



WAA News

Volume 35 Issue 5 • June 2014 • Connecting the Rental Community Right Next Door and Across the State

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on pages 6-7

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**WAA Conference &
Tradeshow Registration Form**
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2014 Roster of Events

(for a full calendar of events, visit our website at www.waaonline.org)

BOARD MEETING

Saturday, September 6 • 10:00 a.m.—4:00 p.m.

Ho-Chunk Convention Center, S3214 Hwy 12, Baraboo • Lower Dells C/D

Lunch (optional) will be at Standing Rock Buffet at noon. Cost is \$12.

Please RSVP to Kristy at kristy@waaonline.org or 920-230-9221

no later than **Tuesday, September 2.**

A few rooms have been held for Friday and/or Saturday at a rate of **\$99/night plus tax.**
Please contact Ho-Chunk directly at **800-746-2486** and mention group #**3321** to reserve your room **before Saturday, August 23.**

2014 WAA LEADERSHIP DEVELOPMENT & POLITICAL SEMINAR—PART 1

Thursday, June 5—Copperleaf Hotel, Appleton

Thursday, June 12—Cranberry Creek Lodge, Tomah

Thursday, June 19—Ambassador Hotel, Milwaukee

3:00—6:00 p.m. • \$25 for WAA Members

WAA Legislative Liaison, Gary Goyke, & Legislative Co-Chairs, Chris Mokler & Dale Hicks, will present updates on WAA legislative projects, a report on legislative issues & upcoming elections, & a political report specific to each region with local legislative guests.

Mark Your Calendar for the

2014 WAA Conference & Tradeshow

Catch the Rental Wave

October 10-12 at the
Three Bears Resort,
1500 Jellystone Park Dr,
Warrens



Call Three Bears Resort at 888-482-5634 and mention WAA to get the special room rate of \$89.95/night plus tax or a suite for \$109.95/night plus tax.

Room block availability is limited and closes September 10th!



WAA/RHR Executive Committee

President: Dean Ramsden
(C) 715-421-6403
deanramsden@gremax.net

Past President: Dale Hicks
(C) 608-201-3774
dandtrentals@sbcglobal.net

Vice President: Sherrie Dorn
(C) 262-497-0516
danelady@wi.rr.com

Secretary: Adele Vogel
(H) 262-781-4044
rentproviders@wi.rr.com

Treasurer: Chris Mokler
(O) 920-235-6470
cmokler@moklerproperties.com

Regional Directors

Northeastern: Hank Dreschler
(H) 920-766-3104
drechs@hotmail.com

North Central: Kris Mueller
(H) 715-676-2353
kam1camx1@tds.net

Northwestern: Pamela Strittmater
(C) 608-317-3678
ptstritt@aol.com

South Central: Matt Ruch
608-361-6896
mjruch@charter.net

Southeastern: Gus Orozco
(C) 847-668-7658
gus.orozco7@gmail.com

WAA/RHR Staff

**WAA Administrative Assistant/
Newsletter Editor/Designer**
Kristy Weinke
920-230-WAA1 (9221)
admin@waaonline.org

Legislative Liaison (WRHLC)
Gary Goyke
(office) 608-237-8121
Gary.goyke@gmail.com

Beloit Property Mgrs Assoc.
Matt Ruch* (608) 361-6896
mjruch@charter.net
Joe Hansen (608) 365-8427
jhansen608@msn.com

Eau Claire
(Chippewa Valley A.A.)
Dale Goshaw** (715) 836-7507
goshawdr@uwec.edu

Fond du Lac Area Apt Assoc.
Vicki Garthwaite** (920) 923-4135
immystified@gmail.com
Gary Schwefel (920) 924-5746
Mary Ruplinger (920) 921-3791

Green Bay (Apt. Assoc.
of Northeastern WI)
Nancy Behnke** (920) 639-7557
eglide02@new.rr.com
Gary Heilmann (920) 499-5019
gheilmann@itol.com
Nancy Kuehn (920) 494-9556
nancy42139@aol.com

Hudson (St. Croix Valley
Apartment Association)
Allan Brown (715) 778-5809
Rob Peifer (651) 470-6679
r.peifer@comcast.net

Janesville Area Rental
Property Association
Dale Hicks** (608) 752-3104
dandtrentals@sbcglobal.net
Don Chapin (608) 755-1121
dchapinins@aol.com

Kenosha Landlord Assoc. Inc.
Brian Hervat* (262) 652-8000
brianhervat@gmail.com
Larry Capozzo (262) 658-9000
LCap-
pozzo@ProvidenceCompanies.com
Liza Thober** (262) 818-0299
lthober@gmail.com

La Crosse (Apartment Assoc.
of the La Crosse Area)
Pamela Strittmater***
(608) 317-3678 ptstritt@aol.com
Duane Roesler* (608) 788-0259
kroesler@aol.com
Jessica Olson (608) 782-0808

Marshfield Area Apt. Assoc.
Chuck Virnig (715) 305-1232
cigcaa@gmail.com
Kris Mueller** (715) 676-2353
kam1camx@tds.net

Oshkosh (Winnebago
Apartment Association)
Tracy Frost (920) 233-5810
tracyf@schwabproperties.com
Donn Lord** (920) 420-0662
donnlord@sbcglobal.net

Racine (S. WI Landlord Assoc.)
Wendy Wade (262) 221-6627
wwade0307@gmail.com
David Piro (262) 939-9022
dpiro@wi.rr.com
Dave Bybee** (262) 681-7233
paparentman@wi.rr.com

Waukesha Area Apt. Assoc.
Norm Vogel** (262) 781-4044
rentproviders@wi.rr.com

Wisconsin Rapids Area Rental
Property Owners Association
Sharon Jacoby (715) 510-0000
ferkeys@yahoo.com
Harold Streekstra &
Helen Streekstra** (715) 424-2105
handh@wctc.net

TEAMWORK

We need YOU! Our association is only as strong as our members and member participation is critical for our growth and success. We have established a number of standing committees (teams) to ensure that our association continues to meet goals that are set, retains and adds members, and provides education, leadership, and representation to ensure that YOU are able to operate your rental business successfully, ethically, and responsibly in our state. These members have agreed to volunteer their opinions, skills, and time to make this association the best it can be. Please consider getting involved as well and help make a difference in YOUR association, the Wisconsin Apartment Association!

