



THE UPDATE

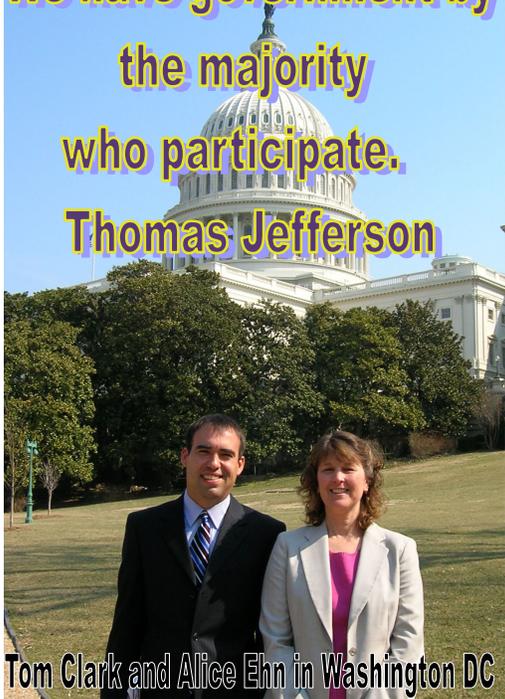
The Voice of the Washtenaw and Livingston County's Rental Housing Industry!

Volume 23, Issue 4 — May 2007

Always available at www.wa3hq.org

We, in America, do not have government by the majority.

We have government by the majority who participate.
Thomas Jefferson



Tom Clark and Alice Ehn in Washington DC

So You Have a Lease

Written by Robert L. Cain

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We just bought a rental house and want to convert it into two units. But there is already a tenant in the house. The tenant's lease doesn't expire for eight months. How do we get him out? Thanks, Joe Landlord
We just bought a four-plex with existing tenants, all of whom have leases. How do we get them to sign new leases with us so they will stay? Any help would be appreciated, Jill Landlady

I get questions similar to these every week. The questions show one or both of two things. One, a lack of understanding about what a lease is; and two, that the selling Realtors in these sales violated their responsibility to their clients by failing to ensure that their clients understand what a lease is.

A lease is a binding contract that goes with the property, not with the owner. That means it does not matter who owns the property, the lease is still binding. When a new owner takes ownership of a property leases remain in force until the expiration of the contract. No one can change the terms of the lease, including raising the rent, adding extra fees, prohibiting pets, charging for parking, terminating a tenancy, or moving out as long as the lease is in effect.

The only ways a lessee can have his or her tenancy terminated is if he or she agrees to move out or is evicted for violating the terms of the lease, such as not paying the contracted rent. Any changes to the lease must be made with the agreement of the tenant or not at all. So the answer to the first question, "You can't." If the tenant wants to stay in the property, that is his or her contractual right until the end of the lease period. You will have to wait eight months to convert the property into two units.

The answer to the second question is, "There is no need for the tenant to re-sign a lease. It remains in full effect with the new owner."

The best part is that the lease also continues to bind your new tenant. He or she cannot move out before the lease expires without penalty or decide that now it is okay to move in four roommates and three pit bulls, and paint the living room black.

An even more important consideration is that prospective buyers of properties with existing leases need to read and approve the terms of those leases before they go through with any investment-property purchase. That might be lease terms that make it difficult to manage the property or will cost the new landlord unexpected money. Examples are such things as the landlord is to install new carpeting six months into the lease or completely repaint the interior of the unit; or the tenant has the option to renew at the present, below-market rent.

When we are buying investment property it is not just the price and terms of the purchase and the condition of the property that we need to consider. Just as important are who lives there and the terms of the tenancies.

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 call 800-654-5456 or visit their website at www.rentalprop.com.

