



JANUARY MEETING

Tuesday, January 17, 2017

"The Lease"

What's in your lease? Attorney Altamore discusses the details of a lease. What's new and what's important!

Attorney Alberto F. Altamore

Cost: FREE for members, \$15.00 for non-members

Networking 6:30 P.M.

General Meeting 7:00 P.M.

Meeting Location

RAAR

6776 East State Street
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Letter from the President

Happy New Year to all Rockford Apartment Association members. I hope everyone had a wonderful Christmas holiday with their family and loved ones. It is a time when we look forward to being able to step away from all the demands of the rental business for peaceful relaxation, and forgetting all about being a Landlord. Unfortunately it doesn't always turn out that way. How many of us had no heat calls at the most inopportune times in the last few weeks of extremely cold weather. With those temperatures the problem needs to be fixed promptly as it doesn't take long for a house or an apartment inside temperature to drop to dangerous conditions. I was checking on a tenant who I was trying to serve for nonpayment only to find the steel front door to his apartment laying on his living room floor. It had been kicked off the hinges. That certainly rearranged my day. We were lucky over the holidays since it hardly snowed, but since I do the plowing at my own properties the weather is always something that can get in the way of relaxing at home on the holidays. I was talking with another member and I had asked her how her Holiday went. She told me how a broken underground waterline on vacant property next door flooded the basement of her property. Fortunately the basement was unfinished and nothing was ruined however it ended up being two days of clean up and drying out. She was smiling about it when we spoke but how frustrating it is when those calls come in. These are just a few examples of how this business can make us busy when we least expect it. We are on call 24/7/365! You never know when those calls will come or when Mother Nature will strike. The good news is, the other 99% of the time we are making our own schedule. If we want to take time off, we do it, for whatever reason. It may be seeing your kids sporting events or other school related activities, or it might be to go fishing or boating, getting a round of golf in, shopping, or just taking a drive in the country for a destination

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RAA rental forms for members only

Forms are available at the following locations.

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lunch. We have to keep reminding ourselves how lucky we are to be our own boss and to get up in the morning and make our own decision of what exactly we will do that day. We are never bored and the day isn't long enough to get everything done. The only reason we look at the clock is to make sure we will finish a task in time for another or to head home for dinner. Whenever duty calls at an inopportune time, we have to remember it is the price we pay for having so much freedom 99% of the other time.

We had a great meeting in November 2016. Thanks to Police Chief Daniel O'Shea for sharing with the membership his immediate concerns and future goals for city of Rockford combating crime. To initiate the beginnings of a partnership between the Rockford police department and the RAA, Tim Hoffman, Paul Arena, Tom Wartowski, and I met with Carla Redd, Patrick Hoey, and all of the community service officers to discuss ways to help each other. Making the email notification of police calls more meaningful was our first goal. We also shared many other common issues that impact how we move forward with a partnership. If you want to communicate with your community service officer the best way is by email. They can respond when it is convenient and there is a record of the communication. You can find your community service officer along with their email address on the city of Rockford website.

Thank you also to John Mcgee with the City of Rockford Fire department for attending our meeting in November to bring us up to speed on new fire and safety codes. Specifically Fire extinguisher codes.

Hopefully you didn't miss the Xmas Party at Giordano's pizza. We had a great turnout. Over 110 members and guests showed up to enjoy some good food and conversation. Once again we thank Muffy and her volunteers for doing such a fine job of putting it together.

Finally our January 17, 2017 meeting will be "The Lease" and we are happy to say that Alberto Altamore will again be our guest speaker. Many of us see Alberto Monday mornings representing landlords in the Forcible court room at the county courthouse. Not only is Alberto an attorney who represents other landlords he is a landlord himself with many rental units. He is the local expert on details of a lease so don't miss this meeting as it will undoubtedly be very informative and probably entertaining as well.

Hope to see you all there!

—Karl Fauerbach, RAA President



Experiencing teething problems with their new computer, a couple called the Help desk. But the guy there insisted on talking to the husband in complex computer jargon, none of which seemed to make sense.

