



Kenosha Landlord Association

A Local Chapter of the Wisconsin Apartment Association

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Licensed Or Not, Which Contractor Is Cheaper

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01/09/2014

DISCLAIMER: The Kenosha Landlord Association publishes this newsletter to create awareness of issues relating to the rental housing industry. Information is compiled from a variety of sources and the views and concerns expressed by the contributors do not necessarily reflect those of the editor or the Association. When necessary, we suggest you consult an attorney.

Licensed or Not, Which Contractor is Cheaper?

August 14, 2013

Since I occasionally hire contractors, I sometimes read the ads for various trades in the local newspapers. Here in Arizona, the contractors are required to say if they are licensed or not in their ads. The majority of the ads say "Not a licensed contractor." One that has particularly caught my eye says, "Not licensed by choice." I find this a very interesting marketing choice. When I have spoken to other contractors who work without a license by the state, and asked them why they choose to do so, they say, "If I got licensed, I'd have to charge more." I think this is a red herring excuse used only to justify not doing the work to get licensed.

Let's look at the arguments for and against a contractor being licensed.

The basic argument against being licensed is that state licensing involves considerable paperwork, proof of in-

surance, a bond, a financial statement, plus the expenditure of money. Completing all that paperwork, in addition to requiring the ability to read and comprehend detailed instructions, requires a considerable time commitment during which, the contractor is not actually involved in activities that generate income or additional customers. For example, the 11 documents required to be a licensed contractor in Arizona, include proof of a business formation (such as LLC, partnership, sole proprietor, etc.), a financial statement, a background check, proof of a bond, and test scores. The actual application form for a new contractor in Arizona is 10 pages long, with an additional 33 pages of instructions on how to fill out the application.

After the paperwork is all completed, now there are the fees for the license. Licensed contractors need to be bonded and insured and provide proof of that bonding and insurance. The actual license fees range from \$650 to \$1,555 depending on the type of work to be done, residential or commercial, classifications, etc. Bonding costs approximately \$200 per year for a \$5,000 bond, the minimum bond amount acceptable in Arizona. Those fees can add up quickly. A license applicant is looking at a minimum of \$850, assuming the contractor has good credit and an acceptable financial statement, in addition to obtaining an Employer Identification Number from the IRS (there's no cost for that) and having a licensed business (there are fees for this one). I found similar requirements in other states where the contractor's license requirements are available online.

One item on the checklist that intrigued me was "Original test scores." I certainly can't speak to the reliability of



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Licensed or Not, Which Contractor is Cheaper?



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the contractor tests; however, it appears that these exams require at least some basic knowledge of business and trade. The required exams include a "Business Management Exam" and a "Trade Exam." Proving basic knowledge of these two subjects sounds like an acceptable expectation.

Can't pass the test? Hmm... Given these criteria, I can understand why someone would be "Not licensed by choice" if he had questionable business ethics or couldn't read.

What does any of that have to do with the person who hires a contractor, though? The reasons for not being licensed are all about the contractor, not the property owner or manager, which brings us to the possible arguments for hiring a licensed contractor. There is no guarantee that a licensed contractor will do better work than an unlicensed one, so that isn't the issue. Obviously, you need to check references on anyone you hire, including looking at previous and current jobs, checking for Better Business Bureau complaints or Contractors' Board complaints, and maybe checking Angie's List reviews. The issue really at stake is our, the property owners', financial and legal responsibility and well-being.

For example, if an unlicensed, un-bonded contractor gets hurt while working at our property, we are financially responsible for that injury. If he's insured, the injury is covered by their insurance, and we are likely off the hook. If the contractor is uninsured, or under-insured, we may be financially responsible. Think this doesn't apply to you and your properties? Contact your attorney and ask their opinion.

Another scenario could be if a contractor does sloppy, inadequate or dangerous work. If the contractor is unlicensed, we have no legal recourse except to try to track him down and sue him personally. Chances are not good for that to be a pleasant experience. Also consider that if someone, a tenant or a guest, is injured as a result of that work, we are financially responsible for that injury as well. Now, if the

contractor is licensed, we can file a claim against their bond and insurance. With an unlicensed contractor, again we find ourselves left with only the prospect of personal litigation to mitigate those costs.

The final piece to look at is the excuse that the contractor can offer cheaper work when unlicensed rather than licensed. This boils down to the difference between price and cost. The price is what the contractor charges for the labor and materials; the cost is the dollar amount paid at the end. Things do go wrong sometimes, even with licensed contractors. The difference is, with a licensed contractor, there is most likely no extra cost to us. With an unlicensed contractor, we end up paying twice for sloppy, inadequate, or even dangerous work. Once to the original unlicensed contractor, and again to fix the problem they have caused.

