



Maine Real Estate Managers Association



WWW.MREMA.ORG

Fall, 2010

MREMA's 25th Annual Conference October 18 - 20, 2010

If you haven't registered for the annual conference yet, don't delay. To receive the early bird discount, you must register and send your payment before September 15th. This year's event is sure to be both fun and informative. Come on Sunday afternoon to settle in and enjoy a quad chair lift ride to the top of the mountain. Sunday evening we'll get together for a welcome reception in the Double Diamond Restaurant.



Monday is a full day with Mark Alper, Vice President of Compliance for NCHM. In addition to his keynote topic, "How to Work in Housing with a Sense of Humor and a Positive Attitude", he will be offering two workshops, "When it is Better to Seek Forgiveness than Permission" and "Where to Find Guidance when the HUD Handbook Provides None." Evening entertainment will be provided by comedians Tuck Tucker and Jimmy Dunn.

Tuesday offers a variety of sessions: Emergency Preparedness, EIV and You, Understanding Mold in the Restoration Industry, Year End Process - RD Agreed Upon Procedures, Lead Poisoning and the Consequences, Reasonable Accommodations from the Investigator's Point of View, REAC Inspections, Mediation, and HAP Renewal. Evening entertainment will be provided by acoustic band Vegetables By Day.

Wednesday will wrap up the event with our annual business meeting and the Legal Roundtable, 102 Answers to 95 Legal Questions.

If you have questions about the conference, please e-mail Susan (smbosse@midmaine.com) or Diane (macdonaldd@emeraldmanagement.biz). If you know of a business interested in sponsoring our conference, please let Susan know and she'll send them a vendor package.



Toys for Tots & Teens Raffle

We've included raffle tickets at the end of the newsletter for the Toys for Tots & Teens Raffle. Please print off as many copies as you need. Tickets and money can be brought to the Annual Conference or they can be mailed to Diane MacDonald, Emerald Management Corp. 752 Main Street, Westbrook, ME 04092, as long as the mail will reach Diane on or before Oct. 14, 2010.

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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

It is hard to believe that it has been two years since the current board was elected, however we all know how fast time flies. At the annual meeting on October 20th at Sugarloaf, one person from each company will vote for the board of directors who will serve MREMA from October 2010 through October 2012. For those of you who will not be attending the annual meeting, you can vote by proxy. For your convenience, the ballot and proxy forms are included in the newsletter. Please be sure to follow the instructions on the bottom of the proxy, so your vote is valid.

I wish to thank all of the board members for their service over the past two years and for some of you over the past four. It has been quite an experience serving as president and I look forward to being ex-officio and continuing to serve in a new capacity.

MREMA is always looking for members to get involved and I urge all of you to serve on a committee or just let your voice be heard. You will greatly benefit by it.

Thank you so much,
Susan



MREMA Board Members and Committee Chairs 2008-2010 Term

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 (lp375@verizon.net)

Sharon Pray (spray@shpmanagement.com)

Denise Paradis (dparadis@hallkeen.com)

Kelly Campbell (kcampbell@housinginvestmentfund.org)

News & Notes

We've added a new section to our newsletter. This corner is reserved to recognize member accomplishments and other news of interest. If you have an item for this section, please e-mail me at wward@midmaine.com.

The National Affordable Housing Management Association (NAHMA) recently awarded Spear Management Group, Inc. AMO® national recognition as a Community of Quality® (COQ) for outstanding management of Westbrook Pointe Apartments, Westbrook, ME. Check out the full press release on the MREMA website www.mrema.org/announcements.cfm.

Pat Jackson, a supervisor and property manager for family development at Auburn Housing, was recently awarded the 2010 Community Service Award by Advocates for Children. This award is given annually to a person in the community who has made a difference in the lives of local children, working on their behalf to prevent child maltreatment and neglect (Lewiston Sun Journal, July 23, 1010).

RD is pleased to announce that the 2010 Maine Site Manager of the Year is Brenda Donaghy of Calais Methodist Home, Inc. The Site Manager of the Year award recognizes those site managers that perform above and beyond. The letters of support submitted with the nomination package clearly indicated that tenant satisfaction is high, and that Brenda and the management team go "above and beyond" their duties to manage the property.

MREMA Membership News by Cathie Whitney

MREMA's membership includes 118 member organizations; to date we've added nine new members. At this time, we have 83 Regular Members and 35 Associate Members. *We're pleased to welcome new Regular Members Waterville Housing Authority and Compliance Matters.*

If you know of anyone who would also benefit from joining MREMA, please refer them to our website www.mrema.org or send me a note at cwhitney@ccrealtymanagement.com MREMA members benefit from regular industry training opportunities. Quarterly meetings include updates from HUD, RD and MaineHousing as well as training workshops. Our annual conferences provide members with timely and necessary training on topics ranging from fair housing to property management practices to employer responsibilities. MREMA-sponsored annual training programs are conducted right here in Maine and available to members at a significant discount. And the networking opportunities with your peers as well as those who regulate our business are unparalleled!