WA3 Calendar Briefs:

- May 9 - Legal Wednesday
- June 8 - Golf Outing at Reddeman Farms - Tee off time is 9:00 am

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CHECK US OUT ON THE WEB:

www.wa3hq.org

Deadline:

15th of the month for next month's publication.
Submit all materials to
Alice Ehn, Executive Officer

2007 Directors:

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- Jennifer Paillon, *Secretary*, McKinley,
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- George Markley, Midwest Management

Property Mgmt. Assoc. of Michigan

Association Executive: Kathy Vallie
2675 44th St, #303, Wyoming, MI 49519
616/531-6141, FAX 616/257-0398
www.pmamhq.com

National Apartment Association

4300 Wilson Blvd, Suite 400, Arlington, VA, 22203
703/518-6141, FAX 703/248-9440
www.naahq.org

President's Message:

By Tom Clark

Now that it seems warmer weather is here, we have many great association events to look forward to this spring and summer.

The April meeting featured two guest speakers, David Gregory a lobbyist with Kelly Cawthorne and Cheryl Buol, our association's regional vice president. David filled us in on what's happening on the legislative front in Lansing as well as the general political climate that is being shaped by the State's budget issues. Cheryl informed us of the many benefits the National Association provides to us. (see pictures page 7) The main NAA event this summer is the Education Conference and Exposition at Mandalay Bay Resort in Las Vegas, Nevada. Features speakers are Peyton Manning, Archie Manning, Lesley Stahl, and Chris Gardner ("The Pursuit of Happiness" author). Education courses are offered for three days focusing on Human Resources, Specialty Housing including Student housing, Independent/Small owners, Maintenance, Marketing and Technology. Sign up today (see insert)

On our local stage, this summer will feature our annual golf outing at Reddeman Farm on Friday, June 8th. Come and spend the day, reward your staff for their hard work, or just play yourself and get to know other members. There are sponsorships still available. Then we will have a Tiger Ball game outing on Tuesday, June 26th with a bus to the game and back and the Annual Beach Party at Harbor Cove in Whitmore Lake on Thursday, July 26th. These are great events to attend.

As always, additional help with committees, events, etc. is appreciated and welcomed. If you think you might have interest or would like more information on how to become involved, please contact the association office at (734)663-1200.

EO Message

By: Alice J. Ehn

Now is the time to get involved in your local Apartment Association. Whether you are hoping to learn something new, have an expertise or interest that you are willing to share, or looking to meet others in the industry, we strongly encourage you to make a commitment to get involved. You should become a part of the benefits that affect your membership.

The Association has 5 standing committees that include: Education (the planning and administering of all education classes), Membership (soliciting new members, retention of current members and increasing membership programs), Programs (which plans all the events and fun things), Legislative (reviews all legislation both local and statewide, helps to increase PAC dollars and works with legislators at the local and state level to ensure positive outcomes of legislation), and Newsletter (increases the advertising dollars when necessary, researches articles that can be borrowed and gets permission for the use of articles).

In addition to the standing committees there is a Marketing Task Force that is in charge of marketing the apartment search part of the website and the Product and Service Council that all vendor members are automatically a part of that looks at additional benefits to market the vendors name to the rental housing provider members more often and at little or no cost.

The time commitment to participation is one planning meeting per month of about one hour and then extra time depending on what you volunteer for. We also have independent volunteer positions available that you could do in your spare time and not ever attend a meeting like, updating the website, proofing the newsletter via fax, and sales for sponsorships and advertising for the Membership Directory and newsletter. Please call the office at 734-663-1200 or one of the chairs to the left and let them know you are interested in getting more involved. All of them would love to hear from you today.

Call now!

Getting to Know your Board: Brent Maring

Your name? Brent Maring

Your Title? Sales Manager for LPit Solutions.

How long have you been a member of the WA3? I'm not sure...I think around 3 years?

What is the most rewarding part of your position with the WA3? Being part of an organization that is truly interested in making a difference for their members.

What was the last book that you read? A Prayer for Owen Meany by John Irving

What has been your most memorable moment with the WA3?

Tie – 2005 Tigers and Red Wings outing!

What is your favorite quote or saying? The price of success must be paid in full, in advance.

What three words best describe your personality?

Easy-going, humble, loyal

If you could meet anyone – who would it be and why?