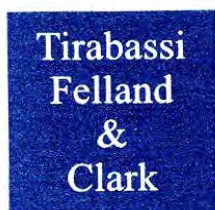
A contractor choosing to be unlicensed is SOLELY a benefit to the contractor, not the person who hired them; even if the initial price is cheap. A contractor choosing to be licensed is a benefit to BOTH the contractor and us. It is a benefit to the contractor since it shows they are serious about their business and have done what it takes to take financial responsibility for their work. It is a benefit to us because we are more adequately protected financially and legally, than we are if the contractor is unlicensed. www.rentalpropertyreporter.com

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Changes to SB 179—WI Act 76—Parking On Private Property, Towing & Abandoned Property Signed Into Law 12-12-2013 Published 12-13-2013

2013 Wisconsin Act 76

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2013 Senate Bill 179

c. The information is solely information that will enable a person to contact the owner or, at the option of the owner, an agent of the owner.

SECTION 3. 66.0104 (3) of the statutes is renumbered 66.0104 (3) (a) and amended to read:

66.0104 (3) (a) If a city, village, town, or county has in effect on December 21, 2011, an ordinance that is inconsistent with sub. (2) (a) or (b), the ordinance does not apply and may not be enforced.

SECTION 4. 66.0104 (3) (b) of the statutes is created to read:

66.0104 (3) (b) If a city, village, town, or county has in effect on the effective date of this paragraph [LRB inserts date], an ordinance that is inconsistent with sub. (2) (c) or (d), the ordinance does not apply and may not be enforced.

SECTION 5. 349.13 (3m) of the statutes is renumbered 349.13 (3m) (b) and amended to read:

349.13 (3m) (b) ~~No Subject to par. (dr) 1., if private property is not properly posted and a vehicle involved in trespass parking on a is parked on the private parking lot or facility shall be removed property and is not authorized to be parked there, the vehicle may be removed immediately, at the vehicle owner's expense, without the permission of the vehicle owner, except upon the issuance of a repossession judgment or upon formal complaint and the issuance of a citation for illegal parking issued by a traffic or police officer.~~

SECTION 6. 349.13 (3m) (a), (c), (d), (dg), (dm), (dr) and (e) of the statutes are created to read:

349.13 (3m) (a) In this subsection:

1. "Parking enforcer" has the meaning given in s. 341.65 (1) (ar).

2. "Properly posted" means there is clearly visible notice that an area is private property and that vehicles that are not authorized to park in this area may be immediately removed.

(c) Subject to par. (dr) 1., if private property is properly posted and a vehicle is parked on the private property and is not authorized to be parked there, the vehicle may be removed immediately, at the vehicle owner's expense, without the permission of the vehicle owner, regardless of whether a citation is issued for illegal parking.

(d) 1. Subject to par. (dr), a vehicle may be removed from private property under par. (b) or (c) only by a towing service at the request of the property owner or property owner's agent, a traffic officer, or a parking enforcer.

2. Before any vehicle is removed under par. (b) or (c) by a towing service, the towing service shall notify a local law enforcement agency of the make, model, vehicle identification number, and registration plate number of the vehicle and the location to which the vehicle will be removed.

3. Subject to par. (dr) 2., if a vehicle is removed under par. (b) or (c) by a towing service, the vehicle owner shall pay the reasonable charges for removal and, if applicable,

storage of the vehicle, as well as any service fee imposed under par. (dm). Subject to par. (dr) 2., if the vehicle was removed at the request of the property owner or property owner's agent, these reasonable charges shall be paid directly to the towing service, and the towing service may impound the vehicle until these charges are paid. If these charges have not been paid in full within 30 days of the vehicle's removal and the vehicle owner has not entered into a written agreement with the towing service to pay these reasonable charges in installment payments, the vehicle shall be deemed abandoned and may be disposed of as are other abandoned vehicles.

(dg) Every law enforcement agency shall maintain a record of each notice received under par. (d) 2., as well as identification of the towing service removing the vehicle.

(dm) If requested by the municipality in which the removed vehicle was illegally parked, the towing service shall charge the vehicle owner a service fee not exceeding \$35 and shall remit this service fee to the municipality. All service fees collected by a towing service under this paragraph may be aggregated and forwarded together, on a monthly basis, to each applicable municipality.

(dr) 1. A towing service may not remove a vehicle under this subsection if the vehicle has been reported to a law enforcement agency as stolen.