Education Committee – Julie Fay-Krivitz-Chair (Associate), Sherrie Dorn (SWLA, Racine), Dale Hicks (JARPA, Janesville), and Pamela Strittmater (AALA, La Crosse)

Legislative Committee – Chris Mokler-Co-Chair (Winnebago, Oshkosh), Dale Hicks-Co-Chair (JARPA, Janesville), and Jessica Olson (AALA, La Crosse)

Membership Committee – Kathy Haines-Chair (Associate), Julie Fay-Krivitz (Associate), Pamela Strittmater (AALA, La Crosse), Jeff Pralle (AALA, La Crosse), Hank Drechsler (FVAA, Appleton), Kris Mueller (MAAA, Marshfield), Gus Orozco (SWLA, Racine), and Paul Winans (AALA, La Crosse)

Conference Committee - Pamela Strittmater-Chair (AALA, La Crosse), Kathy Haines (Associate), Julie Fay-Krivitz (Associate), Susan Verbeten (SWLA, Racine), Kelly Jensen (SWLA, Racine), Bill White (Associate), Lori Thurloff (AANW, Green Bay), Dawn Powell (KLA, Kenosha), Dale Hicks (JARPA, Janesville), and Paul Winans (AALA, La Crosse)



President's Letter



Another month is upon us and the clock doesn't stop. As landlords, not only are we faced with the many challenges of keeping our units rented, but also keeping our units maintained, paying taxes, paying mortgages, and making sure the government is not taking more than their fair share.

I want to spend a little time in my letter this month writing about maintaining our properties...knowing the law and keeping informed about government issues throughout the State of Wisconsin.

As members of the WAA, I believe landlords who are members of the WAA are interested in being more professional and keeping their properties clean and maintained. As members of the WAA, we want to strive to a higher standard in providing quality housing, being fair to our tenants, and following fair housing laws.

I was in small claims court some time ago and the landlord who was in front of me (and who was not a member of the WAA), was not informed on some landlord/tenant laws and it was embarrassing watching him in court. I had wanted to run after him after he was done to find out who he was and invite him to our next meeting, but I couldn't as I was up next. It made me glad that I was a member of the WAA and that we have a strong organization that is interested in keeping landlords well-informed with education and keeping up the fight in Madison!

The WAA has a long history of helping landlords become better business owners and taking care of the needs of our tenants. Without our organization and our lobbying efforts, we would be left to our government making laws that *seem* right for us and our tenants. We need to protect the voice of the WAA in Madison.

You may wonder *how can I help the WAA?* We need YOUR participation and support in any way YOU can lend to the WAA. This is what makes the members of the WAA different from other landlords. YOU want to make a difference and YOU care about your business and the industry. **Stay active** in your local, **reach out** to other landlords who are not members, and **show them the WAA difference**. Stay active in your local governments, create strong committees in your local area, and **join us and share** your ideas with us at the next WAA board meeting.

Our mission is to strengthen the WAA with growing our membership. We have a goal set for this year and *we need everyone's help* with this mission...*we need YOU!*

In closing, my thoughts turn to our tenants. They are our customers! Without customers, our businesses will fail. How can we serve our customer better? What does it take to keep our customer for a long time? I would like to compile a list of good ideas that we can share with our fellow landlords. When you are done reading my letter, please send me an email at deanramsdend@remax.net with YOUR good ideas on how you lengthen the retention of your tenant(s). I will then share them with the rest of our members in future letters.

Wishing you the best,

Dean Ramsden

WAA President



Wisconsin Tenant Rights to Withhold Rent

Find out what justifies rent withholding in Wisconsin if your rental unit has serious defects.

By Marcia Stewart, Nolo.com

Wisconsin tenants are legally entitled to rental property that meets basic structural, health, and safety standards and is in good repair. If a landlord fails to take care of important maintenance, such as a leaky roof or a broken heater, you have several important legal rights, including the right to withhold rent until repairs are made.

What Justifies Tenants Paying Less Rent in Wisconsin

Before you can withhold rent, make sure that the circumstances justify you paying less rent and that you comply with state legal requirements on things like notice you must provide your landlord. Check Wisconsin state law (see resources below) on the following:

- the type of repair and habitability problems that qualify for rent withholding.
- **the type of notice you must give the landlord and** the amount of time the landlord has to fix the problem before you can withhold rent.
- the limit on how much rent you may withhold and how often you can use a particular remedy your protection from landlord retaliation, such as a termination notice or a rent increase, for exercising your legal right to pay less rent because of a habitability problem, and any other conditions that apply before you can withhold rent, such as a requirement that you pay rent into an escrow account.

Wisconsin Guide to Tenant Rights

For an overview of Wisconsin landlord-tenant law, see <http://datcp.wi.gov/uploads/Consumer/pdf/TenantsRights143.pdf>.

Wisconsin State and Local Law on Rent Withholding and Landlord Retaliation

For state law on rent withholding, see Wis. Stat. Ann. § 704.07(4).

For state law prohibiting landlord retaliation, see Wis. Stat. § 704.45.

Also, check your local housing ordinances for any city or county rules that cover tenant rights when it comes to repairs. Contact your local building or housing authority. To find yours, call your mayor or city manager's office or check your city or county website.



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Wisconsin Rental Housing Legislative Council (WRHLC) REPORT

2013 Wisconsin Act 76, or as you have known as SB 179, was signed by Governor Walker not long ago. This is a bill that the Wisconsin Apartment Association (WAA) and the Wisconsin Rental Housing Legislative Council (WRHLC) worked on for some time with other groups representing the Rental Housing industry. The bill contains about four main areas of legislation. The third section was more of WAA/WRHLC area of concern. Other groups brought forward the other sections.

