

THE UPDATE

*The Voice of the Washtenaw,
Livingston, Monroe, and
Lenawee County's
Rental Housing
Industry!*



Volume 34, Issue 8 - August 2017

Always available at www.wa3hq.org

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→ 8:04 ON 8/04 ←

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It's hard to believe that August is already here. Before you know it the kids will be back in school and Football season is starting.

For some, August is the busiest of seasons with our university populations moving in. With the busy season winding down after this month we find that budget season is around the corner. Please remember to contact our Business Partners to obtain bids for next year's projects. There is a **RFP (Request for Proposal)** option on the website under Connect. You can enter your information and what type of project you have and a request will be sent to all the Business Partners in that category. This is an awesome benefit for belonging to the association. Starting also on September 1st, Business Partners can sign up for the Reverse Trade Show in October.

Our next event is the Pub Crawl on September 21, 2017. Please look for reminders and I hope to see lots of people there.



Office Message: By Alice Ehn and Jenelle Franklin

Tree City Properties vs Perkey and Bateman

One year ago Judge Burke ruled that Tree City Properties wrongfully withheld from the security deposit funds. Burke applied a double penalty to what he deemed wrongfully withheld funds, even though Tree City Properties properly followed the timing of Landlord Tenant Act 348 Section 554.613.

This ruling was affirmed by Judge Kuhnke of the 22nd Circuit Court and it now applies to everyone under that jurisdiction. We are looking to help fund an appeal in the next highest court. Therefore, contributions are critical at this juncture.

Our Legislative Fund is meant for instances such as this case, but we need to build funds in order to offer support.

Please contribute to the Washtenaw Area Apartment Association legal fund. Contributions to this fund will go towards fighting double penalty in the security deposit case as well as issues in the future.



Legal ruling affects **ALL** **22nd Circuit Court** **Rental Housing** **Providers**



Show support in
appealing Security Deposit
Double Penalty Precedent
in
Tree City Properties vs
Perkey and Bateman



Make checks payable to:
WA3 Legislative Fund
2008 S. State St. Suite C, Ann Arbor,
MI 48104

Produced By: Washtenaw Area Apartment Association, 2008 S. State Street, Suite C, Ann Arbor, MI 48104
734/663-1200; FAX 734/821-0497 Email: info@wa3hq.org

Deadline: 15th of the month for next month's publication to newsletter@wa3hq.org. Submit all materials to Alice Ehn, Executive Officer

2017 Directors:

- Michelle Foley, Interim President, Mill Creek Town Houses, 734-971-1730
- Kristin Lewis, Secretary, Village Place Apartments, 734-379-1120
- Kim Thompson, Treasurer, Oxford Property Management, 734-995-9200
- Michelle Milliken, Membership, Paul Davis Restoration, 734-930-0303
- Jason Wilhoite, Marketing, PPG, 734-417-4758

- Nikki Moodt, Education, The Hayman Company, 248-879-7777
- Amy Khan, Program, CPR Property Management, 734-216-5370
- Melissa Gumenick, Legislative, Oxford Property Management, 734-995-9200
- Tom Ewing, Legislative, Ewing Investments, 734-646-5548

PMAM REPRESENTATIVES: Robert Carson, Continental Management, rcarson@continentalmgt.com

Property Mgmt. Assoc. of Michigan - Association Guidance, Tracy Kaechele - tracy@pmamhq.com

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

On Monday, June 19th the City of Ann Arbor amended Section 8:525 of the Housing Code Chapter 105 to require all rental housing providers “to provide information on how to register to vote and the requirements to register”, at the same time as they provide the Tenants Rights and Duties Booklet. Below is the ordinance as approved.

ANN ARBOR CITY APPROVAL NOTICE

HOUSING CODE ORDINANCE NO. ORD-17-08

AN ORDINANCE TO AMEND SECTION 8:525 OF CHAPTER 105, HOUSING CODE, OF TITLE VIII OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor Ordains:

Section 1: That Section 8:525 of the Code of the City of Ann Arbor be amended to read as follows:

8:525. - Information concerning tenants rights.