Eventually in frustration, the husband said: "Look, you know what you're talking about but I don't. So can you treat me like a four year- old and explain it to me in that way?"

"Okay, son," said the computer technician, " put your mommy on the phone."

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It really is important that the RAA has dedicated, caring members who are there when we need support on issues that can have a negative impact on landlords. When Paul or Carl reach out for help it is member support that helps solve the issues and makes RAA the great association that it is.

Chris Hawkins is one of these people. He realizes that we all have to stand together and let our voices be heard. I have seen him at meetings when member help was needed. He is one of our most dedicated members and his contributions do not go unnoticed and he is very much appreciated.

Meet Chris Hawkins

I am a Mechanical Engineer. I graduated with a Mechanical Engineering degree from Northern Illinois University in August of 1996. I am married to a wonderful woman named Suzanne, who is also a graduate of NIU in Biology. We married in September of 1996, so we just reached the 20-year



milestone. Trust me when I say she is a saint because she is the only one with enough patience to handle me!!

We moved to Rockford in March of 1997, so we have lived and worked in the area for almost 20 years now. We have a 14-year-old daughter, Cassie, who is a freshman in the gifted academy at Auburn High School. She is my "honey pot" and Suzanne's "puddin'" and "pretty pretty princess." We have a 10-year-old son, Conner, who is a 4th grader at Marshall Gifted Academy. I call him "big guy" and "brute" and he is Suzanne's "little man." I am the extrovert of the family while Suzanne, Cassie, and Conner are all introverts. Conner, however, shows signs of opening up in public once in a while, so I have hopes for him yet.

Suzanne and I have 6 single-family rental homes. Being an engineer I am very particular and detail-oriented. I recognize this may not be the best when it comes to being a landlord, but I can't change the way I am wired. I like working on our homes myself when possible for two reasons. The first is to save money. That is an obvious motivator. The second is because I like things done a certain way. I have had several contractors get irritated with me because I will have them redo something if I don't

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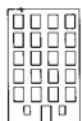
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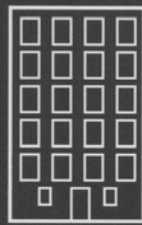


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like it. If they don't want to do it the right way or take the time to do it the right way, I will have them stop so I can finish it myself or find another contractor. If the contractor can explain to me why my way will not work or can explain why his/her way is better, then I am all for it being done his way. I believe if you are going to do something, you should do it right the first time or at least try. I am willing to pay a contractor for the extra time to do a job properly because you know it will come back to haunt you later and cost more money if it is done improperly. Thankfully I have a contractor that has worked with me almost exclusively for 2-1/2 years. He knows how I like things done and is willing to put up with me being very particular. He appreciates it because he does not have to try to cut corners to save time. He can do a job the right way and not worry if it takes him a couple of hours extra. It is a relationship that works for us both.

One of my favorite things to do when time permits is to downhill ski. I go skiing in the UP once a year with some friends on a long weekend trip. We will drive up on Wednesday and ski Thursday, Friday, and Saturday, and then drive home on Sunday. Conner is now skiing with me too. The last couple of years we have gone to Devil's Head, Alpine Valley, and Wilmont on some day trips. This year the family is going to Galena between Christmas and New Year's so the boys can ski at Chestnut and the girls can do their shopping and girly things. I am hoping to have Conner skiing with me in the UP in January of 2017, so he can experience the awesome skiing up there.

I also like motorcycle riding with Suzanne and my friends. I enjoy day trips, but I really enjoy taking the motorcycle for multi-day trips. Before children, Suzanne and I rode the motorcycle down to North Carolina and back on a vacation to visit good friends. We also went on several long weekend trips, not knowing where we were going to go until the Friday night or Saturday morning before we left. Being spontaneous can be fun sometimes.