The first area of legislation within Act 76 concerns State Statute 66 concerning the ability of local units of government being able to enact certain ordinances. The first area states that a local unit of government may not enact an ordinance that limits a residential tenant's responsibility, or a residential landlord's right, to recover for any damage or waste to, or neglect of, the premises during a tenants occupancy. Basically, the local government cannot say you cannot collect for a tenant's failure to clean or for a hole in the wall that was damaged by the tenant.

Next, Act 76 says a local unit of government cannot require a landlord to communicate any information to a tenant that is not required by State or Federal Law and a local unit of government cannot require a landlord to communicate any certain information to the local unit of government unless it is either required by State or Federal Law or required of all real property owners. The first basically says that your City cannot force you to give your tenants your name and phone number, which for most of us we do anyways, but some owners use property managers and do not want their information given out. The second section stops cities from creating registration of landlords whereby landlords must give information about them to the City, unless the City requires it from all real property owners within in the City limits. Kind of "if it is good for the goose, it is good for

the gander!" One exception is that the city can make laws allowing a registration program that impacts residential rentals if the information obtained is solely for the purpose of a person to contact the owner or, at the option of the owner, an agent of the owner.

The next section within Act 76 is concerning cars parked on private property. You no longer have to call the local police department to have a car ticketed and then towed. If you follow the rules as laid out in the Act and rules to be promulgated by the Department of Transportation, you can simply call a tow truck. I am not going to go into details, as I have not seen the rules from the DOT yet. This part of the Act does not affect many of us and I encourage you to do your homework before you call the tow truck!

The third area of the Act is the main area of work by your WAA and WRHLC leaders. There have been several changes to Statute 704 and I encourage you to read and check with your attorney when making changes to your lease, as you will have to change your leases!

The first change is to 704.05 regarding the storage of personal property when a tenant leaves or is evicted. The eviction part is added here if you remember back to Act 143 of the last legislative session, the eviction part was not included. As was in ACT 143 of 2011, and now with Act 76 of 2013, you do not have to store personal property that is left behind, except for certain situations like medicine, if you properly place in your lease that you are not going to. Please read the new Statute and consult legal advice, or use the Wisconsin Legal Blank Lease. If you do not have the proper wording, you must adhere to the 2009 704.05, which requires storage and certain notices.

704.07 was amended to include the infestation of insects or other pests due to the action or inaction of a tenant to damages by a tenants and the landlord's right to either allow the tenant to remediate or repair or for the landlord to take appropriate action and hold the tenant responsible.

(cont'd on page 7)



(cont'd from page 6)

704.08 changes the wording regarding a check-in sheet that Act 143 created to simplify the process. Basically, the landlord shall provide a tenant with a check-in sheet and the tenant has seven (7) days to return it. A landlord does not need to give the tenants another check-in sheet on a lease renewal (for obvious reasons!).

704.14 is amended to require that a notice is to be added to your lease regarding domestic abuse protections within the Statute. You will need to add this to your lease or use the updated Wisconsin Legal Blank lease. This is important to note that this must be added to your lease!

704.28 is amended to make changes to the NONSTANDARD RENTAL PROVISIONS of your lease. The Statute was amended to say that if a tenant initials each provision, it is refutably presumed that the landlord has specifically identified the nonstandard provision with the tenant and the tenant has agreed to it. Further amendments to 704.28 go on to clarify when the termination date of a lease is based upon evictions, early move outs, etc. for the start of the 21 days to return a security deposit.

704.44 makes some changes to the Statute that I will address in a future newsletter, as there are several important things to note with this change.

The final section of the Act is concerning Statute 799. There is a lot of discussion on a certain number of days in which the local court must act on evictions and other items.

More interesting, there is a section that allows members of LLCs to appear in evictions, as some courts have been saying only attorneys representing your company or employees of your company may appear. You, as a member of your LLC cannot, but now you can! There are further changes to the types of service and other items that probably do not affect most of us.

There are several other changes in Statute 799, regarding evictions, which will need to be discussed in more length in a future article, so stay tuned...

Respectfully,



Chris Mokler

WRHLC President &
Legislative Co-Chair
cmokler@moklerproperties.com



Dale Hicks

WAA Past President &
Legislative Co-Chair
dandtrentals@sbcglobal.net

FOR SALE: 6-Unit Apartment Building located in Spring Valley, WI

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Jeff Potter
6365 Crossland Blvd
Gurnee, IL 60031
Ph: (847) 226-0095
Jeff.potter@comcast.net

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Brody Vance
Multifamily Sr. Program Manager
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New Berlin, WI 53151
Ph: (866) 486-0832
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www.focusonenergy.com/multifamily

WaterStone Bank
Julie Fay-Krivitz
21505 E Moreland Blvd
Waukesha, WI 53186
Ph: (414) 459-4568
Fax: (414) 918-0933
juliefaykrivitz@wsbonline.com
www.wsbonline.com

Bader Company
Dan Rego
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Ph: (800) 421-6897 ext. 5340
bwhite@washlaundry.com

PAINTING

Diamond Vogel
Appleton & Green Bay
- Mark Severson (920) 470-0052
Sheboygan & Milwaukee-Butler
- Gary Paul (920) 207-5271
Madison - Paul Schneider
(608) 219-0453
Milwaukee, Oak Creek, Racine,
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(414) 550-3241
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Newmark Grubb Pfefferle
Tom Scheuerman
200 E Washington St, Suite 2A
Appleton, WI 54911
Ph: (920) 540-5068
Fax: (920) 968-4300
toms@ngpwi.com

SOFTWARE

Connor
Patrick Connor
1421 Clarkview Rd., Ste 100
Baltimore, MD 21209-2188
Ph: (410) 296-7971
pconnor@connorsolutions.com

TENANT ASSISTANCE/MIGRANT

UMOS Corporate Headquarters
Robert Forster - Administrator/
Management Analyst
300 S. Koeller St. Ste E
Oshkosh, WI 54902-5590
Ph: (920) 232-9611
Cell: (414) 791-0301
Fax: (920) 232-8129
Robert.Forster@umos.org
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Updated Legal Forms from WI Legal Blank

By Rick Russell, WI Legal Blank



Several Wisconsin Legal Blank forms were revised and/or updated to comply with the new landlord-tenant law, Act 76. The new law was effective as of March 1, 2014, and the revised forms have been available since March 17th. Any new tenancies that commence after March 1st should use the revised forms.

