

August 2019

AASEW

Apartment Association of Southeastern Wisconsin, Inc.

OWNER

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AASEW member, Graig Goldman, will moderate a great opportunity for all our members to share how they market and show their properties.



Rental Applications!

Carrie Maas and Kelly Manvilla will be with us to share their experience as well as some great resources you can use to choose better tenants.



Credit Reports!

Gail Milani will teach you the ins and outs of how to utilize credit reports in your landlord duties!

At our August meeting!

Monday August 19th, @ the Crowne Plaza Milwaukee West.

Networking begins at 5:30. Programming starts at 6:15.



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Saturday, October 26, 2019



AASEW Mission Statement:

"The Apartment Association of Southeastern Wisconsin is your primary resource for education, mutual support and legislative advocacy for the successful ownership and management of rental property."

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Connections



Hi All,

It was fun to connect with so many of you at the Brewer Game on July 22nd. What a beautiful night to gather, if only we could have watched our Brewers win! It was a great game though and a fun place to watch the game from. Thank you to all who came out for the night!

Things are busy in the office. We are getting ready for a very informative meeting on August 19th. We have speakers and topics that I think you will all find to be both helpful and interesting. Don't miss it!

Our trade show is currently accepting vendors. If you know someone who would benefit from sharing their services or products please share the registration info with them by directing them to our website or contacting me. We are looking forward to an awesome show this year. Please, please, please share the info with anyone you think would benefit. Attendee registration opens in September.

On a sad note, we bade farewell to our summer intern, Ben Brandenburg this week. It was wonderful having his insight and energy in the office every day as we learned from each other. I'm sure you join me in wishing him well as he returns to UW-Madison to start his sophomore year.

Lastly, I'm looking for a few people to help with a membership drive for the fall. If you are interested, please give me a call or send me an email. We have a lot to offer other landlords in our communities, but somehow we are one of the best kept secrets. I'm hoping to change that.

Enjoy the dog days of summer. I can't wait to say "Hello" to fall!

- Kathy

Editor's Note:

One of our readers, an attorney, noted an error in last month's issue of The Owner. In the article entitled "Rental Agreements, Why One Year Or Less" it was stated that having a lease for a year or more makes it into a "commercial type lease." That's not accurate. Whether it's commercial or residential lease has to do with the *type* of tenant, not the length of the lease. However, it is accurate that, with a lease for a year or more, you must use 30-day curable notices each and every time unless the lease says otherwise.

Thank you for the clarification!

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Are our tenants our customers? If they are, is the customer always right? Do you believe this? I don't. However, the question remains... What should our Tenant-Landlord relationships look like? In reading the book, *Landlording on Autopilot* by Mike Butler, he suggests the relationship is better categorized as Employee-Employer. As he describes this relationship, it makes perfect sense.

Employees and Managers both need training. Trained employees have a higher probability of becoming good employees and in turn, making you money. Untrained employees ultimately cost you money. The same is true of tenants. Bad employees get retrained or fired (evicted) - a cost incurred on both sides of the aisle. Good employees and good tenants have known responsibilities. Employers want good employees to stay forever and likewise, employees want to stay with good employers. Good employees -- should they be rewarded? I believe so - after all, they have rewarded you. As I've said many times, good employees and tenants are worth their weight in gold.

Would you hire an employee and just point them to their workspace without training or addressing expectations? Good employers train their employees before they start, and have ongoing training during their tenure. If you don't train a new tenant who will? Are they trained in school? Do their parents or siblings train them? So why should we assume that a tenant has been trained and understands their responsibilities?

I suggest a change in attitude, from the top-down. Your rental application becomes a job application.

Continued on Page 6



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WHAT CAN A LANDLORD LEARN FROM A CREDIT REPORT?



Wikipedia defines a credit report as a record of an individual's past borrowing and repaying, including information about late payments and bankruptcy. Although the credit information contained on the credit report is extremely important, there is other useful information you can obtain from the report.

Lets start with the applicant's name. Many times an "also known as name" appears on the credit report. This may be another name that person has gone by in the past, such as a maiden name. If you are a landlord and are checking the person's credit report for rental purposes, you probably are also checking them for criminal records. Check the also known as name as well as the name they have given you. Many times I have found information in a criminal database on the previous name but not on the currently used name.