I enjoy coaching my children in whatever sports they are in. Cassie no longer plays sports but I coached her soccer teams and softballs teams when she was younger. Now Suzanne and I are just a chauffeur service for her. I have coached Conner's baseball, basketball, and soccer teams too. He played soccer through the 2016 fall season but now he is expressing interest in playing flag football next spring. If needed, I will coach this too because I am just plain crazy.

Suzanne and I became landlords in 2006. Before my parents purchased their own home, they rented a duplex when I was a young boy, and I learned that they

paid their landlord money every month for us to live there. It intrigued me and I always remembered that growing up. When I moved out of my parent's home, I rented a duplex with some friends. When I paid the rent every month I would fleetingly think about how I could become a landlord. I was in college at the time and college was my focus, so it never went any further than being just a thought, but I never forgot about how it could generate extra income. In 2006 we decided to buy our first rental home for two reasons. The first is because we wanted to have Suzanne stay at home with our children, so we needed to start to generate income to replace the income from her job. The second reason is we felt called by God to buy rental property to help people have nice, clean, places to live and to have good landlords.

What we like best about being landlords is the opportunity to help people. We do make extra income every month which is good, but we get the opportunity to be a light for people who otherwise would not have any. That may sound cliché but it is true. Being landlords gives us the chance to witness to our residents about Jesus Christ and what he did for us and continues to do for us as his people. We do this through discussions with them as well as our actions. Doing what we say we are going to do gives us credibility, which is crucial when dealing with residents as we all know. We especially like it when a resident is willing to try to help themselves, listen to our advice and actually apply it, holding themselves accountable for their own actions and then living life with a new sense of purpose, taking pride in what they accomplish. This does happen. We have witnessed it, and it is a blessing when we do.

What we like least is the countless hours of cleaning, remodeling, and repairing of homes after tenants leave them filthy and damaged. And let's not forget the times that residents do not pay their rent while they are damaging the property. Every landlord just loves when residents do both because it is a double whammy! I can't stand it when I spend time away from my family and good money fixing up a rental home, and within 6 months the home is damaged again. It is simply disheartening when this happens.

I was working on a water leak under a kitchen sink once and the husband and wife were home. The husband was talking to me and the wife was with the children in the living room. While I was underneath the sink in the cabinet wrenching I started to hear some moans and groans. I thought someone was hurt at first so I stopped what I was doing and went into the living to see what was going on. The children were on

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the couch watching an animated movie and the parents were not there. The moans and groans got louder and I realized mom and dad had snuck off to their bedroom and were getting it on. Really?!?! I could not believe that the residents had the audacity to get intimate while I was there and were as loud as they were. Obviously, I finished and left as quickly as I could.

Suzanne and I belong to River Valley Community Church. We both volunteer in the Kid's Zone where we work with toddlers. Suzanne works part time and volunteers every week at a local, neighborhood, elementary school. I belong to the SM & SF Club and volunteer as much as possible. I help cook and serve wings to the local community once a month as well as volunteer for their "Kick-In for Cancer" fundraisers to benefit local hospital oncology departments and hospice care providers.

One of our biggest pet peeves is when residents don't pay rent or damage the rental home, or both, and expect us landlords to stop what we are doing to fix something they broke. This is nothing but entitlement and lack of appreciation. Another pet peeve is when a resident moves into a pristine home and within 3 months it is filthy. Many residents feel like it is not their responsibility to keep their living spaces clean (and healthy for crying out loud!!) and are entitled to have nice things without working for it.

If Rockford would hold residents accountable to their actions, or inactions in some cases, it would change the landlord/resident relationship for the better. Quit making the landlords responsible for things out of their control. When residents are given everything without having to work for it, they don't achieve a sense of well-being and self-worth that comes with accomplishing something. Self-pride goes a long way.

We encourage new landlords to treat being a landlord as a business and not be emotionally attached to their rentals. We made the mistake when we first started out as landlords. We are proud of them so why not, right? It only adds more stress, however. When a resident would damage one of our properties we would be hurt because we put our hard work and money into making it nice. We didn't understand why people would have blatant disregard for our property. We quickly discovered that thinking that residents will be like us and take care of the rental property as if it was their own was a mistake, and once we treated it strictly as a business it was easier to deal with mentally and emotionally.

