



# FEBRUARY MEETING

## Tuesday, February 21, 2017

Meeting Location

**RAAR**

6776 East State Street  
Rockford, IL 61108

## “Operating Your Rental Business like a Professional”

Join us as Tim Hoffman “Certified Public Accountant”  
Discusses “Best Business and Accounting Practices”

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

**Networking 6:30 P.M.**

**General Meeting 7:00 P.M.**

## JOIN THE RAA!

*Members enjoy . . .*

- ✓ 8 monthly meetings with guest speakers covering a variety of property management topics
- ✓ Winter Member Mixer
- ✓ Spring Banquet
- ✓ A Web link or page advertising your units on the RAA Web site
- ✓ Member networking with current tips, bargains and referrals
- ✓ Knowledge of State and local political issues affecting property managers and owners
- ✓ Monthly newsletter

A one-year membership is \$99.

**To join or e-mail RAA, go to**

[www.rockfordapartmentassociation.org](http://www.rockfordapartmentassociation.org)

**Follow RAA  
on Facebook!**



## Letter from the President

2017 Local Elections are approaching fast and the Rockford Apartment Association has been busy talking with candidates who are running for Mayor of the City of Rockford and the 14 Aldermanic Wards for representation on the City Council. The Primary election will be held February 28th 2017, and the General election will be April 4th, 2017.

As most of our members know by now this is one of the most important election cycles that have come our way for a very big reason. There is a proposal on the table that was initiated by Alderwoman Ann Thompson Kelly that would require Landlords to pay a registration fee and to be required to do so every two years. It would also eliminate the housing board, expand the look back period for chronic nuisance complaints from 120 days to 180 days, and provide for a “Voluntary” inspection process with a fee included. Every one of us knows that if enacted a voluntary inspection process would quickly turn into a mandatory one. All 5 parts of this proposal are bad for Landlords and ironically will do nothing to solve issues that the current administration says they deal with and is their reason for the proposal. The city is facing a 5 million dollar deficit for the next fiscal budget year and it only gets worse in the following years. They are desperate to come up with additional sources of revenue. We are targets right now for that reason along with the fact that they would love to regulate us.

The Rockford Apartment Association is committed to being nonpartisan. We simply need to support candidates for Mayor and the Rockford City Council who are willing to work with the RAA to solve issues without harming good Landlords. The proposal on the table was never mentioned to us beforehand which proves they are not interested in our opinions and coming up with real solutions. Based on the conversations we have had so far we have decided to support the following Candidates.

*continued on page 2*

## ***RAA rental forms for members only***

*Forms are available at the following locations.*

*Please call in advance to be sure someone will be available to help you.*

### **RAA Meetings**

6776 E. State St.  
1-800-RAA-6676

### **Asset Protection Insurance**

124 North Water St., Suite 208  
1-815-708-7445

### **Terra Creek Apartments**

375 Bienterra Trail  
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## ***Come to a meeting!***

*Join and save!*

*Free to RAA members*

*\$15 non-members*

## ***Rockford Area Association Of Realtors***

*6776 East State Street  
Rockford, IL*

Ward 1 - Frank Gambino 815-637-0113

Ward 2- Ned Friel 815-543-7510

Ward 8 - Karen Hoffman 815-399-5026

Ward 10 - Jim Hughes 815-222-4962

Ward 12 - Kelly Goodmonson 815-814-5136

Stayed tuned for more information as we interview more candidates. If you are willing to support these candidates and you have property in their wards, call them for yard signs or even to volunteer your time. The following is the link to the City of Rockford Wards and Aldermen. You will find the Ward map link on that page as well. <http://www.rockfordil.gov/wards-and-aldermen.aspx>

Members should also know that there is a proposal on the state level, Senate Bill 1666, that would allow non Home Rule communities to License rental property owners by adopting a crime free ordinance. Calls to your State Reps and Senators are needed.

—Karl Fauerbach, RAA President

A Mafia godfather, accompanied by his attorney, walked into a room to meet his former accountant. The godfather asked the accountant, "Where is the five million bucks you embezzled from me?" The accountant didn't answer.