The name on the credit report may also be spelled differently than what you have on your application. Many times I have found a discrepancy between the names due to bad handwriting on the applicants part (or sometimes purposely misspelled by the applicant) or poor fax transmission. Searching for a criminal record with the wrong spelling may bring up no records.

If the applicant has not given their middle name or initial, it can sometimes be a chore to search through multiple criminal records wondering which records belong to your applicant. The credit report normally has the middle name or at least an initial. Again, helping you in your criminal search.

Next lets talk about the addresses on the credit report. A credit report will normally list previous addresses of the applicant. This can be helpful in a couple of ways. First of all, the previous addresses can be useful in locating the tenant's previous landlords. If a tenant has had a bad experience with their previous landlord, they may not want to give you that address for fear you will contact that landlord and find out that maybe they were late on their rent payments or had numerous police calls. By using the previous address obtained on the credit report and checking with that city's assessors office to locate the owner you

By Kathy Haines
 AASEW Member
 Owner, Landlord Services, LLC

may be able to contact that landlord and find out additional information on their previous tenant.

Secondly the previous address can again be useful in your criminal search. Have you ever searched a criminal database for someone with a common last name only to find page after page of matching names? How do you know if that record belongs to the person you are searching for? Here is where the previous address comes in to play. Cross-referencing the address on the criminal record with the addresses on the credit report can be extremely helpful.

Last but not least, lets talk about the date of birth. Hopefully you are obtaining the date of birth on your rental application. I strongly suggest you ask to see the applicant's driver's license or obtain a copy of their driver's license. You want to verify the person's date of birth. Again, this is extremely important when searching through criminal records on a common name. I have seen cases of someone giving the wrong date of birth because they do not want you to find out their criminal history. Nine times out of ten the credit report will have the applicant's date of birth. Check this date of birth with what the applicant has given you. In the last 24 years of providing credit reports to landlords, a few times I have seen cases where junior uses dad's social security number to apply for a rental. Dad has great credit; junior has a report that makes you want to cry. If dad and son have the same name and son uses dad's social security number, you will get dad's credit report. The only way you will find out it belongs to dad is by checking the date of birth on the credit report. Does it match with what the applicant gave you?

So, as you can see a credit report is more than just credit information. As landlords, we all need to use all of the tools available to us. Being a member of an apartment association is the first step in protecting your rental investment and staying on top of the rental industry. As a credit report provider I am always happy to answer your questions regarding credit reports on your tenants. Your apartment association will help you with the rest! I can be reached at 920-436-9855 or email me at infoserv99@yahoo.com. Feel free to check my website for information at WiCreditReports.com.



Community Spotlight



Landlords Needed



Lad Lake is a local non-profit agency that has been serving youth in the greater Milwaukee area for more than 100 years.

Lad Lake has been providing independent living for youth since 1985. Lad Lake works to improve youth outcomes by having safe supportive living environments, good health, social supports, and promising futures.

Our Supervised Independent Living program provides a supportive living environment for those youth needing assistance with developing skills needed to live on their own as they get ready to age out. Youth are given the opportunity to experience independent living without the burden of having to provide for themselves. However we cannot do it alone, we need YOU our community landlords.

Our Independent Living Program places young adults who have been in foster care in their own apartments as they transition into their own apartments. We provides guidance and support teaching independent living skills, providing financial assistance for rent, utilities, food, transportation and other needed necessities. Each young adult is provided with an Independent Living Specialist and other team members from the program to guide them. Lad Lake has great support from landlords, property owners and managers but our program keeps expanding and Lad Lake is seeking more potential landlords.

If you are interested in helping Foster Care Youth transition into adulthood and are willing to give our young adults an opportunity to succeed and be a part of our community please contact Laura Wojciuk, Lad Lake Resource manager, at 414 332-2690 or by email at laurawojciuk@ladlake.org to learn more about our program.