MaineHousing Update

By Robert Conroy, Director of Asset Management

Although there are many warm days remaining in this spectacular summer, we are moving into one of the busiest times of the year in the housing industry. We at MaineHousing are trying to complete our management reviews before winter sets in and to bring closure to loose ends before the dawning of a new year. Autumn brings with it several conferences, workshops and meetings that keep us very busy. Below are just a few of the events coming in the fall of 2010:

September 30 **“Determining the Value of Income and Assets” Training**

Sponsored by MaineHousing and Presented by NEAHMA

Augusta Civic Center

9:00 am - 3:30pm

Go to www.mainehousing.org for more information

October 18-20 **25th Annual MREMA Conference**

Sugarloaf Conference Center

October 25 **The 2010 Affordable Housing Conference**

Holiday Inn by the Bay, Portland

8:00 am - 5:00 pm

November 15-17 & UPCS Inspection Training for Non-Inspectors

November 17-19 Sponsored by the Aging Services of Maine and New Hampshire

Presented by the US Dept. of HUD - REAC

Holiday Inn Portsmouth

Go to rgoedtel@agingservicesmenh.org for more information

New Addition to the Asset Management Staff: On August 23, 2010, Shawn Roy joined the Asset Management staff in the HUD Programs Team in the role of Supportive Service Resource Coordinator. Shawn has worked in the Housing Choice Voucher (HCV) program for Dirigo Housing Associates, a former HCV agent and is a certified Housing Quality Standards Inspector. Much of Shawn's time will be devoted to the Family Self-Sufficiency and Family Reunification Programs.

Asset Management Notices, RHIP Listserv and HUD Manchester's News<>Flash: The rules, regulations, guidance and resources for the housing industry seem to be revised daily and it is sometimes difficult to stay abreast of the newest initiatives and changes. MaineHousing and the US Dept. of HUD want to provide its housing partners with as much information and in as timely a manner as possible. We strongly encourage owners and managers of MaineHousing financed or HUD projects to avail themselves of the resources we regularly distribute. Please be sure to share this information with all staff at properties and management companies. Staff wishing to be on the various distribution lists may enroll as listed on the following page:

MaineHousing Update cont'd

Asset Management Notices

Contact Daniel Drost at ddrost@mainehousing.org or send your request to Notices@mainehousing.org

All Asset Management Notices can be found on MaineHousing's website at www.mainehousing.org

Multifamily Housing Rental Housing Integrity Improvement Project (RHIP)

To sign-up for the RHIP Listserv go to:

<http://www.hud.gov/subscribe/maillinglist.cfm>

To view archived RHIP tips go to:

<http://www.hud.gov/office/hsg/jmfh/rhiip/mfhrhiip/cfm>

under

"Listserv-Multifamily RHIP Tips"

Manchester Multifamily Program Center - HUD News<>Flash

Email mailing list management:

Asset Management distribution list: kevin.pillsbury@hud.gov

Development distribution list: helen.harney@hud.gov



Rural Development Update

by Robert Nadeau, Multi-Family Housing Specialist

Multi-Family New Construction NOFA

Maine had four projects that were submitted under the FY 2010 Notice of Funding Availability. We are pleased to say that Maine received funding for two projects from the nationwide competition, one in Farmington and one in Dover-Foxcroft. These represent 2 of the 20 projects selected nationwide. Together the projects will provide another 56 units of affordable housing to families and seniors.

Rural Development Staffing Changes

By now most of you know that Rod Elliot retired from our Scarborough office several months ago. You might also know that Bob McCurry retired from our Presque Isle office. However you may not be aware that Beverly Stone has left our Bangor area office to take a position in our state office. Beverly's position has been advertised and we soon hope to have her replacement on board. Judy Gengler has replaced Bob as the new Senior MFH Specialist in the Presque Isle office. Judy brings many years of credit supervision experience to the job and will be a welcomed addition to the Presque Isle MFH team.

Celine Skinner has joined, or should we say, rejoined, the Maine MFH team as a credit specialist in the Scarborough office on a part-time basis. Many of you may remember Celine from her time in MFH in our Lewiston office and know what a valuable addition she will be to our Scarborough MFH team. As you can see, there have been a number of staffing changes and we wish the best to those that have left the MFH program, and welcome aboard those that have joined our team!