My Grandfather who passed away when I was 3.

What other activities do you like to do for fun? Golf, travel, spending time with my family.

What other activities, groups are you apart of? State-wide PMAM member, RPOA/REI

What keeps you up at night? My two year old

What is your pet peeve? To name a few...a dirty car and close-minded people.



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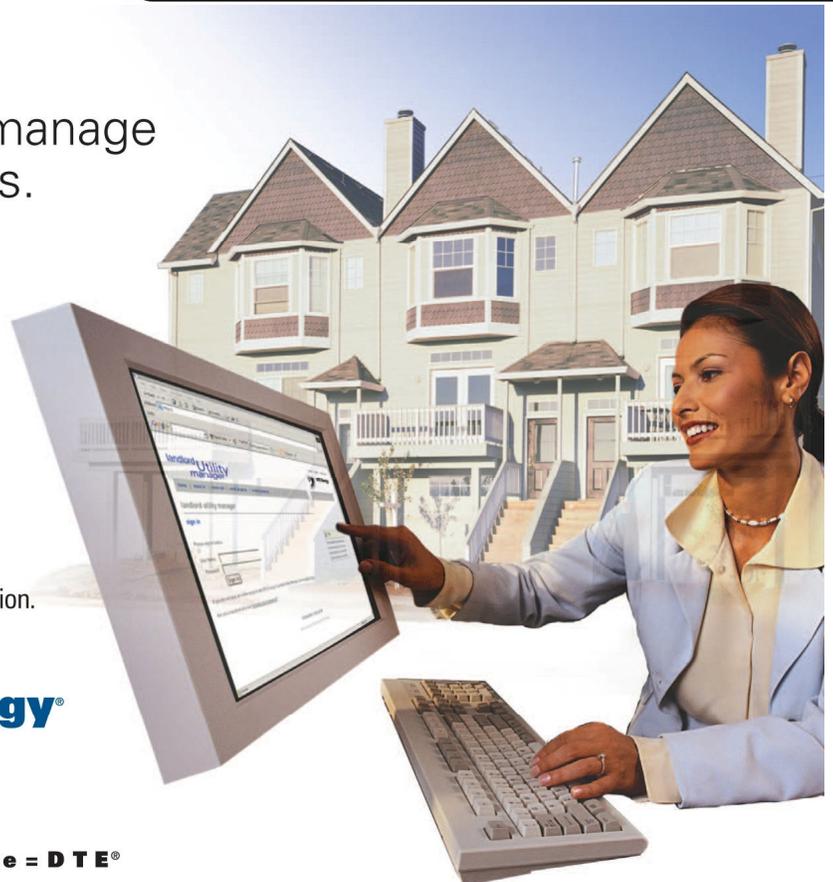
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View from National: NAA Leadership Briefings



*By Dave Watkins, CAPS
2007 National Apartment Association Chairman of the Board
Greystar Management Services*

Be a part of the Leadership Briefing in your region. The NAA Leadership Briefings provide outreach to affiliate members and leaders who are not regularly able to attend NAA meetings because of time commitments or budget constraints. Members of NAA's leadership will visit all regions this year to listen to members' issues, address their concerns and provide updates on NAA activities.

Following are scheduled leadership briefings:

Region 1 Leadership Briefing: Tuesday, May 22; Four Points by Sheraton BWI Hotel; 7032 Elm Road; Baltimore, Md., 21240. States covered include Pennsylvania, Virginia, Maryland, District of Columbia, West Virginia and Delaware.

Region 8: Thursday, July 19; Denver, site details to be determined. States covered include Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Region 3: Wednesday, Oct. 3; site to be determined. States covered include Illinois, Indiana, Michigan, Minnesota, Ohio and Wisconsin.

Region 9: Wednesday, Oct. 24; site to be determined. States covered include Florida, Mississippi, Alabama and Louisiana.

For updated information on the NAA Leadership Briefings, please visit www.naahq.org.