MHS Health Wisconsin has a housing resource program for their members on disability. Ebony Jiles and Lori Noll work with members who are on disability and have limited income, in regards to their housing needs. These members are often in need of assistance in locating housing resources for their members, be it a physical residence or other housing needs. Ebony and Lori assist by providing information to their members in regards as to what may be open and available, what costs may be, and also assist their members in completing applications for housing, when assistance is needed. In addition to working hard to find affordable, open units, Ebony and Lori build relationships in the community with landlords that are willing to work with our members and their specialized situations.

Ebony and Lori are currently looking to form additional relationships with landlords willing to work with us and some of our more challenging situations. These landlords will hopefully be willing to work with people that may have had evictions, or people that may have old legal records but who have been working hard to stay out of the legal system.

We hope to be able to work with the Landlord Association in the future. If anyone has questions about our program, they may reach out to Ebony or Lori at 800-547-1647 and ask for either Ebony Jiles or Lori Noll

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Presidents Corner Continued from page 3

When you call a new employee to give them the good news and instruct them to meet you, would you sign those employment papers quickly on the hood of your truck and hand over the keys to the office? Have they been trained on your equipment or in your environment? Will you rely on their previous work experience, in our case landlord, to train them? If you do not spend time onboarding your tenant before they move in, are we setting them up to fail? If they fail, whose loss is it?? Looks like a lose-lose to me.

In an effort to get you in the right mindset, go watch 'Leave it to Beaver' or 'The Andy Griffith Show'. You can find them on YouTube, these old TV shows are a great example of how to establish a positive working relationship with your new tenant. These shows center around problem-solving. It seems June and Ward Cleaver and Sheriff Andy Taylor are always teaching, training or offering guidance on how to work through problems. Remember when a tenant calls with a problem or is failing to follow rules don't raise your voice and get upset. Put your Ward Cleaver or Sheriff Andy Taylor hat on, be respectful and help your tenant solve their problems, use these as teaching and training moments, by doing this you're building positive working relationships.

Never tell a tenant that you're going to do something negative "to them". Replace it with the cause and effect of what an action, or inaction will result in. If a tenant fails to pay rent, don't tell them that you will file an eviction. Rather, tell your tenant that their nonpayment will result in an eviction. It is important to address the problem as their problem - a problem they can influence.

Failing to prepare is preparing to fail. It takes much less time to prepare properly on the frontend than to be constantly putting fires out on the backend. I maintain, a truly successful landlord gives their tenants the best chance to succeed.

-Ron Hegwood
AASEW President

Free Online Resources to Market Your Rental

By Dawn Anastasi
AASEW Board Member

Cozy

Signing up for a Cozy account is completely free. Just visit <http://www.cozy.co/> and click "Get Started". On the sign up page, enter your email address and choose "I'm a landlord." Some boxes will appear for you to enter your name, a password, and how many units you manage.

Once you sign up and log in to your account, go to the "Properties" menu on the left side of your screen. Click the "New Property" button on the upper right hand side of the screen.

You can upload a cover image, which is a picture of your property, then fill in the details for your property on the right side. Cozy supports single units (such as a house or condo) or multiple units (such as an apartment building).

Once you've created the property, the next step is to advertise it for rent. On the left menu bar, choose the "Listings" option, then click the "Create a Listing" button next to your property. The site will guide you through the steps to create your listing, including basic details about the property, basic lease information, and adding pictures. With Cozy, you have the option to create an online application as well as request screening reports that the applicant pays for, not you. (Note that the ability for the applicant to get screening reports is your option, this feature can be turned off if you wish.)

Cozy will give you a link that you can share with applicants to apply online. Additionally, Cozy will syndicate your listing to Doorsteps.com and Realtor.com for no charge.

Craigslist

Some people may consider Craigslist a low-quality site, but I have gotten very good rental leads from it, so I continue to use it to this day.

To start a Craigslist ad, visit the Craigslist page for your area (such as <https://milwaukee.craigslist.org/> or <https://racine.craigslist.org/>). If you haven't already created an account, click "My Account". Enter your email address and click "Create Account". Once you've created an account, log into your account. On the main Craigslist page for your area, click "Create a Posting". For the type of posting, choose "housing offered". For the category, choose "apts/housing for rent".

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How Long Should A Landlord Save A Tenant's Lease and Other Rental Documents?