New Income Guidelines

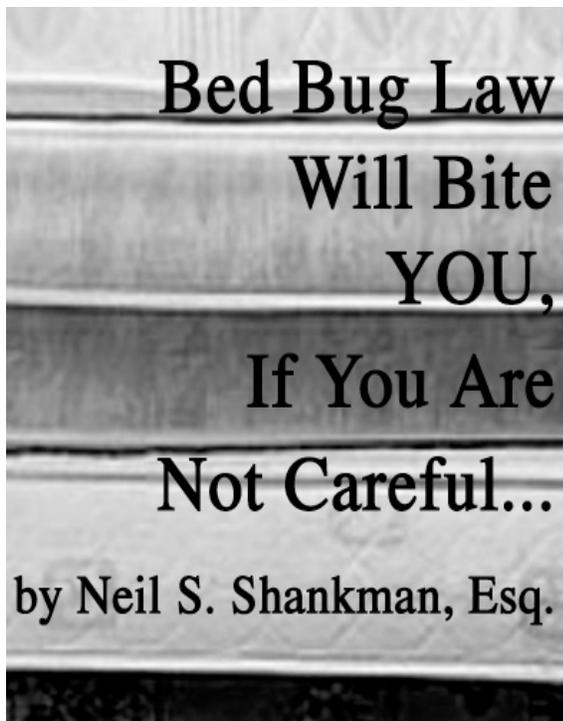
The new income guidelines are available and have been posted to the MINC webpage. To access the new guidelines, visit the MINC webpage at <https://usdaminc.sc.egov.usda.gov/>

New Affirmative Fair Housing Marketing Plan

A new version of the form can be uploaded from HUD's hudclips webpage at <http://www.hud.gov/offices/adm/hudclips/forms/files/935-2a.pdf>

Management Fees

The Administrator has approved a \$2 Per Unit Per Month (PUPM) increase in the maximum allowable management fee effective 1/1/2011. This will be in addition to the current published fee per Attachment 3-F, Handbook-2-3560, which is currently \$58.00 PUPM for Maine. The fee change will be posted in Handbook-2-3560 once it becomes official, but we wanted to provide you with this advance notice as we realize you are beginning to prepare budgets for the coming year. ***Please remember, the new management fee does not take effect until 1/1/2011.*** Also, the fee is a *maximum fee*; if you can operate effectively on a lesser fee you will get no argument from Rural Development!



As problems with bedbug infestations have increased throughout the State of Maine, the Legislature has been called upon to respond. In 2010, a new law was enacted. On July 9, 2010 Title 14 M.R.S.A. §36021-A went into effect.

If a landlord receives either written or oral notice from a tenant that a dwelling unit may have a bedbug infestation, the landlord must conduct an inspection within five days. If it is determined that an infestation of bedbugs does exist, the landlord has ten days to contact a pest control agent as that term is defined in Title 22 M.R.S.A. §1471D. The landlord is required to “take reasonable measures to effectively identify and treat the bedbug infestation” through a pest control agent who carries liability insurance.

Landlords are prohibited from renting a dwelling unit unless they disclose to a prospective tenant that an adjacent unit is currently infested with, or being treated for, bedbugs. If at any time a current tenant or a prospective tenant requests information, the landlord must disclose the last date the unit was inspected for a bedbug infestation and found to be free of such a problem. The landlord may not rent a unit that the landlord knew or should have known is infested with bedbugs.

A tenant is required to promptly notify his landlord when he knows or suspects that there may be an infestation of bedbugs in the unit. If the landlord gives a tenant reasonable notice that he needs to inspect the premises because of a concern regarding bedbugs, the tenant is required to grant the landlord or his pest control agent access to the unit. The law specifies that the initial access to the unit may include only a visual inspection and manual inspection of the tenant’s bedding and upholstered furniture. If the pest control agent reasonably believes that additional items need to be inspected, the tenant is obligated to cooperate. If the pest control agent finds bedbugs in either the rented unit, or an adjoining unit, the individual may have additional access to the tenant’s personal belongings.

Furthermore, the tenant is required to comply with all reasonable measures to eliminate and control a bedbug infestation. The “unreasonable failure” to completely comply with the pest control measures may result in the tenant being “financially responsible for all pest control treatments of the dwelling unit”.

If for any reason the tenant is unable to comply with the requested bedbug inspections or control measures, the landlord is required to offer to “make reasonable assistance, including financial assistance”. Quite frankly, neither the law nor the legislative history clarify exactly what the Legislature was intending by that provision. However, it appears that once the landlord discloses the anticipated cost of the tenant’s compliance with the inspection and control measures, the

landlord may charge the tenant “a reasonable amount for any such assistance, subject to a reasonable repayment schedule, not to exceed six months”.