Conference Offers Eight Tracks Featuring 50 Sessions

As the largest conference and trade show in the industry, the 2007 NAA Education Conference & Exposition, boasts more than 50 education sessions with the following tracks: Human Resources, Leadership, Maintenance & Asset Preservation, Marketing & Leasing, Independent/Small Owner, Specialty Housing, Technology and Wild Card!

The event offers something for everyone and provides a great opportunity for members and member companies to invest in themselves and in their careers.

The conference is June 28-30 at the Mandalay Bay Resort and Casino in Las Vegas. TV news reporter Leslie Stahl of *60 Minutes* has been added to the lineup of keynote speakers that includes Super Bowl Most Valuable Player Peyton Manning and his father Archie Manning; and Wall Street broker Chris Gardner, whose life story recently was portrayed in "The Pursuit of Happyness," which earned Will Smith an Academy Award nomination.

For more information on group discounts and other information, or to register, visit www.naahq.org/educconf.

Dell Discount Available

NAAEI has been included in the Dell University Program, which offers a discount on computer purchases to those associated with

NAAEI. This includes affiliates, students and NAA staff.

Interested parties may go online to NAAEI's personalized page at the Dell Web site, www.dell.com/NAAEI. Find significant discounts by clicking on "Recommended Bundles."

Online Enrollment Enhanced

NAAEI has conducted online enrollment for its designation programs for the past three months and has received favorable reviews from its affiliates.

Affiliates have made recommendations on how NAAEI can further streamline the process. NAAEI has forwarded those suggestions to its consultants and is working toward implementing them in the near future.

Following are among the considerations: more clearly written instructions, especially for first-time users; an automatic link from the NAA Web site to designation log-in page; and enhanced search capabilities, which would allow users to search by the designate's name or phone number.

Advanced Instructor Training Courses Set

NAAEI's Advanced Instructor Training (AIT) courses are scheduled for June 5-7 in Raleigh, N.C., and Oct. 24-26 in Denver. Nearly 100 instructors received certificates of completion in the first year of this high-value training for NAAEI course instructors. That number is expected to double in 2008. AIT events were held in San Diego in February; in El Paso, Texas, in March; and in Orlando, Fla., in April.



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AIMS UPDATE from NAA:

FCC PROPOSES RULES TO SPUR COMPETITION FOR VIDEO PROVIDERS TO APARTMENTS

On March 22, the Federal Communications Commission (FCC) announced that it will issue new federal rules to ensure that video service firms have access to apartments and other "multiple dwelling units" (MDU). In late 2000, the FCC banned exclusive contracts between office building owners and common carriers in an Order (No. 00-366) that specifically excluded apartment properties. In the intervening years, the FCC has on more than one occasion found that exclusive agreements in the residential setting can help create competition.

The FCC's decision to reopen the issue of telecom provider access to privately owned buildings is prompted by Verizon, which has complained to the FCC that exclusive contracts between apartment owners and other cable providers is blocking the firm's efforts to roll out its video service delivered via its FiOS broadband network. In the proposed rule-making, the FCC tentatively concluded that it has the authority to regulate exclusive contracts for the provision of video services to MDUs or any other "real estate development" should it find that such contracts impede competition and impair the deployment of video services. It then seeks comments on whether exclusive contracts are impeding competition and what specific steps the Commission should take to ensure that exclusive contracts do not unreasonably impede competitive entry.

In recent years, NAA/NMHC, as members of the Real Access Alliance (RAA), have successfully pushed back efforts by telecom firms in a variety of states to enact legislation that would mandate forced access to residential or office buildings. We will submit comments on the rule by the June 18 deadline as part of the RAA with answers to the FCC's questions related to consumer choice, cost and the important role that exclusive agreements can play in providing enhanced service at lower cost to residents. We will stress that the issues here are very complex and do not lend themselves easily to simplistic solutions. The proposed rulemaking can be viewed at http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-07-32A1.pdf.