By Attorney Tristan Pettit
Featured on his
Landlord-Tenant Law Blog

A while ago I wrote a post in which I recommended that landlords retain a denied rental applicant's application and related paperwork for at least 2 years from the date of denial. This post will focus on the situation where the landlord has accepted the applicant, the applicant was your tenant, and now their tenancy has ended for whatever reason. Under this scenario, how long should a landlord hold on to a past-tenant's rental documents (which would include the lease or month to month rental agreement, nonstandard rental provisions document, pet addendum etc. etc.)?

The answer to this question again, just like in my prior post, depends on something called the "statute of limitation." A statute of limitation is a law which sets the maximum period in which a person can wait before filing a complaint or lawsuit against another person.

By entering into a lease or a month to month rental agreement (or any other rental document for that matter) with a tenant, you have entered into a contract. So, if a tenant refuses to take occupancy because the tenant feels that the apartment was not in a habitable condition as promised, the tenant could sue the landlord for a breach of contract. If a landlord forgot to return a tenant's security deposit within the applicable time frame, the tenant could also sue a landlord for a breach of contract. Most violations of a lease or other rental document would be considered a breach of contract.

The statute of limitations for filing a lawsuit based upon a breach of contract in Wisconsin is 6 years from the date of the breach. So, the safest thing for a landlord to do is to keep a past-tenant's rental file, and specifically all the contracts, for at least 6 years from the date that the contract ended.

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A few words from our intern:



As the summer comes to an end, I thought I would take a little time to reflect on my time spent working for the Apartment Association. Coming in after my Freshman year of college, I wasn't really sure what to expect. But both Ron and Kathy welcomed me and made the office job transition about as smooth as it could be. Each day was something new, and there was never a dull moment in the office. It felt good to have the opportunity to make an impact, a thing that some summer interns cannot get in other places. I learned so much about the organization in my three months here, and I would not trade it for anything. I will sure miss picking out the menu items for the monthly meetings at the Crowne Plaza (blame me for any food you were not a fan of), and craft days with Kathy gearing up for a trade show. All in all, I observed growth in many aspects, and would like to credit that to Ron, Kathy, and the AASEW for being so welcoming and friendly to me.

-Ben Brandenburg



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AASEW CLASSIFIEDS

Do you have a property for sale? Are you looking to buy? Do you have equipment to sell, or something you are looking for? Do you have a job opportunity to offer? AASEW Classifieds can help! Bring a quarter page ad to the next meeting and post it on our board or use one of the forms provided at the meeting. This is a great way to advertise! After the meeting your sale item or job offering will be shared in the "What Happened" email. Reach our membership with just a quarter page ad! Questions? Call or email Kathy. She will be happy to help you get it set up!

At our general membership meetings, AASEW members are invited to fill out a quarter sheet form to advertise properties or tools they either would like to sell or they would like to buy. Members are also able to post job openings. We are in hopes this will continue to improve our members' experience. Forms are available at the meeting registration table as well as online. You are welcome to fill it out and bring it with you to the meeting.

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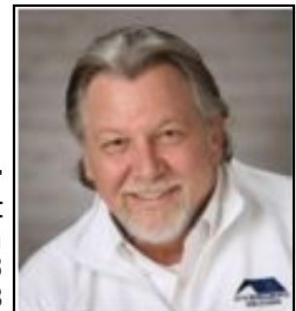
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*How Long Should A Landlord Save A Tenant's
 Lease and Other Rental Documents?
 Continued from Page 8*

When it comes to the return of a security deposit, a landlord has 21 days after a lease has ended (or any other action set forth in Wis. Stat. § 704.28(4)) to return the security deposit or send the letter itemizing how the security deposit was applied.

As such a landlord would be smart to retain the tenant's file and all contracts for at least 6 years after the deadline for the return of the tenant's security deposit (i.e. 6 years + 21 days from any event set forth is Wis. Stat. § 704.28(4)).

