



Kenosha Landlord Association

A Local Chapter of the Wisconsin Apartment Association

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April 2013

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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.

Lawsuits Happen

April 11, 2013

“It’s called a legal shake-down,” says Robert Mintz in his book *Lawsuit Proof*. Of the about 15 million lawsuits filed last year in US Courts, the majority of the targets did not do anything they should have been sued for, says Mintz.

Almost every landlord has a pretty good idea that trying to save a few dollars by hiring less-than-competent contractors can result in huge losses. Property owners, after all, are legally responsible for all work done on their properties. It doesn’t matter if the contractor is licensed or not. If an accident occurs on the property that is the result of shoddy workmanship by a contractor, the property owner will pay.

Fortunately, if the contractor who did the work or sub-contracted the work is licensed he or she is on the hook too.

The lawyers will go after the one with the most money.. If the contractor who did the work is unlicensed, the property owner will pay, end of story .

What got me thinking about this is that we are having the balcony off our master bedroom repaired. Because of shoddy and sloppy workmanship when the house was built 19 years ago, water ran down behind the ledger of the balcony and dripped into the patio below, eventually rotting the ledger. The company we hired to do the work is fixing it the way it should have been built in the first place. Maybe, just maybe, it won’t



leak again.

That brought to mind two articles I wrote in 1996 about Randall Nathan, a San Francisco landlord, who was actually prosecuted by the San Francisco District Attorney Terrence Hallinan, for manslaughter because an improperly constructed deck collapsed killing one of Nathan’s tenants.

Obviously any kind of structural work security should be done by a competent, licensed contractor as the first line of defense against claims of negligence.. But what about hiring someone who drives by in a pickup truck with tools in the back looking for work? Or a day laborer we pick up in a Home Depot parking lot? What if

we do the work ourselves?

Painting

An obvious choice for “can’t-do-any-harm contracting” is painting. Or is it? Remember the 15 million lawsuits. People are always looking for someone to blame and sue... Many paints contain Volatile Organic Compounds (VOCs), and some people are chemically intolerant. The EPA says VOCs can result in “eye, nose, and throat irritation; headaches, loss of coordination, nausea; damage to liver, kidney, and central nervous system.”

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So using paint with VOCs

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**Landlord/Crime Free
Multi-Housing Rental Seminar
Saturday May 18th 8am to 4:30pm**

Location: Boys and Girls Club
1330 52nd St.
Kenosha, WI 53140

The KPD Crime Prevention Unit and the Kenosha Landlord Association designed this Seminar to help landlords make better decisions when managing their rental units.

The following topics will be discussed:

- Property Maintenance Codes
- Crime Prevention Techniques
- Applicant Screening
- Leases and Evictions
- Crime Free Lease Addendums
- Process Serving
- C.P.T.E.D. (Crime Prevention through Environmental Design)
- Fire Safety
- Waste and Disposal

This seminar will help landlords and property managers in the following ways:

- Satisfied tenants build stable neighborhoods
- Active management leads to less turnover
- Stabilized property values and rents
- Lower maintenance and repair costs
- Everyone is safer
- Peace of mind from spending less time on crisis control.

To register for the seminar please call:

Crime prevention Unit at 657-3937

or e-mail: watch@kenoshapolice.com.

See a live demonstration of our new Crime Mapping Software, and learn how you can receive e-mails about criminal activity in and around your properties.

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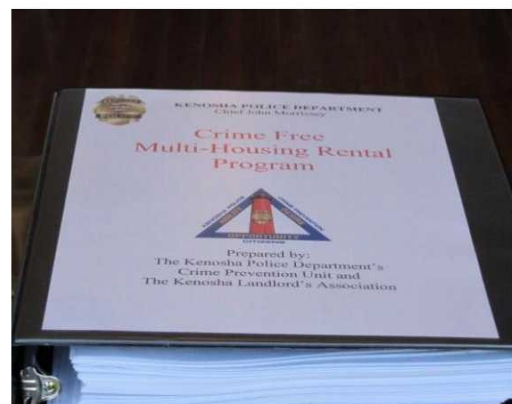
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Are Short Term Rental Investments Worth It?

January 1, 2012

Q & A: Short term rental investments worth it?

Q: I would appreciate anything that you can give (good advice that is). My husband and I are wanting to buy an older home in a very good area. The price is still a bit high, but we think it's a great investment as a rental, and also to resell in three to five years. We have been reading tons and tons on the issue of investing in real estate and if there is something you can add please do so.

By the way this home is over 20 years old and will need a new roof, possibly more. We would get an inspection first. Do older homes (fixer uppers) gain at all.

And furthermore we wanted our tenant to be resident managers for themselves so we don't have to run to are investment for every little small detail. What's your opinion on that as well?

Thanks.

Soon-to-be investors. J.W.

A: I don't know what you've read, so don't know if what I tell you would actually be adding anything. Chances are you've pretty much got the ABCs cov-



ered, though.