The godfather asked again, "Where is the five million bucks you embezzled from me?"

The attorney interrupted, "Sir, this man is a deaf mute and cannot understand you, but I can interpret for you."

The godfather said, "Will, ask him where my money is!"

The attorney, using sign language, asked the accountant where the five million dollars was.

The accountant signed back, "I don't know what you are talking about."

The attorney interpreted to the godfather, "He doesn't know what you are talking about."

Losing patience, the godfather produced a gun, put it to the temple of the accountant, cocked the trigger and snarled, "Ask him again where the money is!"

The accountant signed back, "Okay! Okay! Okay! The money is hidden in a brown suitcase behind the shed in my backyard!"

The godfather said. "So, what did he say?"

The attorney interpreted to to the godfather, "He says that you don't have the guts to pull the trigger."



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I first met Usha and her son, Raj, at the RAA Christmas party. It wasn't very long in the conversation before I realized I was talking to a very special person. My impression: very interesting, very intelligent, a great asset to the RAA. I was sorry I didn't have more time to talk to her. As I read through her interview I realized how right my first impression is.

I loved reading that spiritually is her strength and about her dedication to meditation. I have been meditating for over 30 years and I can attest to the life changes the Universal Life Forces bring to your life. When I first started, it was: "Oh, you and your far eastern stuff!" After hundreds of years (!) the west is finally beginning to realize the many benefits and how important it is to be in touch with our inner resources.

Welcome to Usha and her family and "Thank you for being you."

**Meet Usha Kamaria**

by Jerri Cole



After coming to this country in the late 70s, I went to college to finish my Associates Degree in health care. I worked as a therapist for 15+ years. In the late 80s I had a desire to do more than just work. I started getting involved in the community I lived in. I live in a community where more than 70 nationalities live peacefully. Once a year, every year, they celebrate all the cultures in the month of May. I became a part of this great organization called "Festival of Cultures." We have been celebrating for the past 30 years and it is still going strong. Our village has a 4th of July parade in which I have participated for the past 15 years and I also help local area politicians during election time.

In 2004, I was the first south Asian woman to be elected as a township trustee in the state of Illinois and am also one of the founding members of an organization called "Coming Together" in which I work with more than 50 key people of our township which includes the Mayor, the director of the library, the superintendent of the high schools, teachers from elementary to middle schools, and community colleges. Through this organization we educate our communities and our youth about different cultures and countries so they can have a better understanding of the world we live in and they can go on to become successful adults.

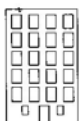
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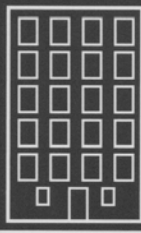


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Spiritually is my strength. I like to remain positive as much as possible. I am a nature loving vegetarian. I believe you should work hard but be efficient and result-oriented as well.

On my days off, I enjoy gardening, going for a walk, watching birds, watching documentaries, listening to music, and meditation.

My husband and I bought our first property 36 years ago. We both had full time jobs and realized we wanted to invest in something with good long-term appreciation. We also wanted something manageable with our full time jobs. Real estate was our answer. We started with a small 8-flat building in which we occupied one apartment. This helped us save the rent money plus grow our savings.

We have been landlords in Chicago for 36 years. Chicago has changed a lot over the years. Property values and maintenance expenses have increased exponentially over the years, but rents have not grown in proportion. We were looking to branch out of Chicago and were looking for a community with upside potential. After visiting many different locations outside of Chicago (including Indiana, Michigan, & Ohio), we felt Rockford had a lot to offer. It felt similar to a smaller version of Chicago with good growth potential.

If we had it to do over we would still choose to be


landlords. We feel there is no other investment more suitable for us because of the time you spend, the money you invest, and the return you get in the long run.

We are here to bring a positive change in the Rockford community. I hope we can be an asset to the Rockford community and grow to make Rockford a better place of everyone to live.

One of the strangest things that happened to us as landlords is that in one of our apartments, one of our tenants was delinquent in rent and moved out without notice. When we went to check the apartment condition, we saw a big cage with a humongous snake inside. We all jumped and screamed! We had to call animal control to remove the snake.