If you forget to keep your past-tenant's rental documents for at least 6 years, you could end up in the unenviable position of trying to defend yourself against a lawsuit filed by a past-tenant whose tenancy you have no memory of. As such, you would have no documents to refer to, to refresh your memory nor would you have any documents that you could use as an exhibit in court. Keep in mind that a tenant typically only has one landlord at a time, whereas you may have tens or hundreds of tenants simultaneously. It is probably safe to say that the tenant will have a better memory of you and his or her tenancy than you will have of them. Therefore, keeping all tenant-related documentation for as long as the past tenant can sue you, is very important. With computers and the ability to save things digitally these days, a landlord has no excuse for not holding on to a tenant's rental file for at least the length of the statute of limitations.



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EVICTION “I Don’t Care”

By Carrie Maas
AASEW Member

Yes, this is an ongoing situation that is on the rise. Unfortunately, the only way to get some people to pay is to start a legal action.



There is a spectrum of tenants where being evicted is not important to them. Some have family members in jail, they have low paying jobs, they have no car insurance, they have lost their licenses to drive (yet still drive because they have to) or they have other unknown hurdles. To be evicted is nothing to them and so, they do not care. To be evicted is trivial to them compared to other things in their lives.

They will pack their belongings and find a place to live with family or friends until they get another place to live. No biggie. The only time they care is when they are being interviewed by the media or trying to get free assistance. Then, according to them, their life has been ruined and horribly changed forever. Please, check on these people again within the next three years and you will find they have been evicted again. That is the harsh truth of this story.

The only people who care about the evictions are those trying to find a solution to the eviction crisis. Unfortunately those individuals don't understand that those tenants do not care and they only hear the tenant's story of woe and misery. The tenant never tells them, "*I don't care, evict me.*"

No one ever talks about the thousands of tenants landlords work with monthly. Those tenants who cannot pay rent in full so we work out payment dates and amounts. Those tenants that have hundreds even thousands of dollars on their ledger only because landlords attempt to work with their tenant base. Where is that story???

Money Orders or Cashier Checks? The Best Way to Go

By Carrie Maas
AASEW Member

With today's electronic world we forget that sometimes it is good to use policies from the past. One such policy would be not to allow online payments in the last 60 days of a tenant's tenancy or when accepting payment for canceling an eviction.



Why? Because it is all too easy to have a payment stopped or reversed when using online payment systems. Also, when receiving a bank transfer from one account to another, it automatically shows on the sender's account that funds were withdrawn.

What it does not show is the payment was then stopped because of an NSF or a reverse payment was requested by the tenant. So now your tenant can waltz into court with a text or email stating that payment was sent and your account received it. (An NSF payment does not show up immediately. So a tenant with a receipt for an online payment will have standing in court.) Any Commissioner or Judge will look upon it as a successful transfer of funds.

So be safe and for the last 60 days, accept only money orders or cashier checks. Yes, I know even these payments can be reversed under extreme circumstances, but it is much harder to do so.





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- Ads are black and gray scale in print unless other arrangements are made. Ads will all appear in color if color ads are provided in the electronic copy of the newsletter. (Ads may be in color if they are on the inside front or back cover at time of printing.)
- If an ad is changed during a run, blocks may still be purchased, however, there will be a \$25 charge for each new/changed ad.
- Additional costs may be incurred if your Ad needs to be designed or modified. Please contact Kathy with any questions or changes. (Kathy@aasew.org) (414) 276-7378
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*Free Online Resources to Market your Rental,
Continued from page 7*

On the posting page, enter a descriptive title. Note that you are limited to 50 characters in the title, so put your best information first (such as a nice amenity that the property offers, or a rent special you may be offering). Give a lot of information in your description box, and select the appropriate selections for the number of bedrooms, bathrooms, square footage, etc.

Craigslist offers the ability to select "open house" dates. Holding "open houses" can be a much more efficient use of your time than scheduling independent appointments. I prefer this method because I waste less time if certain applicants choose not to show up.

For contact information, I use a Google Voice number rather than give out my personal cell phone number. One nice aspect of Google Voice is that all text messages can be responded to on your computer -- so you can copy and paste the same response to everyone that messages you. Voicemails and text messages from Google Voice can also be sent straight to your email, so you'll never be bothered with your phone ringing off the hook from inquiries.

Facebook Marketplace

At the March 2018 membership meeting, we spoke about how to use Facebook to market your rentals. I have personally found this to be the most low-level way of getting leads for my rentals, because it is very easy for users on Facebook to simply click the "is this available?" button on something that catches their eye, that they may not have a true interest in. However, I still use this method as there might be some legitimate leads. For example, I recently posted an ad at noon, and when I checked my computer at 9:00pm, I had 74 inquires for my rental.