I think the RAA does a great job providing information to its members. We only wish we would have found the association a lot earlier. We definitely would have saved ourselves a lot of time, money, and general headaches. At this time, we really don't see how the association could be

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A woman applying for a job in a lemon grove seemed over-qualified. The foreman said to her.

"Have you any experience in picking lemons?"

"As a matter of fact, I have," she answered.

"I've been divorced three times."

changed for the better. We are very thankful to the members who are willing to share their suggestions and nuggets of wisdom to all the other members who need it. What we have learned has been invaluable.

I would like to add that being a landlord is not for the faint of heart. What I have seen in the last 10 years has been interesting to say the least. I am amazed at what type of environment some residents allow themselves to live in. I am amazed at what residents will do to your property and see nothing wrong with it or feel ashamed. I am amazed at what some residents try to get away with ... lying, cheating, scamming, hiding from you and dodging you at all costs ... you name it. It can be very disheartening. BUT then there are times when you can see that the residents are appreciative of the housing you have provided them and it gives you faith in humanity again.



Preventing and Thawing Frozen Pipes Reprinted from <http://www.redcross.org>

Being prepared and informed may help you avoid the messy and often expensive issue of frozen pipes. The American Red Cross provides information and suggestions around how to prevent water pipes in the home from freezing, and how to thaw them if they do freeze.

Why Pipe Freezing is a Problem

Water has a unique property in that it expands as it freezes. This expansion puts tremendous pressure on whatever is containing it, including metal or plastic pipes. No matter the "strength" of a container, expanding water can cause pipes to break. Pipes that freeze most frequently are those that are exposed to severe cold, like outdoor hose bibs, swimming pool supply lines, water sprinkler lines, and water supply pipes in unheated interior areas like basements and crawl spaces, attics, garages, or kitchen cabinets. Pipes that run against exterior walls that have little or no insulation are also subject to freezing.

Preventing Frozen Pipes

- Before the onset of cold weather, prevent freezing of these water supply lines and pipes by following these recommendations:
- Drain water from swimming pool and water sprinkler supply lines following manufacturer's or installer's directions. Do not put antifreeze in these lines unless directed. Antifreeze is environmentally harmful, and is dangerous to humans, pets, wildlife, and landscaping.
- Remove, drain, and store hoses outdoors. Close inside valves supplying outdoor hose bibs. Open the outside hose bibs to allow water to drain. Keep the outside valve open so any water remaining in the pipe can expand without causing the pipe to break.
- Check around the home for other areas where water supply lines are located in unheated areas. Look in the basement, crawl space, attic, garage, and under kitchen and bathroom cabinets. Both hot and cold water pipes in these areas should be insulated.
- Consider installing specific products made to insulate water pipes like a "pipe sleeve" or installing UL-listed "heat tape," "heat cable," or similar materials on exposed water pipes. Newspaper can provide some degree of insulation and protection to exposed pipes – even ¼" of newspaper can provide significant protection in areas that usually do not have frequent or prolonged temperatures below freezing.

During Cold Weather, Take Preventative Action

- Keep garage doors closed if there are water supply lines in the garage.

- Open kitchen and bathroom cabinet doors to allow warmer air to circulate around the plumbing. Be sure to move any harmful cleaners and household chemicals up out of the reach of children.
- When the weather is very cold outside, let the cold water drip from the faucet served by exposed pipes. Running water through the pipe - even at a trickle - helps prevent pipes from freezing.
- Keep the thermostat set to the same temperature during the day and night. By temporarily suspending the use of lower nighttime temperatures, you may incur a higher heating bill, but you can prevent a more costly repair job if pipes freeze and burst.
- If you will be going away during cold weather, leave the heat on in your home, set to a temperature no lower than 55° F.