2. A towing service may not collect any charges for the removal or storage of an illegally parked vehicle under this subsection if the towing service has not complied with par. (d) 2. with respect to the vehicle.

(e) The department shall promulgate rules establishing all of the following:

1. Reasonable charges for removal and storage of vehicles under this subsection.

2. The form and manner of display of notice necessary to qualify as "properly posted" under par. (a) 2.

3. Guidelines for towing services to notify law enforcement under par. (d) upon removal of a vehicle.

SECTION 7. 349.13 (5) (b) 2. of the statutes is amended to read:

349.13 (5) (b) 2. A person who has custody of a vehicle removed or stored under subs. (3) to (4) or otherwise at the request of a law enforcement officer, ~~traffic officer, parking enforcer, property owner, or property owner's agent~~ shall release the personal property within the vehicle to the owner of the vehicle during regular office hours upon presentation by the owner of proper identification.

SECTION 8. 349.13 (5) (c) of the statutes is amended to read:

349.13 (5) (c) A traffic or police officer ~~or parking enforcer~~ who requests removal of a vehicle under subs. (3) to (4) by a towing service shall, within 24 hours of requesting the removal, notify the towing service of the name and last-known address of the registered owner and all lienholders of record of the vehicle if the vehicle

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2013 Senate Bill 179

is to be removed to any location other than a public highway within one mile from the location from which the vehicle is to be removed and if the officer or parking enforcer is not employed by a municipality or county that has entered into a towing services agreement which requires the municipality or county to provide notice to such owner and lienholders of the towing.

SECTION 9. 704.05 (5) (a) 1. of the statutes is amended to read:

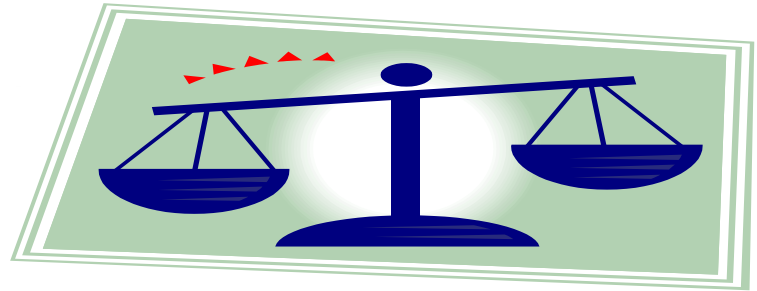
704.05 (5) (a) 1. If a tenant removes from or is evicted from the premises and leaves personal property, the landlord may presume, in the absence of a written agreement between the landlord and the tenant to the contrary, that the tenant has abandoned the personal property and may, subject to par. (am) and s. 799.45 (3m), dispose of the abandoned personal property in any manner that the landlord, in its sole discretion, determines is appropriate.

SECTION 10. 704.05 (5) (b) 2. (intro.) of the statutes is amended to read:

704.05 (5) (b) 2. (intro.) If the abandoned tenant removes from or is evicted from the premises and leaves behind personal property that is a manufactured home, mobile home, or titled vehicle, before disposing of the abandoned property the landlord shall give notice of the landlord's intent to dispose of the property by sale or other appropriate means to all of the following:

SECTION 11. 704.05 (5) (bf) of the statutes is amended to read:

704.05 (5) (bf) *Notice that landlord will not store property.* If the landlord does not intend to store personal property left behind by a tenant, except as provided in par. (am), the landlord shall provide written notice to a tenant, when the tenant enters into, ~~and when the tenant or renews,~~ a rental agreement, that the landlord will not store any items of personal property that the tenant leaves behind when the tenant removes from, or if the tenant is evicted from, the premises, except as provided in par. (am). Notwithstanding pars. (a), (am), and (b), if the landlord ~~does not provide~~ has not provided to a tenant the notice required under this paragraph, the landlord shall comply with s. 704.05, 2009 stats., with respect to any personal property left behind by the tenant when the tenant removes from the premises, or if the tenant is evicted from the premises and the landlord notifies the sheriff under s. 799.45 (3m).