(1) The city shall provide the City Clerk with booklets explaining the rights of tenants under city and state law. The City Clerk shall make such booklets available to local landlords and their agents to pick up at the Clerk's office without charge for distribution by local landlords to tenants and prospective tenants. In the event the Clerk makes available to local landlords sufficient copies of the booklet to permit those landlords to comply with this section, no owner of rental property located in Ann Arbor or agent of such an owner shall lease or contract to lease such property without furnishing to the tenant, before the time of leasing or contracting, a copy of said booklet. In the event a housing unit is being leased to more than 1 tenant, it shall be sufficient to offer a single booklet for each housing unit. In the event the lease or contract to lease is accomplished by mail, rather than face to face, the booklet shall be furnished the tenant by mail. A landlord shall be deemed to have furnished a tenant a copy of the booklet if the landlord mails it to him or proffers a copy of the booklet to the tenant face to face, whether or not the tenant chooses to receive the booklet. For purposes of this section, the renewal of a lease shall be considered the same as the making of a new lease; however, if a landlord has previously furnished the tenant or tenants of a unit with a copy of the booklet, the landlord is not required to furnish another copy upon lease renewal. This section shall only apply to leasing and contract to lease transactions entered into 30 calendar days after the City Clerk has published in a newspaper of general circulation in Ann Arbor a notice to landlords informing them of this section and of the availability of said booklets at the Clerk's office. The Clerk shall publish such notice promptly upon receipt of such booklets from the City of Ann Arbor.

(2) AT THE SAME TIME AN OWNER OR AGENT OF AN OWNER FURNISHES A TENANT WITH THE BOOKLET EXPLAINING THE RIGHTS OF TENANTS UNDER CITY AND STATE LAW REQUIRED IN SUBSECTION 1 ABOVE, EACH TENANT SHALL ALSO BE PROVIDED BY THE LANDLORD WITH SPECIFIC INFORMATION ON HOW TO REGISTER TO VOTE AND THE REQUIREMENTS TO REGISTER, NOTICE THAT ELECTION INFORMATION AND FURTHER REGISTRATION INFORMATION IS AVAILABLE ON THE SECRETARY OF

STATE'S WEBSITE AS WELL AS THE CITY'S WEBSITE THROUGH THE CITY CLERK'S WEBSITE AND A COPY OF THE STATE OF MICHIGAN VOTER REGISTRATION APPLICATION. THE CITY CLERK SHALL MAKE AVAILABLE WITHOUT CHARGE FOR DISTRIBUTION BY LOCAL LANDLORDS TO TENANT AND PROSPECTIVE TENANTS COPIES OF STATE OF MICHIGAN VOTER REGISTRATION APPLICATION AND THE ABOVE ELECTION INFORMATION ON REGISTRATION. THE CITY CLERK MAY INCORPORATE THE ELECTION INFORMATION AS PART OF THE ABOVE TENANTS' BOOKLET OR IT MAY BE PRODUCED SEPARATELY.

(3) This section shall apply only to residential leases. Violations of this section shall be punishable by a fine up to \$500 but may not be punished by jail.

(4) THE FAILURE OF AN OWNER OR OWNER'S AGENT TO DO ANY ACT REQUIRED BY THIS SECTION SHALL NOT BE CONSTRUED TO AFFECT THE VALIDITY OF THE LEASE OR THE ENFORCEMENT OF ANY OF THE LEASE PROVISIONS.

Section 2. Severability. In the event any court of competent jurisdiction shall hold any provision of this Ordinance invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision thereof.

Section 3: Effective Date. This Ordinance shall take effect on August 1, 2017.

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of June 19, 2017.

Jacqueline Beaudry, Ann Arbor City Clerk
Christopher Taylor, Mayor

The City of Ann Arbor has made the following changes to ordinances. As you will see, a couple of them benefit our Ann Arbor members and are a direct result of discussions between the legislative committee and the City of Ann Arbor. We will continue with discussions on voter registration to try to eliminate this change:

- Requirement to provide voter registration information to tenants goes into effect Aug 1st (see article opposite page).
- Verbiage regarding “Grandfathering” passed – can allow pre-existing conditions, based on the building official’s judgement.
- No longer required to provide residents with one year’s summary of utilities from DTE.
- We found out from the City Clerk that digital transmission of the “Tenants Rights and Duties” booklet is not allowed. We offer the pdf version of this booklet on our website only as a reference for Ann Arbor providers. One of the missions of the association is to educate you to rent right.
- The “Tenants Rights and Duties” booklet will be modified to include the voter registration requirement. We have consulted with an attorney to determine if there is a legal process to eliminate this requirement. We will keep you posted on this.