Note that after you sign up for a Facebook account in order to get access to the Facebook Marketplace, your account will need to go through a "seasoning" period where you have activity to ensure you're not a spammer. Once your account is old enough, the Facebook Marketplace icon will appear on your sidebar and Facebook will alert you that you're ready to use it. The AASEW uploaded their presentation on using Facebook to market your rentals on the website, please visit <https://www.aasew.org/previous-meetings/>.

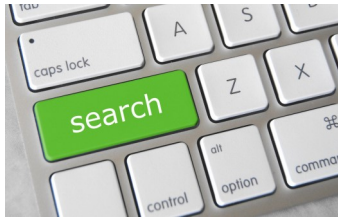
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Is Eviction Data Unbiased?



All landlords need to be aware of the recent data uploaded to the internet regarding Evictions in the City of Milwaukee. The information is available at:

<http://mke-evict.com>

This is a combined effort by the Medical College of Wisconsin, Legal Action of Wisconsin, Milwaukee City Attorney's Office and the Milwaukee Department of Neighborhood Services to give data on evictions that occurred within the City of Milwaukee from 2016 to February 2019.

Some of the information it provides is all evictions with the names of the property owners and how many evictions each landlord did. It also provides how many were dismissed, how many were filed while or after property violations were found by DNS.

With the DNS information, it almost sounds as if they are attempting to state that over 3500 evictions may have been started because of DNS violations.

Look at what information is provided because it is extensive. But also look at what is not in the data. It never shows the names of the evicted or how many times they were evicted or had filing placed on them. Again, they have a right to privacy, but the landlord does not.

It also does not address that one of the largest evictors in the City of Milwaukee is the City of Milwaukee itself. Where is the news article on that landlord?? Why is it when a regular landlord evicts someone the media portrays it as a slumlord evicting an innocent person who reported violations to DNS. But no one discusses why the City of Milwaukee evicts people. The City of Milwaukee appears to be one of the highest eviction landlords in the city. If the city of Milwaukee cannot operate as a landlord and collect rent without eviction, how can it be expected that a regular landlord can operate and collect rent without eviction? You know, a regular landlord that does not have a City Attorney's office at its beck and call.

By Carrie Maas
AASEW Member

This information and those that have tallied it, Legal Aid, City Attorney and the Department of Neighborhood Services may have other reasons for such a compilation of data. Could the data be used against landlords? Could the data be skewed for their own agenda to create laws or specific rules to properties located in certain areas of the City or target specific landlords? In my opinion, a stage is being set to justify changes in laws that will affect landlords and their properties.

We already know that evictions are on the rise. But why? What is causing the rise? Who is causing the rise? There are no studies or surveys as to why the evictions are occurring. Until landlords are brought to the table as equals, evictions will continue to occur. **Because honestly, who knows better why evictions occur than those doing the evictions?**



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- Deadline for all submissions is the first of each month.
- The newsletter will be delivered electronically to the membership on the 10th of the month.
- Limited print copies of the newsletter will be available at the General Membership Meeting following its publication.
- We are happy to accept one article per author per newsletter.
- Please keep article to approximately 500 words in length.
- Any edits made to an article (generally for length) will be approved by the contributor before it is published.
- All articles must be properly attributed
- The Editorial Staff reserves the right to select articles that serve the membership, are timely and appropriate.



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Looking forward...

Membership Meeting—Monday, August 19, 2019

Marketing and showings, how to process rental applications and how to interpret credit reports. Experts and great info! See you there.

Membership Meeting—Monday, September 16, 2019

Maintenance: A panel discussion with experts from multiple fields to offer advice and answer your questions.

Save the Date: AASEW 2019 Trade Show

Friday, October 11, 2019 at Potawatomi Hotel and Casino

Vendor booth registration is **now open**.

Registration for attendees opens in September.

Save the Date: AASEW Landlord Boot Camp

Saturday, October 26th at the Four Points Sheraton Airport

Registration is now open. Sign up at www.aasew.org



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