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You will need to attend both sessions

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- Crime Free Lease Addendums
- Process Serving
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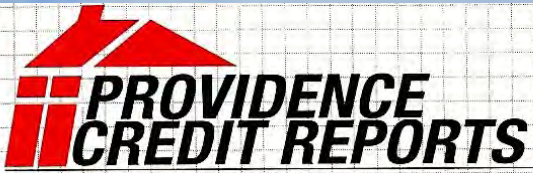
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With Alderman**

Other Topics In Months Ahead

- Sheriff Department
- Keith Olsen With Emergency
- Fire & Restoration
- Social Media
- Legislative Day
- Update
- SB 179



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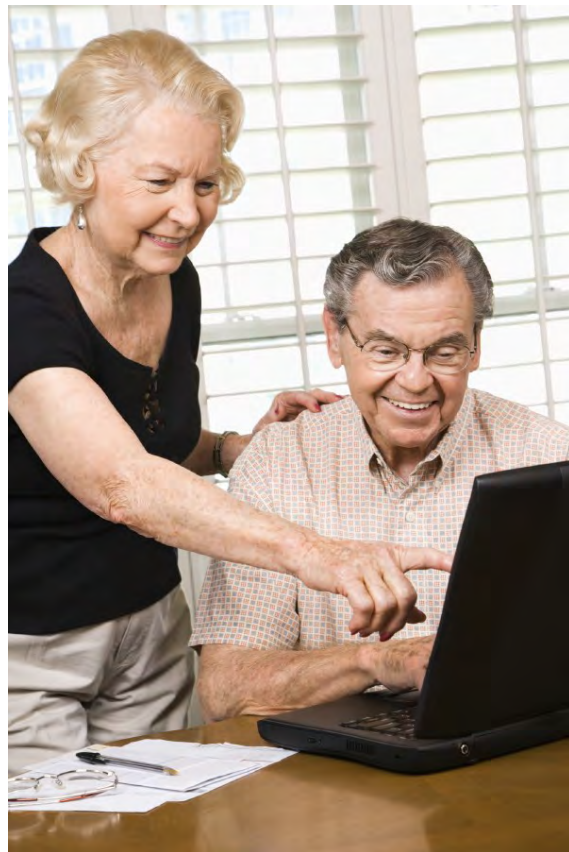
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Tenant Screening Solutions: DIY vs. Hiring a Property Manager vs. Online Software



When it comes to choosing tenants, most landlords recognize the importance of screening potential renters before accepting them. If you don't take your time determining whether or not the tenants are right for you, you risk having a bad situation that could result in a lengthy, expensive eviction battle. Gathering as much information as possible about your potential tenants can mean the difference between having a harmonious living situation and a tumultuous one. There are multiple different approaches that landlords can take when screening tenants. Understanding how the different tenant screening solutions work, the steps required to follow through with each, and the potential benefits that each can offer will allow you to choose the best option for your rental units. Here is a step-by-step guide to the three main forms of tenant screenings: Do-it-Yourself, Hiring a Property Manager, and Using Online Tenant Screening Software. Each has its costs and benefits.

Do-It-Yourself

Running your own tenant screening is definitely possible, but it just may take you a bit more time. Of course, this means it will likely turn out to save you some money in the long run. Just be sure you know what you're doing (and the amount of responsibility you're taking on) before diving into it yourself. To give yourself an idea, this quick guide will give you an overview of the different aspects of a typical tenant screening and the steps required to screen your tenants yourself. If you follow these steps, you'll have found the right tenant for your unit in no time.

1) Personality/Soft Skills

The first thing you will want to do is evaluate the potential tenant based

on your first impression. You will want a tenant that is respectful and polite. Make sure they are the kind of person you will want to or, at the very least, be willing to interact with on a regular

basis. Although simply having a conversation with them when you show them around the unit can easily be the first step in your evaluation, it makes more sense to have the first "meeting" over phone or email. You can let them know your baseline standards for a tenant upfront (minimum income, must have a clean background/good references, etc.) so you don't waste your time with any tenants that won't qualify. If they meet those standards, allow them to see the unit. And when you do see them in person, pay attention to how punctual they are, and if their clothes and car are clean and well kempt. This may give some insight into how well they will take care of your unit, and how likely they are to take care of things like paying rent on time.

2) Rental Application

Here, you will ask the potential tenants for most of the information you will need. You'll need their full name, their current address, contact information, birthdate, and their social security number. You'll also want details on their employment history, their landlord history, and their legal history. Finally, ask for their signature authorizing the release of their information

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Tenant Screening Solutions: DIY vs. Hiring a Property Manager vs. Online Software

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when you run a credit report and background check on them. All of this information will help you make an informed decision, and is important to keep on file for legal purposes.

3) Credit Report/Background Check

A credit report can give you a whole host of information. Outside of whether or not the potential tenant has filed for bankruptcy, it can let you know if they have been late on any past bills, including car and student loans. It can also tell you if they have ever been convicted of a crime, evicted, or involved in a lawsuit. What's more, it allows you to look at their overall credit history. This allows you to see how long the potential tenants have been financially active, how positive their financial situation has been over the years, and provide income verification. In order to run a credit report check, you'll have to ask for certain information from the potential tenant on their application. The check requires the tenant's name, address, and Social Security number. You will have to make sure that the tenants know you are running a credit check, and they will have to authorize you to do so, especially because they will likely have to pay the fee for the credit report check.

