

Kenosha Landlord Association

A Local Chapter of the Wisconsin Apartment Association

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WAA Landlord Convention Oct 2012

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.

Recovering from a Credit Score Hit

On the road to mortgage eligibility

By: Debbi Conrad
Credit scoring remains one of
the major mysteries at play in the quest
for a home loan mortgage. Lenders want
to gauge the potential risk involved
when they extend a mortgage loan to a
homebuyer, and most turn to credit
scores to help determine the credit risk
associated with the prospective buyer.

Fair Isaac is the guru that produces the FICO scores used in the vast majority of lending decisions. FICO scores range from 300-850 and can af-

fect how much money a lender will lend and at what interest rate and terms. Three major credit reporting agencies, or credit bureaus — TransUnion, Equifax and Experian — are the collectors and the keepers of the consumer credit information that is the basis for computing FICO scores; each credit bureau computes its own separate score. The credit bureaus track various credit information regarding, for instance, a person's credit accounts, how many times lenders have requested credit information (inquiries), and how many times lenders used a collection agency to collect amounts that were due (collections).

The big hits: short sale, deed in lieu, foreclosure and bankruptcy

Recent years have been unkind to many consumers who have found themselves underwater on mortgages they cannot afford or who have struggled due to job loss, medical bills, divorce or other financial adversity. In the depths of despair and mortgage delinquency, many of these homeowners end up extricating themselves from their mortgage predicament by selling the property through a short sale, giving the lender a deed in lieu of foreclosure, allowing the bank to foreclose, or declaring bankruptcy. All of these events have an adverse impact on the individual's credit score. While many might

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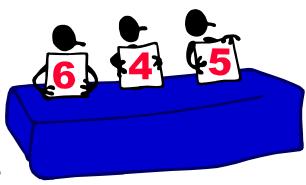
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assume that the consequences of a short sale would be less drastic than the consequences of a foreclosure, when it comes to credit scores, the "hit" sustained may be the same.

Short sales

With a short sale, the owner fashions a solution, with the cooperation and consent of the lender, of course, that causes the lender to accept less than the amount due. The short sale also saves the lender from the time and costs of a foreclosure. While that may be true, the purpose

of the credit score analytics is to evaluate and project the risk the individual poses when credit is extended: will the individual repay a new loan or will the person default? A short sale's impact will depend on how the short sale is reported to the credit bureaus. Because there is no specific code for a short sale, it often is reported as paid in full for less than the full balance, a negative code.

Foreclosure

If there is instead a foreclosure, there will be a derogatory effect on the person's credit score that may be substantial, possibly as much as 200 points. A foreclosure remains on the credit report for seven years, but the impact will lessen over time, especially if the individual keeps other credit obligations in good standing. The foreclosure is less damaging if it is the only default or negative event in the credit file.

Gauging the impact

All negative mortgage events such as a short sale, foreclosure, or deed in lieu do

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Property Management —

Examining the Organization—Size, Staff & Customer Service

Posted by Jordan Muela in Property Management Articles

www.managemyproperty.com

Make sure you also read <u>Examining the Organization</u> - Background, Qualifications, Portfolio.

The service you receive will only be as good as the people doing the work. This step is critical in ensuring you hire honest, knowledgeable professionals who will be attentive to your needs and the needs of your tenants.

Here's a list of issues to review and questions to ask the property management firms you interview:

Size

How many people do they have on staff?

There are pros and cons on to both large and small size companies. While these are certainly not universal, here are some to consider:

Larger company benefits

More specialized staff (i.e. the accounting dept. consists of trained accountants)

Typically have an in-house maintenance crew

More process-driven

Able to negotiate better vendor contracts and advertising rates because of size

More likely to have made a significant investment in enterprise level software that helps them perform property management functions, as well as other more general tasks like accounting, communication and administration.

Plenty of back-ups to fill in when someone gets sick, goes on vacation, quits, etc. This load-sharing can also help with burnout.

Smaller company benefits

The buck stops with the people you directly deal with.

A shorter chain of command means quicker responses and less finger pointing when there are problems.

You may have more pricing leverage

The fact that a mom and pop company has their name (sometimes literally), reputation and personal identity tied to their business can be viewed as a positive motivating factor to provide good service.

Staff

What is their staff turnover rate?