Failure of a landlord to comply with the terms and conditions of the bedbug law is presumed to be a violation of the warranty of habitability (the landlord unreasonably failed, under the circumstances, to take prompt, effective steps to repair or remedy a condition that endangers or materially impairs and health or safety of a tenant). If the landlord fails to comply with the provisions of the law, he is liable for a penalty of \$250.00, or actual damages, whichever is greater, plus reasonable attorney’s fees.

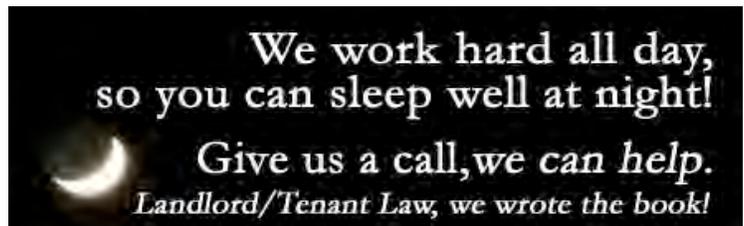
If a tenant fails to provide reasonable access, or comply with reasonable requests for inspection or treatment, or if the tenant otherwise unreasonably fails to comply with the requirements of the law, the landlord can seek a Protective Order pursuant to Title 14 M.R.S.A. §6030-A. If the court finds that the tenant unreasonably failed to comply with the bedbug law, the court is authorized to issue a temporary order, or an interim order, pursuant to Title 5 M.R.S.A. §4654, the Protection from Harassment statute. The court is authorized to grant the landlord access to the premises, allow him to engage in bedbug control measures, and require the tenant to comply with specified measures or, if the tenant fails to comply, assess him with costs and damages related to the tenant’s non-compliance. Any emergency order granting the landlord access to the premises must be served upon the tenant at least twenty-four (24) hours before the landlord enters the premises.

Landlords/Property Managers and Rental Property Management Companies, are you currently a member of the Shankman and Associates "Lawyers-online" program? If not, you should know that for a set price you will have many advantages and benefits.

Log onto www.shankmanlegal.com to learn more.



*Neil S. Shankman, Esq.
Shankman & Associates.
Call Today: 207.786.0311
for more information log onto
www.shankmanlegal.com*



**Shankman
& Associates
LEGAL CENTER**

MAINE REAL ESTATE MANAGERS ASSOCIATION



Toys for Tots and Teens 2010 Fundraiser Raffle

\$1.00 each ticket or 6 for \$5.00

- _____ His & Hers Hair Care Product Basket (value \$150-\$200) donated by Sara LaBrecque
- _____ Maine Goodies Gift Basket (value \$130-\$150), donated by Diane and Doug MacDonald
- _____ Keurig Coffeemaker with 72 Kcups (value \$136.00) donated by C & C Realty Management

Name _____ Phone _____

Drawing to take place October 19, 2010 at the Sugarloaf Conference Center
(You do not need to be present to win)

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**MREMA BALLOT
BOARD OF DIRECTORS
2010-2012**

Please cast your vote for eleven (11) Board of Directors for the two (2) year term beginning October, 2010 by placing an “X” on the line in front of the individuals of your choice from the list below.

PLEASE CHOOSE 10 FROM THIS FULL MEMBERSHIP LIST:



NOMINEES:

- _____ Diane MacDonald – Emerald Management
- _____ Cathie Whitney – C & C Realty Management
- _____ Michael Myatt – Avesta Housing
- _____ Sheila Malynowski – Preservation Management
- _____ Sara Labreque – Labreque Property Management
- _____ Gary Crowell – Stanford Management
- _____ Sharon Pray – SHP Management
- _____ Mike Sprague - HMR Properties
- _____ Sherrin Vail – Avesta Housing
- _____ Tami Exchange – Westbrook Housing Authority
- _____ _____ (write in)

(over please)

YOU MAY CHOOSE ONE FROM THIS ASSOCIATE MEMBERS LIST:



NOMINEES:

_____ Kelly Campbell – Northern New England Housing Investment Fund

print name (eligible voter)

signature

Company Name

MAINE REAL ESTATE MANAGERS ASSOCIATION
"Promoting Professional Real Estate Management in Maine"

PROXY

The undersigned representative of _____ (company name), which is a paid full member of MREMA, does hereby appoint:

Name

Company

As the proxy with a full power of substitution to vote my interest in the October, 2010 elections for a new Board of Directors for the Maine Real Estate Managers Association. This proxy is for the Annual Meeting on October 20, 2010 and any adjournments, postponements or rescheduling thereof.

Executed this _____ day of _____, 2010

Witness

Name

Company Name

Address

Phone

The members shall vote their ballots, fold them, place in an envelope marked "Absentee Ballot", seal the inner envelope and place this inside the outer envelope and mail to the address below. The absentee ballots will be held until the annual meeting.