4) Reference Checks/Recommendations

Finally, your potential tenant should supply you with a few references, most likely including former landlords or employers. You should follow up with them and see what they have to say about the tenant. And believe what they tell you. You don't want to deal with a troublesome tenant if you don't have to, and even people who make the best first impressions aren't always fantastic. If everything else about them checks out, but they have poor references, still think twice about letting them into your rental unit. Everyone deserves a second chance, but taking these types of gambles with your business is a bad move.

Hire a Property Manager

After all that, if it just seems like too much work to run a tenant screening on your own, consider hiring a private property manager to help you run the requisite background checks and give out the proper applications to your potential tenants. This person will be sure that all of the information you are collecting will be accurate and sufficient to determine if they would be a high-quality tenant. If you have a large number of rental units, or have money to spare when it comes to running your business, this may be a good option for you. Consider speaking to other landlords to see if they use a property manager, and if so, who they use. It can also help to look at review websites such as Yelp in order to determine whether or not any particular property manager is worth paying for. Also, don't be afraid to ask to meet with them prior to hiring them. They will be more than willing to answer any questions that you may have about their services.

Generally, people seem to be moving away from hiring property managers in favor of maintaining total autonomy over their rental units. Because property managers can take relatively large cuts from your rent (oftentimes to the tune of 10% a month), there is a significant amount of your income that is lost. If you would prefer to collect that rent and spend it elsewhere, you should avoid hiring a property manager. If the security you feel from knowing that your finances are in order is worth the 10% cut, then hiring a property manager may be for you.

Using Online Tenant Screening Software

Online Tenant Screening Software, like the Rentalutions offers, gives you the best of both worlds. Less expensive than hiring a property manager, it still gives you some good guidance that can help you to effectively screen your tenants. It is easier than going it alone, but still helps you maintain your independence. For a small fee, plus having your potential tenants pay for their own background checks, you can take care of everything at once. It helps to make sure that everything was done thoroughly and completely. You'll want to be sure to have all of the important information before deciding whether or not to accept a potential tenant, and online software can help you to determine what is most important. Additionally, when you use an online service, all of the information will be kept in one place. The likelihood of misplacing documents goes way down, and electronic copies of all important documents will be available at all times.

What's more, once your business has moved online and you've begun using tenant screening software, it's easy to transition to other online solutions for everything from lease drafting and signing to rent collection. Your tenants will already understand the way your do business, and it may be easier to transition to those types of online solutions if your tenants are familiar with the platform.

The Bottom Line

At the end of the day, it's up to you to decide which option is best for your business. Depending on if you value your time or your money more, or whether you hope to strike a balance between both of them, one option might be significantly better than another. Still be sure to weigh all of your options equally, and don't be swayed too much by what you see in online forums or what was given as advice from friends both inside and outside of the business. What may be ideal for one person or situation may not be ideal for another.

About Rentalutions

Rentalutions' online rental software helps do-it-yourself landlords be the best they can be by providing tools to screen tenants, create leases and collect rent, all online. Learn more by visiting Rentalutions.com. Plans start at just \$5 per month

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- * Carpet & Padding
- * Professional Service and Installation
- * Carpet Base Binding
- * Window Treatments

Website: www.carpetsplusoutlet.com

262-883-9494 * 1241 22nd Avenue, Kenosha WI



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12/06

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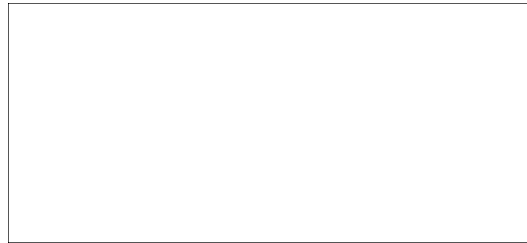


Kenosha Landlord Association

P.O. Box 1505

Kenosha, Wisconsin 53141

RETURN SERVICE REQUESTED



Next Meeting

VFW

6618-39th Ave

On our regular
3rd Wednesday the month

Feb 19, 2013

6:30 P.M. for food

7:00 P.M. for meeting

Appetizers & Networking at 6:30 pm Meeting will start at 7 pm

***Holiday Party at
BomBay Louie's
On Wed.,
Jan 15, 2014
around 7 pm***

www.kenoshalandlordassociation.ws

Free Food Or Snacks Provided At Meetings