The property management industry has a higher turnover in general, so bear in mind this figure is only meaningful when compared to other property management companies in the area. High turnover is a bad sign. You want to deal with the same people, not a new face every few months. Additionally, this may a sign of poor management

and possibly financial instability. If financial stability is a question, you can always run a credit check on the company.

Who is the specific PM that will handle the property?

The interview with management may go well, but if the manager they assign to your property is sub-par, it really doesn't matter how well the rest of the organization operates. Make a point to meet the specific property manager(s) who will be stewarding your properties. Consider the following:

How do they show? Do they dress and act professionally? Do they seem knowledgeable about their profession?

A nice outfit, warm smile and firm handshake don't cut it. Ask enough questions to the point that you are satisfied they know what they are doing.

How long have they been a (insert your type of property) property manager for (working as an actual PM, not an assistant)?

Relevant experience is key. They may transition quite well and do a good job but either way you want to know their background upfront.

How long have they been with this company, where and for how long were they with the company before that?

Job hopping is not a good sign, and because of the localized nature of real estate, more time spent locally is preferable to a recent transplant from different rental market.

How is their compensation package structured?

This says a lot about how invested your pm will be in the performance of your properties. Wouldn't you want your property manager to be rewarded if they do a good job, and to experience pain, if they don't? Look for pay structures that establish a direct correlation between compensation and key metrics like low vacancy rate, delinquency rate, etc.

Who would you be dealing with if that person is sick or on leave?

There will be a day

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How to Avoid Pain and Suffering (Yours) When Renting to Roommates

by Robert L. Cain, Copyright 2012, Cain Publications, Inc. Fred and Joe want to share an apartment. They fill out a rental application. Everything seems all right, and you rent to them. Both of them sign the rental agreement. Two months later you get a check from Fred for half the rent, but nothing from Joe. Fred says Joe doesn't have the money right now. What do you do?

Julie and Joan rent the two-bedroom unit of the triplex you own. Three months later Julie and Joan have a major disagreement.

Examining the Organization -Size, Staff & Customer Service

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when the planets align and Murphy's Law comes full force. Your manager is out of town and a situation arises that requires immediate attention. Is there a qualified back-up person who will know how to solve the problem or it fall on you to deal with the problem?

Customer Service

What are their office hours, do they close on weekends? Property management is a 24/7/365 vocation, look for a property manager that will be working for you and your properties on the weekend as well.

Who handles after hours, weekend and holiday calls? It needs to be someone who is qualified to competently address owner and tenant concerns IMMEDIATLEY, rather than explaining that you or the tenants will need to wait till Monday morning before you can get redress. If one of your tenants has a pipe burst at 11:30 Friday night, you don't want them talking to someone who is not qualified or capable of promptly getting the problem solved. Regardless of the answer you are given, the only way to know is to call the given number and see who picks up. If tenant or owner emergencies are met with an answering machine you may want to think about moving on.

How quickly do they respond to tenant and owner calls? If during the interview process you have a hard time getting a hold of them, or getting a quick reply, consider it a sign of things to come. Why would you consider hiring a property management firm that is hard to get a hold of?

Next we'll be taking an in-depth look at property management contracts, and how they govern your relationship with a management company.

Joan can't stand Julie's boyfriend, who, of course, has moved in without your permission, and Julie is moving out. She wants her share of the security deposit back. Do you refund half of it? What about the boyfriend?

Ruth, Roxanne and Roger want to rent the three-bedroom townhouse you own. They look like good tenants, good credit, good rental history, plenty of income, so you rent to them. Roger is a longhaul truck driver, so is gone for several days at a time. Roger just wants to rest up when he's in town, so he's quiet and doesn't disturb anyone. But Ruth and Roxanne are party girls. While Roger's out on the road, they throw wild parties that disturb the neighborhood and bring the police. Your rental agreement is clear that that kind of behavior is not acceptable. But it's only Ruth and Roxanne causing the problem. If Roger was home, they would be fine tenants. What is the appropriate action for you to take?

You show up at the door of one of your rental properties to make a repair and someone answers the door wanting to know who you are. The same question had popped up in your mind. You reply "I'm the landlord, and who are you?"

"Oh, I live here," says your "new" tenant. Mind you, you have never seen this person before, you have never received a rental application from him, and certainly have at no time given him permission to move in. You wonder who else is living there you don't know about.