The following are the WLB forms that have been revised and a brief description of what was changed:

- 1) RESIDENTIAL RENTAL AGREEMENT #19
 - a. Language was added which provides notice of certain domestic abuse protections.
 - b. Revision of "Extermination Costs" section.
 - c. Addition of a Non-Waiver section.
 - d. Addition of a "Criminal Activity Prohibited" section.
 - e. The " Notice to Vacate" section was modified to clarify the law better regarding terminating a lease for term.
 - f. The "Abandoned Property" section was modified to comply with the law changes in Act 76.
 - g. Additional language was added to clarify that operating a business or providing child care services are not allowed in the rental unit.
 - h. Additional language was added in the section entitled "Security Deposit" to state that if the repair costs for tenant damages are not known in time for the security deposit transmittal letter, that a "good faith" estimate be used.
 - i. Clarifying language was added to the "Breach and Termination" section.
- 2) RESIDENTIAL LEASE RENEWAL OR NOTICE TO VACATE #970 - Updated to comply with Act 76's changes regarding abandoned property.
- 3) NOTICE OF RENT INCREASE #332 - Updated to comply with Act 76's changes regarding abandoned property.
- 4) CHECK-IN / CHECK-OUT SHEET #993 and #997 - Updated to comply with Act 76 with regards to the title and the "When to Use" explanation.
- 5) RENTAL APPLICATION # 996 - Eliminated some sections that were not needed and could possibly cause problems for landlords, added additional instructions for applicant and rewrote much of the language at the bottom of the signature page.
- 6) NONSTANDARD RENTAL PROVISION # 984 - Rewrote the "When to Use" section to better explain the purpose of a NSRP document, removed the "Miscellaneous Matters" section and revised statutory references.

You can order all of these and all other landlord-tenant forms online at www.wilegalblank.com or by calling 1-800-890-6890. WAA members receive a 10% discount on all orders. Contact your local forms rep or Kristy at the WAA office to get your discount code.



Registration Form
2014 WAA Conference & Tradeshow
"Catch the Rental Wave"
October 10th – 12th
at the Three Bears Resort, Warrens

MEMBERS: \$200-1 person /\$265-2 people from same company (includes all sessions & meals)
 Saturday Only-\$85/person (includes all Saturday sessions, tradeshow, & annual dinner)
 Saturday Annual Dinner Only-\$35/person *These rates good until October 1st!*

NON-MEMBERS: \$240-1 person/\$305-2 people from same company (incl. all sessions & meals)
 Saturday Only-\$110/person (includes all Saturday sessions, tradeshow, & annual dinner)
 Saturday Annual Dinner Only-\$40/person *These rates good until October 1st!*

Name of Registrant(s): _____

Company Name: _____

Address: _____ City: _____

State: _____ Zip: _____ Phone: () _____ - _____ Fax () _____ - _____

Local Affiliate: _____ Email: _____

- First-Time Attendee Local Officer Past State Association President

TOTAL Conference fees \$_____ Please draft check to "WAA Conference"

Sorry no refunds or transfers. Registrants may resell registration if necessary.

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() Baked Haddock _____
(Delicate white fish topped with butter and bread crumbs and then baked to perfection.)

() Cranberry Chicken _____
(Two grilled chicken breasts smothered in a savory cranberry sauce.)

DOES NOT include hotel reservations . . .

Three Bears Resort, 1500 Jellystone Park Dr, Warrens
 Call 888-482-5634 and mention WAA to get the special room rate of
 \$89.95/night plus tax or a suite for \$109.95/night plus tax.



Room Block closes on 9/10!

Wisconsin Apartment Association - PO Box 2922, Oshkosh, WI 54903
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Local Affiliate Updates

APARTMENT ASSOCIATION OF NORTHEAST WISCONSIN

(AANW), GREEN BAY

Info submitted by Kathy Haines

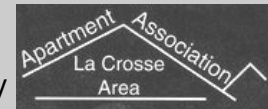


Meetings are held the 2nd Wednesday of each month at the Hilton Garden Inn, 1015 Lombardi Ave., Green Bay

APARTMENT ASSOCIATION OF THE LA CROSSE AREA (AALA)

Info submitted by President Pamela Strittmater

The Apartment Association of the La Crosse Area is branching out. One of the issues that we deal with as an association is that many of our members own rental property in different smaller communities surrounding La Crosse. Each community is unique in its own way and has different city, village, or town employees, departments, ways of communicating emergencies, etc. Some of our members don't even own any property in La Crosse. We try to have meetings with guest speakers that benefit everyone, but with all of the hot issues happening in La Crosse, more focus has been put on that information instead of something for everyone. Members Jeff Pralle and Paul Winans have been working together and developed the Onalaska/Holmen branch. Jeff is hosting meetings in his realty office every month with topics and speakers that are important for rental property owners in Onalaska and Holmen to know. Their second meeting was in May and the interest is starting to grow. We are excited for them. We look forward to watching the branch grow and are willing to assist in any way.



Save the Date!!! October 23rd is the 25th Anniversary of the creation of The Apartment Association of the La Crosse Area, originally created as the La Crosse Apartment Owners Association. Plans are underway to celebrate this momentous event. We are looking into creating a memory book to commemorate the last 25 years. If anyone has a story they would like to share, please email Pamela Strittmater at ptstritt@aol.com before August 15th.