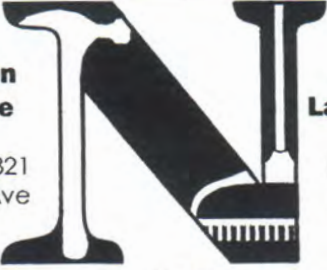
To Thaw Frozen Pipes

- If you turn on a faucet and only a trickle comes out, suspect a frozen pipe. Likely places for frozen pipes include against exterior walls or where your water service enters your home through the foundation.
- Keep the faucet open. As you treat the frozen pipe and the frozen area begins to melt, water will begin to flow through the frozen area. Running water through the pipe will help melt ice in the pipe.
- Apply heat to the section of pipe using an electric heating pad wrapped around the pipe, an electric hair dryer, a portable space heater (kept away from flammable materials), or by wrapping pipes with towels soaked in hot water. Do not use a blowtorch, kerosene or propane heater, charcoal stove, or other open flame device.
- Apply heat until full water pressure is restored. If you are unable to locate the frozen area, if the frozen area is not accessible, or if you can not thaw the pipe, call a licensed plumber.
- Check all other faucets in your home to find out if you have additional frozen pipes. If one pipe freezes, others may freeze, too.

Future Protection

- Consider relocating exposed pipes to provide increased protection from freezing.
- Pipes can be relocated by a professional if the home is remodeled.
- Add insulation to attics, basements and crawl spaces. Insulation will maintain higher temperatures in these areas.
- For more information, please contact a licensed plumber or building professional.






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Illinois Snow and Ice Removal Act

By Tom Wartowski, Attorney at Law

(Tom Wartowski is the RAA Board Attorney)

It is well known that Illinois law protects a property owner from claims of liability involving natural snow and ice removal. (Illinois Snow and Ice Removal Act)

A December 1, 2016, Illinois Supreme Court decision, however, ruled that the protection does not extend to unnatural ice accumulation. (Murphy-Hylton v Klein Creek)


In 2011, a woman slipped and fell on ice that was the result of water runoff from a gutter downspout. She broke her hip and leg.

The woman sued the property owner because he had shoveled the snow from the sidewalk on which she fell but had done nothing about the ice accumulation.

A lower court ruled that failure to remove the ice in this instance fell under the state statute protecting the property owner from a negligence lawsuit.

The Supreme Court, however, found otherwise. The ice accumulation was not natural, it said. Rather, it was the result of the owner's failure to prevent the downspout from emptying water into a lower part of the sidewalk where it froze.

The property owner was found negligent.

How does this impact landlords? Based on this decision, a property owner can be held liable for injuries and damages that are the result of preventable defects that create a snow or ice hazard. It could conceivably be an uneven or cracked sidewalk, a slope in landscaping, a settling porch, etc. 

A man called on the vicar's wife, a woman well known for her charitable deeds.

"Madam, he said, close to tears, "I fear I must draw your attention to the awful plight of an impoverished family in this district. The father is dead, the mother is too ill to work, and the nine children are starving. They are about to be turned out into the cold, empty streets unless someone pays their rent, which amounts to \$700.00."

"How terrible!" exclaimed the vicar's wife. "May I ask who you are?"

The sympathetic visitor dabbed his handkerchief to his eyes, "I'm the landlord."

Renting an apartment? Prepare for a background check.

By Lisa Weintraub Schifferle, Attorney
Division of Consumer & Business
Education, FTC Reprinted from <http://www.ftc.gov>

You're about to rent an apartment. You've saved for your security deposit and lined up a moving truck. But have you checked your credit report? Landlords may, so you should too. If a landlord does a background check, here are some things to know about your rights.

Landlords can check your credit, criminal history, and even your rental history. They may ask your permission but they're not required to. So, if you know you'll be looking for a new place to live—or if you're about to renew your lease—then here are a few things you can do:


- Go to annualcreditreport.com to check your credit. That way, you can fix any errors before a landlord sees them.
- Give the landlord your correct full name—first, middle, and last—and date of birth. This helps make sure the landlord gets information on the right person.
- If you have a criminal history or previous housing court actions, gather any paperwork showing how the action was resolved in case you need to fix errors.