All four of these situations are common with landlords who rent to roommates. It seems as if there is always turmoil, part of the rent not paid, complaints from neighbors, and people moving in and out.

You feel as if you are stuck in the middle.

If you handle it properly from the beginning, while you may still face the same situations, at least the procedures for dealing with

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How to Avoid Pain and Suffering (Yours) When Renting to Roommates

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them will be spelled out in advance. That way you will know exactly what to do when each occurs, and there should be no question from the tenants

Landlords create their own problems when they don't take charge of their properties. Roommate squabbles and issues are some of the most frustrating for landlords since it seems as if everything is always in turmoil. The only way to control these situations is to take charge from the beginning, to know exactly how you will handle every permutation that roommates throw at you.

Your first job is to make sure that your rental agreement has no language that could be construed as creating separate tenancies for each of the roommates. Then, to make sure that each roommate understands the rules, make a special roommate addendum. Your apartment or landlord association may have one available (though many do not issue that form).

If you have separate tenancies for each roommate, sorting out problems and incidents becomes a tangled web or he said-she saids, claims and counter-claims. Do not put yourself in the middle of these situations. You only want the rent paid, a simple way to account for deposits and damage, and assurances that house rules apply to all roommates in total.

Just One Agreement

There must be one and only one rental agreement, signed by all roommates. If you have a separate agreement for each roommate, then you have created separate tenancies and have to deal with each roommate separately. That means if you get only part of the rent, you are stuck going after the roommate who didn't pay. If one roommate moves out, you have to try to sort out how much of the security deposit is going to be refunded and how much goes to damage (as well

as trying to figure out who caused the damage).

The rules for roommates

First, every roommate is equally responsible for what occurs in the property and the rent. Over and over landlords hear the excuse "Joe didn't have his share of the rent this month, it's not my responsibility." Well, yes it is. It is one tenancy, and each roommate is jointly and severally (that's legalese for equally and totally) responsible for all the rent.

That means if one roommate doesn't have his or her share of the rent this month, it is all of the roommates' problem, not just the one who doesn't have the rent, and certainly not yours. You either get all the rent, or they all move out. Don't ever accept partial rent, unless, of course, you have a signed "One-time Partial Rent" form.

Second, when one roommate moves out, you do not refund part of the security deposit to the one moving out. You refund it only

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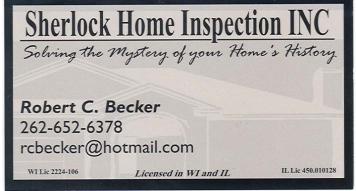
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How to Avoid Pain and Suffering (Yours) When Renting to Roommates

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when the tenancy ends: that is when all current and/or subsequent roommates vacate. Then you provide an accounting according to state law. (Some state laws differ as to how security deposits are handled, and you need to check your law to ensure you can use this system for your properties.)

Roommates who are vacating the unit need to get their portion of the security deposit from a roommate who is moving in. It is not your concern if a vacating roommate gets his or her deposit back or not, since the *tenancy* paid the deposit, not the roommate, and the tenancy consists of all roommates living in the property then and in the future under that rental agreement..

Third, all new roommates must have approved rental applications before they move in. Furthermore, after they are approved, they must sign on as an additional roommate and sign the roommate addendum.

Under no circumstances should the new roommate sign a separate rental agreement. Rather you need to create an addendum that

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states that the new roommate is becoming a part of the tenancy created by the original rental agreement and acknowledging the existing rental agreement that includes the roommate addendum.

New roommates, since they are part of the existing tenancy, also take on the existing state of the tenancy. So if any rent is owing, that rent is also owed by the new roommate; if there is any damage to the property, the new roommate assumes joint and several liability for that damage. It is up to the new roommate to get an accurate accounting of any rent owed or any damage from either or both the other roommates and you, the landlord. You can have the accounting of the rent ready, but accounting for the damage will require an inspection of the unit.

If the new roommate has any questions or concerns, those must be resolved before move-in if he or she is to avoid responsibility for rent owed or damage. Rent owed must be settled with you and damages paid for if the new roommate is going to avoid responsibility for one or both.

If you already have roommates whom you have rented to as separate tenancies, you are probably stuck with the existing situation. Changing the rules would require that you terminate each tenancy and start over again with a new agreement putting everyone together under one agreement. The existing tenants probably wouldn't go for it since it is not to their advantage.