Meetings are held the 3rd Thursday of each month at the Moose Lodge

JANESVILLE AREA RENTAL PROPERTY ASSOCIATION (JARPA)

Info submitted by Dale Hicks

June-Walt Bancroft, Home Inspections & Rental Weatherization

July-JARPA will be celebrating their 35 year anniversary at their picnic on July 17th. Several members in JARPA have been members for all of that plus more. Everyone who has been a member for at least 15 years will be recognized. The new City Manager, Mark Freitag, and others from Housing and other city departments will be invited as well.

August-Debbie Kolste, District 44 Rep, & Brian Frazier, Director of Humane Society Janesville

September-Landlord training with John Fischer



Meetings are held the 3rd Thursday of each month at 6:30 p.m. at Commercial Bank, 1400 Blackbridge Rd., Janesville



KENOSHA LANDLORD ASSOCIATION (KLA)

Info submitted by President Mark Nausieda

Meetings are held the 3rd Wednesday of each month at the Kenosha VFW, 6618 39th Ave., Kenosha
Networking with refreshments at 6:30 p.m. & meeting at 7:00 p.m.

MARSHFIELD AREA APARTMENT ASSOCIATION

Info submitted by President Kris Mueller

Mayor Chris Meyer was at our Board Meeting on May 1st. He was very informative about things going on around the city.

The City of Marshfield has a new web page. It is very nice and is much easier to get around on and find the information you are looking for.

Our Board meeting on June 5th, we have invited the President of the Utility Commission.

For our June 17th meeting, we will have Gary Goyke and Chris Mokler, WRHLC, update us on Legislative issues.

- Educational seminars are on the 3rd Tuesday of each month at Belvedere Supper Club, Marshfield
Networking & dinner (at your own expense) at 6:00 p.m. & seminar at 7:00 p.m.
- Board meetings are held on the 1st Thursday of every month at the Sunrise Restaurant. Everyone is welcome!

WAUKESHA AREA APARTMENT ASSOCIATION

Info submitted by President Adele Vogel

May 21st Waukesha will have our local Water Utility folks as our guest speaker. Water, or more precisely the lack of it, is a HUGE issue for Waukesha.

June 18th will be our last meeting until September 17th when our members will be treated to a Taco dinner by our local treasury. Also at the June 18th meeting we will be drawing names of our members (4) who will receive a paid registration to the annual WAA Educational Conference this fall in cranberry country, the Three Bears Resort in Warrens.

Enjoy the summer... it goes fast!

Meetings are held the 3rd Wednesday of each month at the Waukesha Eagles Club, Grandview Ave, Waukesha

WISCONSIN RAPIDS AREA RENTAL PROPERTY OWNERS

Info submitted by Helen Streekstra

Meetings are held 4 times per year: Next meeting is Tuesday, June 10th at the Hotel Mead



Local Affiliate Updates

WINNEBAGO APARTMENT ASSOCIATION, OSHKOSH

Info submitted by President Donn Lord

Our May 12th meeting speaker was Darryn Burich, Community Development Planning Director for the City of Oshkosh. Darryn spoke about the new Minimum Design Standards recently passed for the City of Oshkosh. This is an extremely important topic and concerns all landlords, particularly those with older properties in established neighborhoods.

On Monday, June 9th, at 6:00 p.m. our annual picnic will be at the Midnight Club on the Fox River at the end of Bay Street in Oshkosh. This is free to our paid members. All the picnic basics are provided (brats, hamburgers, potato salad, potato chips and baked beans), but please feel free to bring a dish to pass.

We do not meet in July and August, but will resume our monthly meetings on September 8th.



Oshkosh Landlordology, a new educational series for new and existing landlords, which the Winnebago Apartment Association co-sponsored, kicked off April 12th at the James P. Coughlin Center in Oshkosh. The seminar was a overwhelming success with 105 people attending. Many thanks to Kristi Cutts (pictured below), Winnebago Apartment Association board member & educator and the team at the UW extension for doing an

excellent job organizing this educational series.

If you have a landlord issue you would like presented at a meeting then contact Donn Lord at donnlord@sbcglobal.net or 920-420-0662. If you have something [anything of interest to landlords, even a story] which could be in the Newsletter contact Ed Wilcox 920-231-0166.



Meetings are held the 2nd Monday of each month at Benvenuto's Grill, 300 S. Koeller St., Oshkosh
Board meeting at 5:30 p.m., social (in the bar) at 6:30 p.m., & business meeting at 7:00 p.m. in the back room.

We're waiting to hear from you . . .

Locals that did not provide an update by the publishing deadline are:

Beloit Property Managers Association, Chippewa Valley Apartment Association (Eau Claire), Fond du Lac Area Apartment Association, and Southern WI Landlord Association (Racine).



Focus on Energy's Unique Multifamily Program Saves Building Owners and Renters Energy & Money ***Wisconsin properties saved 1.7 Million kWh in 2013***

MADISON, WI (March 26, 2014) – Focus on Energy, Wisconsin utilities' statewide program for energy efficiency and renewable energy, announced impressive savings numbers today. In 2013, over 500 multifamily properties across the state of Wisconsin reduced their energy usage and operating costs by participating in the Multifamily Energy Savings Program. This program benefits both building owners and their tenants/renters, who often pay the utility bills. In 2013, 89 properties took advantage of a special offer called the Common Area Lighting Package (CALP), designed to help multifamily buildings lower their electricity bills through lighting upgrades in common area spaces. This offering collectively saved the state of Wisconsin 1.7 billion kilowatt hours, and, on average, will save each property owner nearly \$2,000 over the upgraded equipment's lifespan.

CALP is being offered again this year to multifamily buildings with four or more units, through Focus on Energy's Trade Ally network. For a co-pay of \$179, program participants receive up to \$2,500 in energy efficient lighting upgrades to fixtures operating 12 or more hours per day. Upgrades include interior and exterior CFL fixtures, linear fluorescents, occupancy sensors, LED exit signs and more.

"Focus on Energy's Multifamily Program benefits every management company, property owner, and tenant involved," said Brody Vance, Focus on Energy's Multifamily Energy Savings Program Manager. "Through the combined efforts of all parties, we create opportunities to help Wisconsin residents put money back in their pockets and support the environment. We look forward to more participation and success in 2014."