EXIT TAX RELIEF

On March 13, legislation (H.R. 1491) was introduced in the U.S. House of Representatives to provide exit tax relief, a top priority for NAA/NMHC. The legislation would eliminate depreciation recapture and would reduce the capital gains tax rate on properties sold to new owners that agree to keep them affordable for 30 years

METHAMPHETAMINE REGISTRY

NAA/NMHC have submitted comments to the Drug Enforcement Administration (DEA) expressing concerns over the DEA's National Clandestine Laboratory Registry. The online database (www.usdoj.gov/dea/seizures/index.html), which went live in December, lists properties that may be involved in storing, manufacturing or distributing methamphetamine. Our letter cites our concerns that the database: (1) does not indicate why properties have been listed; (2) does not offer an appeals process to remove erroneously identified properties; and (3) does not have a mechanism to remove properties that have been appropriately remediated. Our letter is at www.naahq.org/govern_affairs/Issues/.



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Why remain an active member or associate in the WA3? What does the WA3 do for me?

I've heard that these questions were recently asked by a, now, non-member. They didn't know or understand what the WA3 has to offer. As an associate member of the WA3, and a member of other similar associations related to our business, maybe I can help with these questions.

The WA3 was, and still is, an organization designed and formed to help owners and managers of rental properties. You may say, "Well, no kidding. I already knew that!" But it's much more than that. The WA3 is a resource. When used properly, the WA3 can help provide answers, suggestions, support, cost saving opportunities, a sounding board to help solve problems, and a loud, unified voice to express concerns to those who govern and regulate the rental industry.

How many times have you run into a problem that you didn't have an answer for? I'll bet someone in the WA3 has already dealt with the same or a very similar problem. Did you reach out to others in the Association for help? If not, it was your loss. How often do you need work done and/or services provided at your community? Did you reach out to vendors in the Association? If not, it was your loss.

The WA3 can be much more than an organization that has a newsletter and plans and organizes events every month. Those are great things by themselves, but you're right, it's not a good enough reason to spend the money to belong to an organization. The best way to get the value you seek from the WA3 is to participate. Attend the monthly meetings, attend the Managers Only meetings, attend the special events. Network, meet others in the industry around

you. Meet the vendors who support the WA3 (a complete list is available at www.wa3hq.org). Give them a chance to help you and service your properties. Vendors who are members of the WA3 believe it to be a valuable organization too. They understand that if the rental industry in our area doesn't do well, it may impact them too. Consider giving Associate Members (vendors who are members of the WA3) the chance to bid for products and services at your properties before other (non-member) companies.

You see, it doesn't really matter if you are a Member or an Associate (vendor). We really should all be able to count on each other for support. There is too much knowledge and expertise out there that isn't being used and shared. The best way to keep the WA3 strong, growing and able to help and defend the rental industry in the Washtenaw county area is to continue to work together, to depend on the others in the WA3 for the things we need to keep our own businesses strong.

Remember, you probably aren't the first rental manager, owner, or even vendor business, to have a certain problem, concern or service need. Don't think you have to re-invent the wheel to solve a problem just because it's yours. Contact other members and vendors, they may have the answer you're looking for. Remember, contact info for all members is available at www.wa3hq.org.

Good luck and let's keep the WA3 strong!



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Membership Information



April Membership Breakfast Guests
David Gregory
with Kelley Cawthorne, Lobbyist for PMAM and Cheryl Buol, RVP for Region III at NAA.



YOUR HELP IS NEEDED

TO: All Property Management Association of Michigan, Members

FROM: Cheryl A. Buol, CPM, COO, The Hayman Company RVP, National Apartment Association

President, Detroit Metropolitan Apartment Association Board Member, PMAM

RE: GLAStar Sponsorship

The Great Lakes Area Star (GLAStar) Education and Awards Banquet will be held at the Kellogg Center in Lansing, MI, on November 9th and 10th. Our education event will bring you nationally known speakers and leaders of our industry. This event will not only be informative but will leave the audience energized and ready to take on and overcome all obstacles and objections that occur in our marketplace. This day of education will provide personal development, leadership and marketing skills which are unprecedented.