Two Bad, One Good

How about the case of Ruth, Roxanne and Roger, where two are party girls and the third is hardly ever home, but good when he is? It's too bad that Roger is stuck in a situation such as this, but if the agreement was properly drawn, he has to take the heat for his roommates. The situation is no different than if he had been home consistently and had to endure his party-girl roommates.

It is probable that Roger knows almost nothing about the problems his roommates are creating. If he did, he might speak to them about it, even though it would probably do no good. Obviously you would welcome Roger as a tenant, but would rather be rid of the two troublemakers. If it were only that easy.

The best way to proceed is to send a notice to all three tenants that you are terminating with cause. That means the irritating tenants have 10 days (two weeks, or whatever is required in your state) to clean up their act or move out in 30 days. (Check your state law for the exact procedure.)

Be sure to send the notice to each tenant individually so that Roger will get it. Otherwise the two girls could hide it from him and he could be surprised at having no place to live when he returns from one of his driving jobs. Then you would have a real public relations issue, in spite of the fact that you did everything by the book.

If you have one, you could also offer Roger a small apartment that had a rental rate approximately what he was paying with the Roxanne and Ruth. Tell him that you would love to keep him on as a tenant, but that the girls just aren't going to continue living in your property.

Renting to roommates, as opposed to couples or single people, presents its own special challenges and aggravations. What you need to do to make it as painless as possible is make sure that first, you understand what the roommates rights and responsibilities are and, second, that they know what they are.

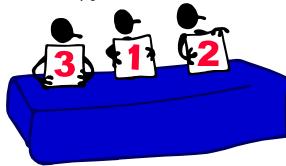
If you don't do that you will have one headache after another trying to collect rent, assess damages and keep track of whom you are renting to.

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Recovering from a Credit Score Hit

On the road to mortgage eligibility





not bode well for future credit risk because the individuals have not paid their mortgage debts. The exact impact in all cases depends on the credit

score the person had before, what information is reported and the composition of his or her credit file. A lower starting credit score may drop less than a score that was higher to begin with. The impact is less extensive for consumers who had already missed payments or carry heavy debt loads. Conversely, the downward impact will probably be greater on the credit scores of consumers with no other delinquency or derogatory items and low debt levels. For example, if a person with a credit score of 680 has a foreclosure, the score will drop 85-105 points, while a bankruptcy drops the score 130-150 points. A person with a 780 credit score has more to lose: the foreclosure will mean a reduction of 140-160 points while the bankruptcy can take it down 220-240 points.

Visit www.myfico.com/crediteducation/questions/ Credit Problem Comparison.aspx for other examples. In all cases, a negative mortgage event such as these will ultimately result in fewer offers and account approvals and higher interest rates and fees.

Isn't a foreclosure worse than a short sale?

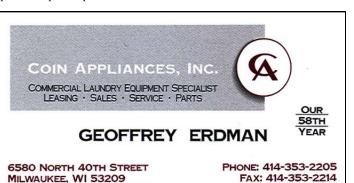
FICO conducted a study to determine the credit risk associated with "mortgage stress events," such as foreclosures and short sales, by analyzing data from 2009 through 2011. The results show a slightly better risk for persons who had short sales rather than a foreclosure, but the difference was not enough to cause FICO to score this differently. Approximately half of those individuals going through a short sale also defaulted on another account within two years, and many had another mortgage delinquency in their past.

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A deed in lieu is also considered to be derogatory. While it may seem that it should bode better for a property owner who deeds the property to the lender rather than making them go through the time and expense of a foreclosure, the FICO score does not "look at it" the same way. In terms of predicting future credit risk, the negative impact of a deed in lieu of foreclosure and a foreclosure may be similar. Again, the specific impact depends on what the credit score was before and what



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other "black marks" are contained in the credit files with the credit

Bankruptcy

A bankruptcy can do more credit score damage than a short sale, deed-in-lieu or foreclosure because it is a reflection of a person's overall credit status rather than one hopefully isolated derogatory event. A bankruptcy can reduce otherwise good scores by 200 points or more, but will have less of an impact on low credit scores that already take into consideration past due status. The impact will gradually lessen over the 10 years it will remain on the credit report.