In addition to the common area lighting upgrades, multifamily participants also have the option of the direct install program. This includes free energy savings products and installation to properties including CFLs, LEDs, showerheads, and aerators. For larger equipment upgrades, eligible property owners and tenants can also take advantage of Focus on Energy incentives for HVAC and other equipment.

Focus on Energy recognized the top energy-saving Wisconsin Trade Allies for their efforts and energy savings achievements in 2013. Energy Consultants of Wisconsin based in Grafton received the highest honor, while United Electric of Clyman was also recognized. Both companies are licensed, insured, and attend trainings in order to provide this offering. Visit focusonenergy.com/multifamily or call 1-800-762-7077 to learn more about Focus on Energy's Multifamily Program and CALP.



About Focus on Energy

Focus on Energy is Wisconsin utilities' statewide energy efficiency and renewable resource program funded by the state's investor-owned energy utilities and participating municipal and electric cooperative utilities. Focus on Energy works with eligible Wisconsin residents and businesses to install cost-effective energy efficiency and renewable energy projects. Focus on Energy information, resources and financial incentives help to implement projects that otherwise would not be completed. Its efforts help Wisconsin residents and businesses manage rising energy costs, promote in-state economic development, protect our environment and control Wisconsin's growing demand for electricity and natural gas. For more information call 800.762.7077 or visit focusonenergy.com.



How smart landlords handle rentals

Take these tips from experts on managing your rental property. For example, don't skimp or take shortcuts when screening for tenants.

By Otesa Middleton Miles, Bankrate.com



Owning rental property seems like an easy way to generate extra income. But it's actually not all that easy.

Nevertheless, the number of people buying second or third properties as investments has grown tremendously, according to the National Association of Realtors. In fact, the group's recent survey found that 36% of home sales in 2006 were second homes and 35% of current investment-property owners plan to buy another property in the next two years. Since 46% of those questioned by NAR said they bought the investment property for the rental income, it behooves landlords to be scrupulous in searching for good tenants.

Landlords who take shortcuts when screening potential tenants, who skimp on insuring the property or who fail to outline everything in a detailed, written lease can end up with unpleasant and, yes, costly surprises. But there is one shortcut neophyte landlords can take: They can listen to the pros so they won't have to learn lessons the hard, expensive way.

Do your own due diligence: A case study

Take, for instance, the tenant who so looked good on paper, with his attractive credit report and handsome deposit check. Too bad the paper he looked good on was bogus.

Apparently, this seemingly perfect tenant doctored his credit report, giving himself a stellar rating. Then the guy bounced his hefty \$4,000 deposit check. Pasadena, Calif., landlord Payman Emamian blames his real-estate partner for renting to this con man. Not only were they out money, but the lying tenant damaged the investors' two luxury Hollywood town houses. (The guy claimed he'd work in one and live in the other.)

After three months, Emamian successfully evicted the man, but not before he ran up a \$20,000 tab for back rent, legal fees and repairs. Emamian's advice to landlords: "Never accept a credit report that a tenant brings you."

Emamian, who bought his first rental property -- a four-unit building -- in 1998, says he's learned to double-check everything.

Emamian doesn't stop at second-guessing tenants. He applies the same level of scrutiny to information provided by sellers when he's scouting a potential rental property. "Never listen to sellers as to what the expenses are," Emamian says. "You research."

Most buyers know they need to foot the bill for taxes, insurance and some maintenance, but many don't factor in utilities, landscaping, private trash collection or the loss of income when the unit is vacant.

Check references

As for screening tenants, Emamian always asks for two landlord references. The past, not the current, landlord is the most important reference because the present landlord may fudge the truth to get rid of a terrible tenant. Also, the landlord can either pay an outfit like NAIL to question present and previous landlords and employers or do it himself. Emamian also asks for a copy of a bank statement.

"I want to make sure they have assets -- how is that check going to clear?" says Emamian.

Jim McDavid has survived 40 years as an owner, manager and seller of rental property by doing very thorough due diligence, and basically by doubting everything prospective tenants tell him. In fact, McDavid says he gets a police report on applicants and asks for photo identification as an extra precaution.

"I've owned just about everything in the book," McDavid says. "I owned condos in Florida and houses in Charlotte (N.C.)." McDavid, a licensed real-estate broker in his home state of South Carolina, as well as in North Carolina and Virginia, says, "Everything changed on 9/11, even in real estate."

(cont'd on page 17)



(cont'd from page 16)

Buy adequate insurance

Protecting yourself goes beyond combing through a tenant's background. McDavid says that too often landlords skimp on a very important item: insurance.

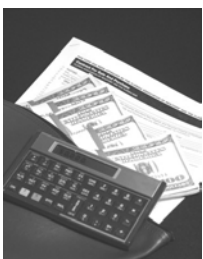
"Tenants create all possible situations you can imagine," he says. McDavid tells of a young woman who rented from a client. The woman's boyfriend slipped her two illegal drugs -- Ecstasy and methamphetamine. Her family is suing the boyfriend, the lender on the property, and the owner of the town house.

"Protect yourself against the impossible," McDavid says of insuring rental property. "You need as much (coverage) as you have on your automobile driving around." Also, most experts recommend requiring tenants to have renters insurance. The owner's coverage repairs and replaces only the actual structure and many times the appliances, but not the tenant's belongings.

Another form of protection is proof of a property's condition. McDavid suggests having a written, signed document with photos of the property when the tenant moves in.

"Establish a baseline," he says.

Just say 'no' to form leases



And what about those leases for sale at office supply stores? They're useless because each state has different landlord and tenant laws. McDavid suggests getting a standard lease for your state from a real-estate office or association.

Warren Wheeler, a real-estate attorney in Atlanta, agrees. If you buy a lease-in-a-box, Wheeler says, "for a good bit of time that works - until there's a problem." Those generic form leases also don't take into account concerns for different types of dwellings. A high-rise luxury condo will have different stipulations than half of a duplex or a converted row house or a single-family home on an acre of land or a unit above a bakery.