I encourage you to please review the sponsorship flyer insert and submit your sponsorship before it becomes too late. The exposure for your business is vast and with the HUGE number of attendee's the payback on this small investment is priceless.

Please contact me at 248-879-7777 or Kathy Vallie with the PMAM, 616-531-5243, if you have any questions regarding this fabulous event and we will be happy to assist you.



Members Participating Are you in these pictures?



New Members:

ACTIVE MEMBERS:

Surrey Park Apartments
Stacey Patterson
2501 Keystone Lane
Ann Arbor, MI 48103
Phone: 734-930-2260
Fax: 734-930-6906

ASSOCIATE MEMBERS:

The Huttenlocher Group
Bill Theile
1007 West Huron St.
Waterford, MI 48328
Phone: 248-706-4828
Fax: 248-681-0362

*Apologies to last months New Members for the printing errors in the titles. Those members were:
Tannin Property Group, LLC
First Choice Management Group
Charter Communications
Pittsburgh Paints

Affordable Window & Siding
Eric Feldt
7005 Jackson Rd
Ann Arbor, MI 48103
Phone: 734-662-5551
Fax: 734-662-6010
Sponsored by: Walter Herndon, Silverline Windows

Renewed Members:

ACTIVE MEMBERS:

Fuller Apartments
Golfside Lake Apartments
Huron Heights/Huron Ridge
Jonathan Rand
Manchester Flats
Treo Properties

ASSOCIATE MEMBERS:

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Ann Arbor News
Coinmach
Instant Furniture Rental
TruGreen-ChemLawn

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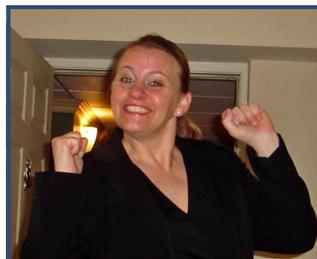
The Landings at Cedar Creek
Stratford Place Apartments
DTE Energy
Hammer and Wrench Publishing
MINOL

Members Support Members



Winners!!!!

Laura Gronda from Ironwood Place won the Website Scavenger Hunt from November with \$50 Gas Cards donated by Instant Furniture Rental and Ann Arbor Insurance Association.



Paula Rote-Tigani from Lake Shore Apartments won the June NAA Education Conference raffle. Prize donated by Tom Ewing.

2007 Membership Drive \$500 Cash Prize Drawing

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Events:

MAY:



9th, Wednesday - Legal Wednesday - Cleary University, 9 to 12 noon, Cost: \$45 Member Rate. Topic: Fair Housing and ADA Compliance Issues. Instructors: Jim Fink and Karen Valvo with Reach, Reach, Fink and Valvo.



16th, Wednesday - General Membership Lunch at Weber's Inn (changed date) - Choice of entrée, Chicken or Quiche. Time: 11:30 am to 1:30. Cost: \$20 Speaker: Garth Burns from the Michigan State Police with an update on Meth Labs and the progress that is being made to eradicate them.

18th, Friday - Product and Service Council. 9:30 am at Lake Village of Ann Arbor. ALL VENDORS ARE MEMBERS OF THIS COUNCIL.



22nd, Tuesday - GLAStar Training at Lake Village of Ann Arbor. Time to be announced. Cost: FREE

JUNE:



8th, Friday - Golf Outing at Reddeman Farms: Tee off time 8:00 am, Sponsorships available (see insert), includes 18 holes of golf, cart, BBQ dinner, driving range tokens and snacks. Cost: \$85 per person or \$320 per 4-some.



26th, Tuesday - Tiger Ball Game Outing. Bus to the game, drinks and snacks on the bus, Tiger Ball Game and bus home. All for only \$35 per person. Bus limited to 45 persons. Sponsorships available. Reward your staff with a night on the town.

JULY:

26th, Thursday - Beach Party at Harbor Cove and Beach Club - Fun for the entire family. Drinks, eats, swimming, and socializing. Sponsorship available.



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