Credit score repair and improvement

If an individual has experienced a credit score hit, or simply wants to improve his or her credit score, what can be done? Although it may seem obvious, the most important things that can be done immediately are:

Check the credit report: Credit score repair begins with the credit report. Check to make sure it contain no errors, particularly any late payments incorrectly listed or incorrect amounts owed. Dispute any errors with the credit bureau.

Set up payment reminders: Making credit payments on time is one of the biggest contributing factors to a credit score. Consider enrolling in automatic payments through credit card and loan providers.

Reduce the amount of debt owed: Stop using credit cards. Pay down the highest interest cards first while maintaining minimum

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BED BUGSA Guide for Apartment Residents









Bed bugs, with a typical lifespan of 6 to 12 months, are wingless, flat, broadly oval-shaped insects. Capable of reaching the size of an apple seed at full growth, bed bugs are distinguishable by their reddish-brown color, although after feeding on the blood of humans and warm-blooded animals—their sole food source—the bugs assume a distinctly bright, blood-red hue until digestion is complete.

BED BUGS - Setting the Record Straight

Bed Bugs Don't Discriminate

Bed bugs' increased presence across the United States in recent decades can be attributed largely to a surge in international travel and trade. It's no surprise then that bed bugs have been found time and time again to have taken up residence in some of the fanciest hotels and apartment buildings in some of the nation's most expensive neighborhoods.

Nonetheless, false claims that associate bed bugs' presence with poor hygiene and uncleanliness have caused apartment residents, out of shame, to avoid notifying landlords of their presence. This serves only to enable the spread of bed bugs.

While bed bugs are, by their very nature, more attracted to clutter, they're certainly not discouraged by cleanliness.

Bottom line: bed bugs know no social and economic bounds; claims to the contrary are false.

Bed Bugs Don't Transmit Disease.

There exists no scientific evidence that bed bugs carry disease. In fact, federal agencies tasked with addressing pests of public health concern, namely the U.S. Environmental Protection Agency and the Centers for Disease Control and Prevention, have refused to elevate bed bugs to the threat level posed by disease-carrying pests.

Again, claims associating bed bugs with disease are false.

Identifying Bed Bugs

Bed bugs can often be found in, around and between:

- · Bedding
- · Bed Frames
- · Mattress Seams
- Upholstered Furniture, especially under cushions and along seams
- Around, behind and under wood furniture, especially along areas where drawers slide
- · Curtains and draperies
- · Along window and door frames

- · Ceiling and wall junctions
- · Crown moldings
- · Behind and around wall hangings and loose wallpaper
- Between carpeting and walls (carpet can be pulled away from the wall and tack strip)
- · Cracks and crevices in walls and floors
- Inside electronic devices, such as smoke and carbon monoxide detectors
- Because bed bugs leave some persons with itchy welts strikingly similar to those caused by fleas and mosquitoes, the origination of such
 markings often go misdiagnosed. However, welts caused by bed bugs often times appear in succession and on exposed areas of the skin, such
 as the face, neck and arms. In some cases, an individual may not experience any visible reaction resulting from direct contact with bed bugs.
- While bed bugs typically prefer to act at night, they often do not succeed in returning to their hiding spots without leaving traces of their presence through fecal markings of a red to dark brown color, visible on or near beds. Blood stains tend also to appear when the bugs have been squashed, usually by an unsuspecting host in their sleep. And, because they shed, it's not uncommon for skin casts to be left behind in areas typically frequented by bed bugs.

Preventing Bed Bug Encounters When Traveling

Because humans serve as bed bugs' main mode of transportation, it is extremely important to be mindful of bed bugs when away from home. Experts agree that the spread of bed bugs across all regions of the United States is largely attributed to an increase in international travel and trade. Travelers are therefore encouraged to take a few minutes upon arriving at their temporary destination to thoroughly inspect their accommodations, so as to ensure that any uninvited guests are detected before the decision is made to unpack.

Because bed bugs can easily travel from one room to another, it is also recommended that travelers thoroughly inspect their luggage and belongings for bed bugs before departing for home.

Bed Bug Do's and Don'ts

Do Not Bring Used Furniture from Unknown Sources into your Apartment. Countless bed bug infestations have stemmed directly from the introduction into a resident's unit of second-hand and abandoned furniture. Unless the determination can be made with absolute certainty that a piece of second-hand furniture is bed bug-free, residents should assume that the reason a seemingly nice looking leather couch, for example, is sitting curbside, waiting to be hauled off to the landfill, may very well be due to the fact that it's teeming with bed bugs.