Get an attorney to help add provisions particular to your property, Wheeler suggests.

Also, set up house rules, put them in writing and enforce them uniformly. If one tenant thinks another tenant gets special treatment, it could be considered discriminatory.

"You can't discriminate racially," Wheeler warns. "There's a federal law against that."

Heed environmental matters

With environmental concerns taking center stage

nationwide, landlords, too, have to take heed. They must watch out for lead paint, asbestos, mold, and overall indoor-air quality,



says Robert Gallo, certified indoor-air quality manager who is director of sales and marketing at RTK Environmental Group in Stamford, Conn. "If the structure was made before 1979, chances are it will have lead paint in it even if it has been painted over," he says.

First, Gallo says landlords need to give tenants the U.S. Environmental Protection Agency booklet "Protect Your Family from Lead in Your Home." Then Gallo recommends having the property inspected by a licensed lead-testing company. "Most people are poisoned not from eating paint chips, but from the dust," he says.

Gallo says the do-it-yourself lead-testing kits examine only the surface, but can't determine if there's lead underneath. His company uses X-ray fluorescence to scan every painted or sealed surface. He charges at least \$425 for up to a 3,000-square-foot home, which includes a diagrammed report and advice on the cheapest and safest way to correct the problem. To protect against mold, Gallo says clean up all water immediately.

(cont'd on page 18)



Landlord Tips (cont'd)

(cont'd from page 17)

Consider hiring a property manager



Lisa Vander, founder of Pacific Blue Investments in Solana Beach, Calif., actually tells her clients not to deal with all of these details. Instead, she urges her clientele to farm out that work to a professional property manager.

"If you're retired, that can be your job," says Vander, who considers herself a real-estate wealth developer. "If you already have a job, do not take on managing your own property."

A better option, in her opinion, is to have a property manager handle the day-to-day dealings. To do this dirty work, property managers typically charge a percentage of the rent, with many charging as low as 4% for very large complexes and up to 10% for single-family homes. The property owner, Vander says, should "learn to manage the equity in the property and buy other property, while managing the manager."

The owner's concerns should be finding out how to increase the rent by improving the property while decreasing expenses. "The owner should be doing the thinking work and not the physical work," she says.

Other matters to consider

Vander also tells her clients not to go it alone. "Get involved in an apartment association," she says. That way, property owners have others to turn to for advice, forms and referrals. She recommends establishing separate bank accounts for each property so that the finances of each investment can be analyzed separately. It's also important for keeping tax records straight.

Finally, each expert recommends demanding an adequate security deposit from tenants, a form of protection if all the above fails. And to avoid the headache that Emamian experienced, insist on getting the deposit before the tenant moves in -- and in certified funds: cashier's check, certified check, money order or, of course, cash.



WAA Newsletter Dates & Procedures

1. Items for newsletter should be forwarded to kristy@waaonline.org, electronically whenever possible.
2. Please submit news articles in the following formats: MS Word, Html copy, PDF, MS Works, eps, jpeg, tiff or text format.
3. Your articles, either by email, fax, or US mail must be received by the 3rd of the preceding month.

Please send your articles to:
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11 Tips for Keeping Your Mobile Phone Secure

Whether you're shopping via phone or simply using email, these tips will keep you out of harm's way.



People feel so comfortable with their smartphones that they're rarely without them – they sleep next to them, use them in the bathroom and keep them within arm's

reach all day. It's no wonder, then, that people often forget to treat them like the computers that they are, with the potential to introduce them to fraudsters with criminal intentions.

"People can get themselves into trouble because they have a different relationship with their phone than their computer," says Kevin Haley, director of Symantec Security Response, a research arm of the Symantec security company. "Anyone you sleep with, you tend to trust, and over half the people sleep with their phones," he adds.

Cyber experts say the rapid adoption of smartphones into daily life, especially for shopping, which requires the exchange of payment information, leaves many people vulnerable to financial attacks. A 2013 Norton report found that one in three smartphone users have experienced some form of cybercrime. Protecting yourself doesn't have to be expensive or time-consuming, but you should consider following these 11 steps:

1. When browsing or shopping on your phone (or computer), always look for "https" in the url instead of "http." That indicates an added level of security, which should always appear before exchanging any private information, like credit card numbers, online.

2. Add a password to your phone. It might be a pain to type a number into your phone each time you want to use it, but losing your phone without that protection could lead to a far greater headache. Given that Norton reports 25 percent

of smartphone users have had their phone lost or stolen, it's a smart move.

3. Use a "find your phone tool." Certain software and apps make it easy to find your phone if you lose it, and make it easy for anyone who finds it to connect with you. Some programs, like Norton Mobile Security (there's a free trial version as well as a \$29.99 full version), also offer the option of locking and wiping your phone remotely if necessary.

4. Don't allow automatic connections. Some smartphones are set up to automatically connect with available Wi-Fi networks and Bluetooth devices. Disabling this option will prevent your phone from connecting and transmitting data without you realizing it.

5. Consider buying a protective app.

According to a 2013 report from Symantec, which studies consumers' online behaviors and how to stay safe, mobile crime is on the rise – with malware or malicious software increasing by 58 percent this year. Malware can steal personal information or otherwise damage your phone.

One particularly creepy type of malware involves keylogging, which means tracking the keys you touch, allowing fraudsters to collect passwords as you log into various accounts. "As users move into things like mobile banking and mobile wallets, expect increased efforts by hackers to push out keylogger-infected apps," warns Neal O'Farrell, executive director of the Identity Theft Council, a nonprofit focused on fighting identity theft.

6. Treat email and social media requests from strangers suspiciously. Marc Barach, chief marketing and strategy officer at Jumio, a security company, says criminals often send friend requests to people they don't know to gather information about them. While most people will ignore or reject the request, a small portion will accept, and those are the people who criminals target. For example, they can use a seemingly harmless post, like the victim's photos from a restaurant meal, to then call the victim, impersonate the restaurant and request a credit card number in order to process a refund for an alleged overcharge.