Some landlords might say not to apply if you have a criminal record. That could be discrimination. If that happens to you or if you think that a landlord illegally discriminated against you for another reason, such as your race or gender, contact the Department of Housing and Urban Development.

What if a landlord refuses to rent to you or charges you more because of something in a background check? Then you have rights:

- The landlord must give you notice of the action – orally, in writing or electronically.
- The notice must give you contact information for the company that supplied the report.
- The notice must tell you about your rights to correct inaccurate information and to get a free copy of the report if you ask for it within 60 days of the landlord's decision.

You should obtain your free report, fix any errors, and have the company that supplied the report give the corrected report to the landlord. Tell the landlord about the mistake, too. For more information on background reports and your rights, check out the Summary of Rights.

If you think a landlord or property manager violated your rights – or anyone else's—when using a background check, report it to the FTC. And if you're a landlord who wants to do the right thing, check out Using Consumer Reports: What Landlords Need to Know. 

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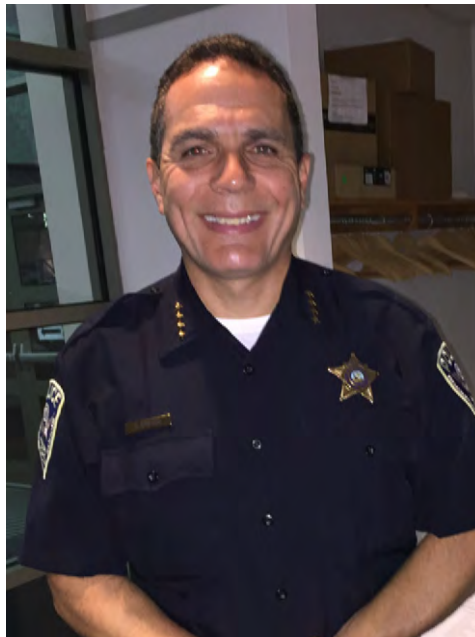
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*Legal Counsel (Board Advisor) Tom Wartowski		815 978-1572
Government and Public Affairs Director		
	Paul Arena	815-243-2924
IRPOA Rep	Paul Arena	815-243-2924

Rockford Apartment Association Code of Ethics

We, the members of the RAA, recognizing our duty to the public and the intimate nature of the relationship between the apartment resident and the owner, or manager, and being aware of the vastly increasing role of the apartment industry in providing the home of the future, and in order to provide the apartment-residing public with the maximum in quality and service upon the highest standards of honest and integrity, do hereby bind ourselves, with each and every member, together and alone, agreeing that, so long as we remain members of the RAA and so long as nothing contained herein shall be unlawful, we shall:

- Promote, employ and maintain a high standard of integrity in the performance of all rental obligations and services in the operation of our apartment communities.
- Maintain and operate our apartment communities in accordance with fair and honorable standards of competition, ever mindful of the purposes of the Rockford Apartment Association and in compliance with the bylaws thereof.
- Strive continually to promote the education and fraternity of the membership and to promote the progress and dignity of the apartment industry in creating a better image of itself in order that the public may be better served.
- Seek to provide better values, so that an even greater share of the public may enjoy the many benefits of apartment living.
- Establish high ethical standards of conduct within the apartment industry in the business relationship between the owner, managers and suppliers of products and services to the apartment industry.
- Maintain property standards of the appropriate governmental authority.
- Ensure that every qualified individual, regardless of that individual's race, color, religion, gender, disability, familial status or national origin is afforded the same opportunity to rent an apartment and enjoy the benefits of apartment living.

Financial statement available upon request to members in good standing.

The content and opinions expressed in the RAA newsletter do not necessarily reflect the views of, nor are they necessarily endorsed by, the Rockford Apartment Association or its board.