many things can be done to enhance curb appeal without significant expense. We encourage all Owners and Managers to renew efforts to improve curb appeal with low cost "elbow grease" type activities.



During the Autumn of 2008, the Maine Real Estate Managers Association authorized their General Counsel to draft amendments to the HUD Model Lease in an effort to deal with multiple problems that had been identified by members. An intrepid group of property managers worked long and hard in an effort to identify issues and make constructive suggestions. Based on the information provided by them, Shankman & Associates drafted (and re-drafted, and re-drafted) a Lease Addendum that was subsequently forwarded to the Maine State Housing Authority.

MSHA ultimately concluded that the MREMA changes were, for the most part, not appropriate for a Lease Addendum, but instead should be included in project rules. The problem with such an approach is that any such rules will likely be hard to enforce based on the standard HUD Lease and the current status of Maine law.

While a tenant is required to comply with house rules that are attached to the original agreement, “additional rules

established after the effective date” of the lease cannot be applied against them unless the rules are “reasonably related to the safety, care and cleanliness of the building and the safety, comfort and convenience of the tenants.” Such rules must be provided to the tenant at least thirty (30) days prior to the date that the rule is to be enforced.

The problem with such an approach is that HUD regulations limit the ability of a landlord to terminate a tenancy and therefore while “material noncompliance with the terms of the agreement” is a legitimate basis for an eviction, violation of house rules would not be.

Essentially, you must pursue termination of the tenancy “for other good cause”. Unfortunately such an eviction can only be effective “as of the end of any initial or successive term”. That leaves a lot of time periods when there will not be consequences for rule violations.

While we are not suggesting that members should reject the “Addendum A” that has been circulated, we should not delude ourselves into thinking that introduction of new “rules” will be sufficient to deal with the problems that have been identified.

Broadly speaking, the topic areas include: 1) occupancy and guest policy (e.g., limit guests to no more than Thirty days per year and no more than Seven consecutive days); 2) provisions regarding partial payments of rent or funds received while an eviction is pending; 3) charges for late payments (e.g., how much to charge, when payable, consequences of nonpayment); 4) keys and locks (e.g., prohibiting unilateral changes, failure to provide key,

consequences); 5) interference and harassment with management and the consequences thereof; 6) access to premises (in order to reflect the requirements of Maine law); and 7) clarification of time frames related to lease termination.

A copy of the Draft Rules will be forwarded to you upon request from MREMA Membership Chair, Cathie Whitney, at cwhitney@ccrealtymanagement.com As this issue of the MREMA newsletter is being finalized, we are continuing to have “meaningful discussions” with both HUD and MSHA. Stay tuned for new developments.



*Neil S. Shankman, founder of
Shankman & Associates.
For more information log onto
www.shankmanlegal.com*



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