(cont'd on page 20)



Technology Tip (cont'd)

(cont'd from page 19)

"If a consumer were really thinking, they'd say no, but that's not the way it works when your head is elsewhere, and it totally happens," Barach says. While he doesn't recommend going so far as to avoid sharing food photos on Facebook, he does suggest being wary of any unsolicited phone calls, even from retailers or restaurants you've visited, and to never post vacation photos while you're away because that lets criminals know that you're not home.

7. Be a savvy shopper. It's not wrong to shop from your phone, whether by browser or retailer app, but Haley urges shoppers to be extra careful with vendors they aren't familiar with, especially if the store initiated contact through an email, text message or social media site. "Make sure you're not being taken in but doing business with legitimate vendors," he says. You can always run a web search on the company first, or visit the Better Business Bureau site to check for any complaints.

8. Check privacy settings on apps. Some apps request a lot of information from you, including your location and passwords or access to other apps or your text messages. If they don't need all of that information (and why would they?), then deny access.

9. Beware the package tracking scam. If you're ordering a lot of packages online, you might not be too surprised to receive an email from what looks like a major retailer about a package that it couldn't deliver. But take a closer look, and you might notice that the email isn't actually from the domain name of that retailer. It's a common scam, and typically works by getting the recipient to click on a fraudulent link that then collects personal information. Don't click on it, Haley warns.

10. Avoid fraudulent Wi-Fi networks. Call it the coffee shop problem: A fraudster sets up a Wi-Fi network that has a similar name to the coffee shop he's sitting in, but instead of simply providing free Wi-Fi, he's using the signal to collect information from the people around him who log onto the network. Barach

says this common scam easily ensnares people who aren't paying attention to the network they connect to.

"People inadvertently log into it, and once they do, [the criminal] has access to data flow," he says. In addition to being careful to log into the proper Wi-Fi network (and using secure networks), he also recommends avoiding the exchange of personal information with your phone when you're out and about and on Wi-Fi networks owned by other entities. "It's fine to check stock prices and great to read tweets; it's not great to trade a stock or check a bank balance account," he warns.

11. Use better passwords. According to Jumio, six in 10 consumers re-use passwords for multiple sites, and many also select passwords that are easy to remember, which often means they're also easy to crack. Barach warns against ever using your mother's maiden name, for example, because anyone with access to your Facebook account can likely figure out what it is based on your family connections.

Part of the problem, Barach says, is just how useful phones are today. "There has been a giant onboarding of more people into the mobile environment and an increase in the number of complex and higher-end transactions. Five years ago, almost no one would be trading stocks or depositing checks on mobile. But today, more people are doing more complex transactions," he says.

There's no reason to stop leveraging your phone for that kind of productivity, but just be sure to apply a few street smarts first.



BY Kimberly Palmer on December 18, 2013. She is a senior editor for U.S. News Money. She is the author of the new book, "The Economy of You." You can follow her on Twitter

@alphaconsumer, circle her on Google+ or email her at kpalmer@usnews.com.



50 Money Saving Tips for Every Landlord

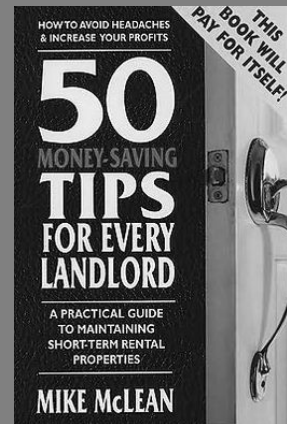
By Mike McLean

Overview

Caring for rental properties is no easy job, especially when dealing with short-term tenants. Repairing damage and replacing parts are problems that every landlord has to face. In *50 Money-Saving Tips*, Mike McLean, one of the most successful landlords in the Philadelphia area, shares his secrets for succeeding in this challenging business.

Through the use of humorous, real-life stories and an abundance of practical advice, McLean covers virtually every aspect of maintaining and upgrading rental units. His tips will teach you how to deal with difficult tenants; cheaply and efficiently eliminate infestations; repair floors, walls, and ceilings; fix plumbing problems; maintain your confidence, and much, much more. On the way, the author will prevent you from making the mistakes that he made before becoming a savvy landlord.

Whether you're just starting out as a landlord or have already been one for several years, *50 Money-Saving Tips for Every Landlord* will show you how to trim down your budget in ways you never knew existed.



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WAA RENTAL HOUSING CERTIFICATION CLASSES

Rental Housing Certification 100 Series

The Basics, is devoted to keeping rental property owners informed and education on new laws. Comprised of seminars on basic property management aimed at the new rental property owner, property manager, leasing agent; it is also suggested as a refresher series for those who have been in the business a number of years. Classes in this module are:

- * 101 The Law and the Landlord I: Wisconsin Statute Chapter 704
- * 102 The Law and the Landlord II: Consumer Protection (ATCP) Chapter 134
- * 103 Fair Housing Laws
- * 104 Lead Paint Awareness
- * 105 Credit Reports
- * 106 Basic Recordkeeping
- * 107 Screening Your Applicants
- * 108 Screening Workshop
- * 109 Nuts and Bolts of Eviction
- * 110 Bonding and Garnishment

NEW for 2014: "Landlord & Tenant Law in Wisconsin" by John H. Fischer – This is a 8-hour educational session that takes an in-depth look at Wisconsin-specific landlord-tenant regulations and also covers some of the most important federal regulations that deal with rental housing."

Why Join WAA?

The WAA is your portal to the rental housing business in Wisconsin. Membership gives you access to what you need to know and what you need to do to run your rental properties successfully, ethically, and responsibly.

10 things every successful landlord needs to know. Do you?

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- Applicant screening and processing
- Eviction procedures
- Rental forms specific to Wisconsin
- Lead based paint requirements
- Rental disclosures required by law
- Bills and rental housing policies under discussion at the Capitol.
- Best rental housing management practices
- Document storage, security, and disposal
- Property marketing techniques

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