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On July 26, reports indicated that a framework for a unified legislative product could appear before the August Congressional recess regarding tax reform, which is an accelerated timeline. NAA believes they must continue to broadcast the industry's priorities now, before legislation emerges and we may find we have little time to react.

Background (in case you missed it):

When Donald Trump won the Presidency, the Republican Party found itself in control of Congress and the White House for the first time in decades. Long-held Republican policy goals like repealing the Affordable Care Act and tax reform went from hypothetical to probable. The multifamily industry recalls the last major tax reform package in 1986, and the devastating impact the law had on commercial real estate. The goal of NAA's advocacy on tax reform is to make sure the industry is not harmed like it was in 1986. In late 2016, therefore, NAA leadership began discussing an industry wide advocacy campaign in the likely event that tax reform emerged as a legislative priority. After BOD/AOD approval at 2017 Capitol Conference, NAA staff began an RFP process. Story Partners, a firm with a long history in grassroots advocacy, was selected and began work in late March.

On May 22, NAA launched the "Protect the Lease" grassroots campaign. There are two important aspects to note about the campaign name and identity. First, this is not branded as an NAA or NMHC initiative. The name is deliberately thematic and not tied to a specific organization, so that anyone in the industry who cares about the issue feels like they have a platform to share their concerns with Congress, regardless of whether they are a member of NAA or NMHC. Second, the decision to use the word "lease" in the title is based upon this industry wide perspective; we needed a ubiquitous term that anyone in the industry would immediately recognize and want to know more about. We realize that has caused some confusion with the NAA Lease Program, but the Lease Program is fine.

Where Things Stand, Summer 2017

While tax reform has been identified as a priority by the Administration and GOP leadership, no legislation has been drafted. Difficulties on health care, draft a fiscal 2018 budget resolution and possibly extend the national debt limit have all been obstacles to proceeding with tax reform. The only document that exists is the House GOP "Blueprint" for tax reform, a white paper written last summer. Several aspects of that document, including the Border Adjustment Tax (BAT), have dominated the early discussion and debate. To achieve broad tax reductions, the Blueprint proposes to raise revenue by eliminating several items that concern multifamily. Therefore, the campaign is currently driven by the need to protect several tools that have allowed the industry to grow and prosper:

- **Protect Flow-Through Entities**
- **Maintain Like-Kind Exchanges**
- **Retain the Deduction for Business Interest**
- **Protect the Low-Income Housing Tax Credit**

If and when specific legislation is written, NAA will evaluate it in its entirety to see how it would affect the industry as a whole, and make specific recommendations at that time. Until then, we want to continue sending messages on our priorities (18,000 messages to Congress as of July 26).

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What NAA requires:

[Go to www.ProtectTheLease.com](http://www.ProtectTheLease.com) and TAKE ACTION.

Send a message to Congress by using the tools on the site. Any Member that has a social media account (Twitter, Facebook, LinkedIn) should also feel free to use those platforms to share the campaign.

Protect
the **Lease**

Did you get called when our July event got cancelled? We can just send you a text, if you sign up!

Would you like to receive reminders for events and cancellation notifications via SMS, delivered directly to your cell phone?

Pull the reminders out of the mess of emails in your inbox!

Stay up to date by signing up. Send email to info@wa3hq.org for text message alerts.

Alerts may include Newsletter and upcoming event notifications as well as emergency cancellation texts.

Your information will not be sold or shared and standard data and messaging rates apply.