My pet peeve is complainers and whiners.

Most landlords invest huge amounts, sometimes their life savings, into buying a property. It takes a lot of dedication and courage to be a landlord. If I could change anything, it would be that the rules and regulations would always be fair to landlords and renters, which in many cases, unfortunately, they are not.

My family and I would like to wish all landlords lots of success. To all the RAA members thank you for being so welcoming and answering our questions. I hope one day we can be of help to someone else. 

## "ADA" Compliance

What Landlords and Property Managers Need to Know About the Americans with Disabilities Act

See more at: <http://www.american-apartment-owners-association.org>

Each year, drive-by lawsuits result in the filing of *thousands* of lawsuits by a relatively small number of individual plaintiffs. Ironically, oftentimes, these individuals have suffered no actual harm and can recover little or no monetary damages. Nevertheless, landlords and property managers may be required to undertake costly remediation efforts. The lawyers filing such suits recover attorney's fees (sometimes with a kick-back to the individual plaintiffs as compensation for their time).

Even worse, these lawsuits—or even the mere threat of a lawsuit—may constitute nothing more than “shake-down” operations and are frequently resolved with the plaintiffs receiving a quick monetary settlement without the requirement that any remediation actually be undertaken. Currently, there is a push in many jurisdictions to pass legislation requiring notice and an opportunity to cure before the commencement of legal proceedings. Unfortunately, such efforts have thus far been largely unsuccessful.

Compounding matters is the fact that the consequences of non-compliance with the ADA can be severe. Potential outcomes might include mandatory injunctive relief, the landlord's payment of attorney's fees—both its own *and* the plaintiff's—civil penalties, and negative publicity. Because ADA lawsuits frequently involve no actual harm to the plaintiff, general liability insurance policies likely will not cover these expenses.

Fortunately, ADA compliance problems are preventable. Violations usually result not from an intentional indifference to the needs of disabled persons but, instead, from the lack of proper policies, procedures, and practices regarding accessibility. Having effective policies in place can go a long way toward avoiding the expense associated with ADA lawsuits. Further, implementing effective policies doesn't have to be difficult; it simply requires being conscientious about identifying barriers to access to parking, entrances, restrooms, etc.

**So, what does the ADA require?** Businesses that are “public accommodations” (e.g., restaurants, shopping centers, office buildings) must provide accommodations and access to persons with disabilities that is equal or similar to that available to the general public. Owners, operators, lessors, and lessees of commercial properties are all responsible for ADA compliance.

New construction and elements of buildings altered after January 26, 1992, must comply with ADA standards to the maximum extent feasible. But this does not mean that older buildings that haven’t been recently renovated are “grandfathered in.” Indeed, even for existing facilities, landlords and property owners must remove “architectural and communication barriers” that are structural in nature when it is “readily achievable” to do so. Examples of such modifications include widening doorways to ensure wheelchair accessibility, retrofitting restrooms, and adding access ramps. A modification is “readily achievable” when it is easy to accomplish without much difficulty or expense. This standard will often depend on the nature of the proposed modification and the resources of the party responsible for implementing it.

**Who is liable for ADA violations?** Owners, landlords, and tenants can be jointly and severally liable in the event of non-compliance. Significantly, a landlord may not shift liability for ADA compliance to its tenants. Certainly, the parties’ lease may shift the cost of remediation to the tenant, but such a provision does not serve to exculpate the landlord from liability. Landlords, as owners of “public accommodations,” have an independent duty to comply with the ADA and can therefore be liable for ADA compliance on property leased to and controlled by its tenants. Further, tenants are not subject to liability for violations in areas that are not under their exclusive control, such as common areas. Additionally, some courts have held that landlords cannot shift the financial responsibility for ADA compliance to architects and builders because to do so defeats the purpose of the ADA.