There is one piece of advice that I took to heart when I heard it, and have passed along to whomever would listen: you make your profit when you buy the property, not when you sell it. So if you buy smart, you've made your profit right away. If you buy dumb, it will take years and years to recoup your investment and turn a profit. Older homes gain as rapidly as any other property, maybe more so in older cities. To me, though, a 20-year-old house is not old—a 60-year-old house is. You don't say

where you live, and that can be a factor. The fact is that the older homes (the ones I consider older) were built better than the newer ones.

Another rule of thumb: the condition of the property you buy depends on how long you're going to keep it before you sell. That means, as is your case, you don't buy a house that requires major capital expenditures if you are going to sell in less than ten years. A new roof can run upwards of \$6000. Foundation work more than that. If you had to re- place outdated wiring, you're looking at another few thousand.

As to [tenants being managers](#): One way to avoid hav-

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Are Short Term Rental Investments Worth It?

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ing to run over for every little thing is to allow the tenant to fix any- thing costing less than \$25 or \$50. Over and above that, you want to know about it

and make sure it is done properly because if it isn't, you are the one responsible for the damage or injury to someone that results in a botched, sloppy job. Landlording is a hands-on investment opportunity. Don't abdicate that responsibility to anyone who doesn't have the same stake in it as you do. There's lots of money to be made [investing in real estate](#) if you do it smart, and lots of money to lose

quickly and easily if you don't watch your pennies and you depend on someone else to take care of your investment.

About the Author: [Bob Cain](#)

Some 30 years ago Bob Cain went to a no-money-down seminar and got the notion that owning rental property would be just the best idea there is for making money. He bought some. Trouble was, what he learned at the seminar didn't tell him how to make money on his rental property. He went looking for help in the form of a magazine or newsletter about the business. He couldn't find any. Always ready to jump at a great idea, he decided he could put his speaking and writing skills to work and perform a valuable service for other investors who needed more information about property management. So Bob ferreted out the secrets, tricks and techniques of property management wherever he found them; then he passed them along to other landlords. For over 25 years now, Bob has been publishing information, giving speeches, putting on seminars and workshops, and consulting for landlords on how to buy, rent and manage property more effectively.

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"Robert Cain is a nationally-recognized speaker and writer on property management and real estate issues. For a free sample copy of the Rental Property Reporter or Northwest Landlord call 800-654-5456 or visit the web site at rentalpropertyreporter.com."*

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Lawsuits Happen

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could end up with a landlord on the wrong end of a lawsuit. So that guy in the pickup who got a great deal on paint could end up costing a landlord far more than a discount below the retail price of paint.

Yard Work

Right off the bat we can think of landscapers who leave trash and tools around creating trip hazards. Competent and conscientious contractors of all kinds keep their workplaces neat and tidy at all times, not only for

the safety of the public but for their own. But those who are less than conscientious never think of that. But here's more. Sometimes landscapers spray, and sometimes the sprays can have effects similar to VOCs on people.

Roof Repair

That one seems relatively safe for damage to the public and tenants. Or does it? Granted, most of the danger is to the roofers who might fall off the roof. Of course, if those roofers are not licensed and insured, the property owner pays for the injury. But what if the work is done poorly, the roof leaks, and a tenant's property becomes water damaged? The landlord pays. Of course, that unlicensed, unbonded and uninsured contractor is long gone and doesn't have any money, anyway.

Ice and Snow Removal

Do neighborhood kids still come around and ask to shovel snow off sidewalks? I don't know; I live in Arizona. But if they do, tell 'em, "beat it, kid." A property owner can be held liable if snow is removed negligently. You know how sometimes icy patches are left on a sidewalk after the snow is removed. Suppose someone slips and falls? It is better not to remove the snow at all than to do it poorly. Sometimes the property owner is responsible, sometimes not, but no matter what, legal fees can bankrupt a landlord. Property owners are always liable when they know — or should have known — about a dangerous situation. So, even those seemingly "contractor-proof" repairs and maintenance can still result

in a lawsuit against a property owner. Check everything. Be a pessimist and assume that a job has been done wrong until you can satisfy yourself it was done right. Do regular inspections of rental properties, looking especially for hazardous situations. Always figure someone is looking for a way to sue you.

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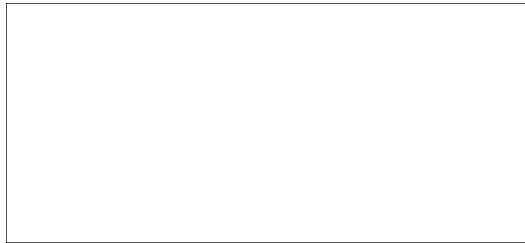


Kenosha Landlord Association

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NEW Location

VFW

6618-39th Ave

On our regular
3rd Wednesday the month

April 17, 2013

6:30 P.M. for food

7:00 P.M. for meeting

NEW MEETING PLACE

VFW

6618-39th Ave, Kenosha, WI

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

**Review of
NonStandard
Rental Provisions Form**

www.kenoshalandlordassociation.ws

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