HERE'S HOW IT WORKS:

- Every New Business Partner Member (Vendor) who joins: You receive \$25 cash or Association Bucks and 1 point
- Every New Property Professional Member: You receive \$25 cash or Association Bucks and 1 point for every 50 units the property professional member joins (For example: if they join 200 units - you will receive a \$100 referral fee or Association Bucks and earn 4 points)

PLUS:

- Reach 5 points and receive a \$200 bonus on top of the referral fee
- Reach 10 points and receive an ADDITIONAL \$300
- Reach 15 points and receive an ADDITIONAL \$400
- Reach 20 points and receive an ADDITIONAL \$500

RULES:

- Contest and points accumulations start immediately through 12/31/17
- You must call the office and give the name/company of who you referred to the Association. Prospective new member MUST tell WAAA who referred them when they sign up
- Any person receiving \$600 or more in referral fees/bonus will receive a 1099 at the end of the year. Bonus/Fees/Association Bucks will be paid only after new member has paid their dues.
- Association Bucks are good for General Membership Meetings, Events, or Locally sponsored Education classes.

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Leadership Orientation Day

The PMAM is developing a Leadership Orientation Day for **November 14, 2017 from 10:00 am to 3:00 pm at the Lansing Brewery**. This one day training is designed to help anyone who is thinking about becoming a leader within their local association and anyone that is already serving on a committee or board gain a greater understanding of their leadership role. It will give a sense of what to expect and how to be the best leader to move their association forward. It is **FREE** leadership training.

In the meantime, below is a listing of what you can sign up for at the Washtenaw Area Apartment Association. You do NOT need the orientation class to get started. Give back today.

Join a Committee in 2017

- ☐ Inspection Task Force
- ☐ Interest Circle for Affordable Housing Providers
- ☐ Interest Circle for Legislation and Advocacy
- ☐ Interest Circle for Livingston County
- ☐ Interest Circle for Maintenance Issues
- ☐ Interest Circle of Owners of Rental Housing
- ☐ Education Committee
- ☐ Legislative Committee
- ☐ Marketing the Association to the community
- ☐ Membership Committee
- ☐ Newsletter Committee
- ☐ Product and Service Council for Business Partners
- ☐ Program Committee
- ☐ Senior Circle



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2017 Calendar — SAVE THE DATES

- **August 4, GLAStar Award Deadline, contact PMAM and get your property the accolades it deserves.**
- **September 21, Pub Crawl — tentative locations.....Grizzly Peak, Ann Arbor Brewing and Haymakers. Only \$15 for Property Professionals, \$30 for Business Partners.**
- **October 12 and 13, GLAStar Education and Awards. Amazing education...see below for speakers you will learn from.**
- **October 18, Ann Arbor Student Housing Fair at the Union....get your name in front of students**
- **October 19, Reverse Trade Show (to benefit Grace Outreach of Michigan) & Wine and Eucharist Night (immediately following RTS)**
- **October 26, Real Estate Continuing Ed for Property Professionals**
- **November 6 to 9, NAA Assembly of Delegates**
- **November 16, Annual GMM**

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Save the Date: Sept. 21st Pub Crawl

5:00 p.m. – 8:30 p.m.

\$15 Property Professionals, \$30 Business Partners

Stop 1: Haymakers
Stop 2: Ann Arbor Brewing Company
Stop 3: Grizzly Peak Brewing

Washtenaw Area Apartment Association Is gearing up to fill another cup full of hope



Reverse Trade Show

In support of Grace Outreach of Michigan

3:30-5:00 p.m. October 19, 2017 Inside the All About Furniture Showroom

Suppliers' chance to speak with key decision makers from local properties!

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August 2017

Monday	Tuesday	Wednesday	Thursday	Friday
	1	Government Affairs Roundtable - Chicago ALL THINGS LEGISLATIVE		4 GLAStar Deadline @ 8:04 p.m.
7	8 <i>Membership– no meeting</i> <i>Legislative Committee</i>	9 <i>Marketing Committee</i>	10 <i>Education– no meeting</i> <i>BOD Meeting</i>	11
14	15	16	17	18
21	22 <i>PMAM Legislative</i>	23	24	25
28	<i>PMAM BOD Meeting</i>	30	31	1
	29			

*Newsletter print version
published in May.....
Did you get one?*

The Board of Director's authorized a B&W hard copy of our newsletter in conjunction with our monthly digital version for last month. We would like to hear from you if you would like this again.



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