Address Bed Bug Sightings Immediately. Apartment residents who suspect the presence of bed bugs in their unit must immediately notify their landlord.

Do Not Attempt to Treat Bed Bug Infestations. Under no circumstance should you attempt to eradicate bed bugs. Health hazards associated with the misapplication of traditional and non-traditional, chemical-based insecticides and pesticides poses too great a risk to you and your neighbors.

Comply With Eradication Protocol. If the determination is made that your unit is indeed playing host to bed bugs, you must comply with the bed bug eradication protocol set forth by both your landlord and their designated pest management company.





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payments on other accounts.

Payment history tips

The payment history accounts for 35 percent of a credit score calculation, so it presents the best opportunity for improving a score, but past problems like missed or late payments are not easily fixed.

Always pay bills on time. Delinquent payments, even if only a few days late, and collections can have a major negative impact on a FICO score.

If payments are missed, getting current and staying current is the best medicine.

Paying off a collection account does not make it go away. It stays on the credit report for seven years.

Amounts owed tips

This category contributes 30 percent to the credit score calculation.

Keep balances low on credit cards and other revolving credit because high outstanding balances affect the credit score. Don't exceed 35 percent of the credit card limits.

Pay down debt rather than moving it around. Owing the same amount but having fewer open accounts may lower the score.

Don't close unused credit cards as a strategy to raise a credit score.

Don't open a number of new unneeded credit cards just to increase available credit. This approach could backfire and actually lower the credit score.

Length of credit history tips

Don't open several new accounts too rapidly because they will lower the average account age. Leave older accounts open to maintain length of credit history.

Types of credit use tips

Apply for and open new credit accounts only as needed. Having credit cards and installment loans and using them responsibly rebuilds a credit score. Someone with no credit cards, for example, may be higher risk than someone who has managed credit responsibly.

Closing an account doesn't make it go away; it still shows up on the credit report.

Free credits reports

The Fair Credit Reporting Act (FCRA) requires each of the nationwide consumer reporting companies — Equifax, Experian and TransUnion — to provide a free copy of an individual's credit report, at his or her request, once every 12 months.

Annualcreditreport.com is the ONLY authorized source for the free annual credit report that's required under federal law. Many companies claim to offer free credit reports — and some do. But others give you a report only if you buy other products or services.

The three nationwide credit bureaus have a central website, a

Recovering from a Credit Score Hit

On the road to mortgage eligibility

toll-free telephone number, and a mailing address for ordering a free annual report. To order, visit annualcreditreport.com, call 1-877-322-8228, or complete the Annual Credit Report Request Form and mail it to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. The form is available from www.ftc.gov/credit. Do not contact the three nationwide consumer reporting companies individually.

There is no service where a person can obtain their credit score for free in order to simply check on it.

Debbi Conrad is Senior Attorney and Director of Legal Affairs for the WRA. Published: October 04, 2012

Effective November 2012

Non-Members of Kenosha Landlord Association Will No Be Charged \$20 At The Door for each meeting.

Members of KLA are allowed to bring a guest for free.

This Year KLA Will Have a December 2012 meeting.
Stay Tune
For The Topic & Date

KLA Holiday Party

Will Be Held During Our Regular January Meeting

January 16th, 2013

Place To Be Determined



WAA 2012 CONFERENCE & TRADESHOW



WAA 2012 CONFERENCE & TRADESHOW



More Fun Photos From The 2012 WAA Conference & Tradeshow

WAA 2012 CONFERENCE & TRADESHOW



Pictures take by Liza Tho<mark>ber</mark>

2013



Kenosha Landlord Association

P.O. Box 1505 Kenosha, Wisconsin 53141

RETURN SERVICE REQUESTED

Next Meeting NEW Location

George's Club
Highview Lower Level

5305-60 St, Kenosha

On our regular 3rd Wednesday the month

October 17th, 2012 6:30 P.M. for food

7:00 P.M. for meeting

NEW MEETING PLACEGeorge's Club Highview

Lower Level

Appetizers & Networking at 6:30 pm

Meeting will start at 7 pm

How To Do A Collection

With Jeffrey Shavilk
of Finance Systems of Green Bay

www.kenoshalandlordassociation.ws

Free Food Or Snacks Provided At Meetings