How does this affect property managers? Although property managers may not have direct liability for ADA compliance, their actions, as agents of the landlord, can have significant consequences. For example, in a recent Pennsylvania case involving the Cracker Barrel restaurant chain, the court certified a national class action lawsuit covering any person who had visited any Cracker Barrel location nationwide and who had encountered barriers to access. Certainly, there had been no finding that every Cracker Barrel location suffered from ADA violations, but the court nevertheless found that Cracker Barrel’s property managers had evidenced a systemic failure to inspect accessibility standards overtime. Thus, the acts and omis-

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sions of property managers can have far-reaching ramifications for landlords.

**What about landlords who acquire existing properties?** Landlords in the business of acquiring existing properties should take ADA compliance seriously. Due diligence should focus not only on the financial aspects of the transaction but on ADA compliance, as well. Failure to do so risks buying not only the property, but a lawsuit, as well. To minimize the risk of purchasing a non-compliant property, purchasers could (a) require that sellers correct any ADA violations as a condition of closing, (b) demand that a portion of the purchase price be placed in escrow until ADA compliance can be confirmed, or (c) negotiate a reduction in the purchase price so that the purchaser can implement remediation efforts itself.

ADA compliance is of critical importance. By recognizing the risks associated with non-compliance, and by implementing policies and procedures designed to ensure equal access to all, owners, landlords, tenants, and property managers can minimize the risk and expense associated with preventable violations.



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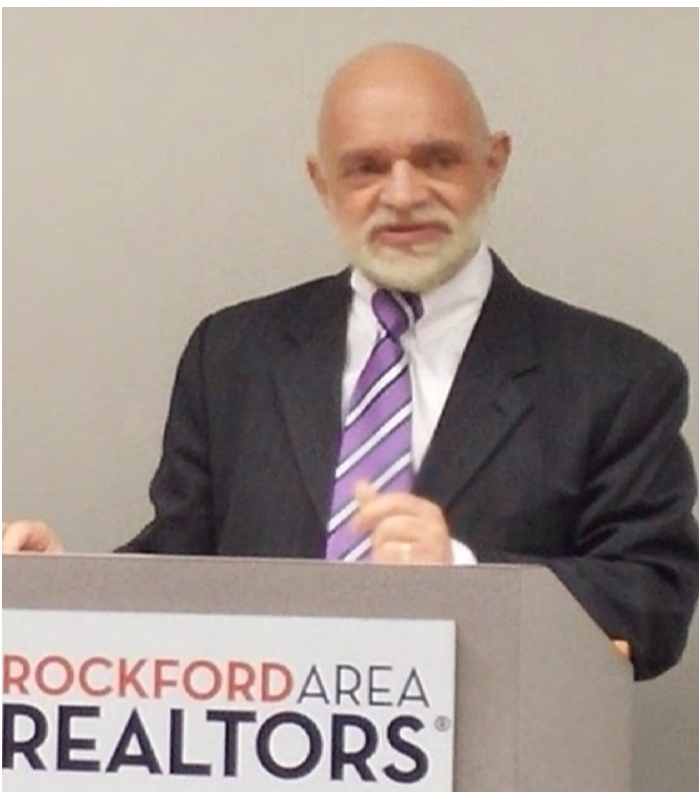
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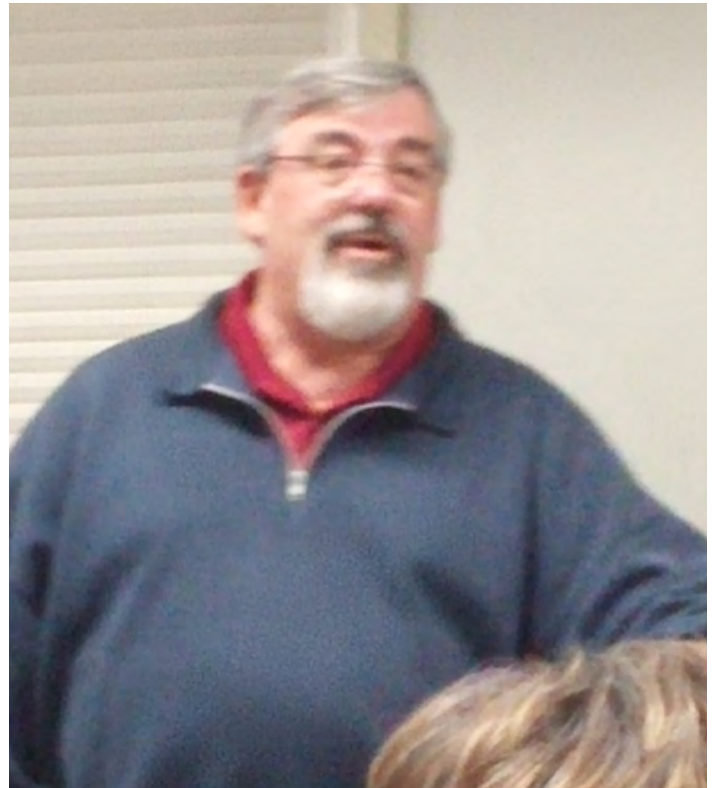


*At the January meeting, Speaker Attorney Alberto Altamore talked about the lease.*

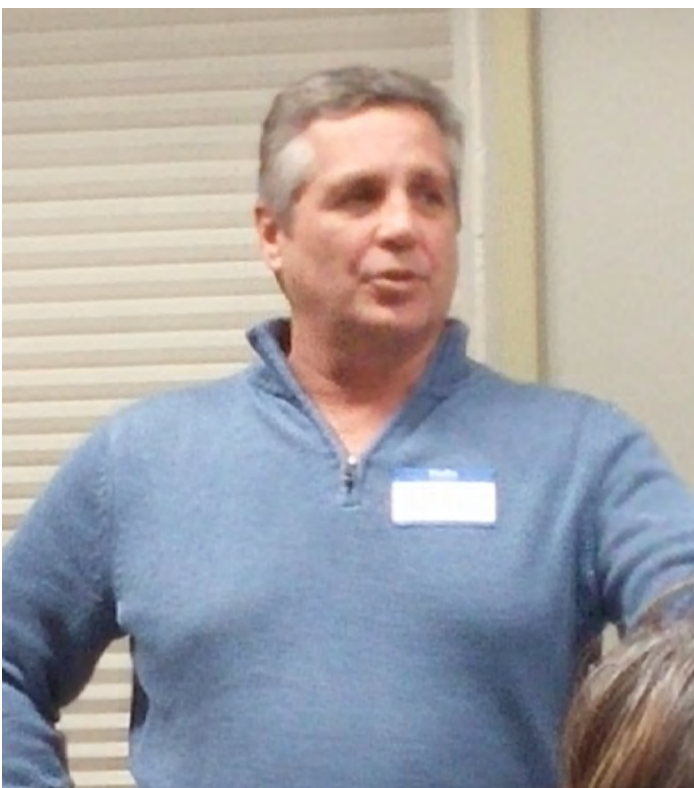
*Vendor Andrew Correa from Power House Painting spoke to the group.*



*Kelly Goodmonson 12th ward*



*Ned Friel 2nd ward*

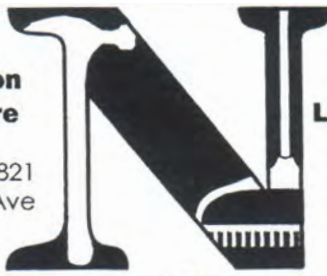


*Frank Gambino 1st ward*



*Karen Hoffman 8th ward*

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A male charity collector knocked on a woman's front door and asked if she had any old beer bottles, She was highly indignant, "Do I look as if I drink beer?" she snapped. The collector looked at her and said: "So, have you got any vinegar bottles?"



# Rockford Apartment Association Directory

## RAA SERVICE DIRECTORY

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<b>Bridges flooring</b>	815-543-6244
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<b>Ken Becker Realtors</b>	815-399-8000
<b>Nicholson Hardware</b>	815-963-4821
<b>Northern IL Sewer Service</b>	815-229-1174
<b>SKV Construction</b>	815-245-6098
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<b>TRI-B Hardware &amp; Supply</b>	815-399-2828

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## 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.