

Landlords Of Linn County

March 2010

MARCH 2010

SPECIAL POINTS OF INTEREST:

- Upcoming Meetings
- Joe Kelly Updates
- Evening "Networking Meetings"
- New member packages explaining membership benefits and training

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Upcoming Monthly Meetings

MARCH 11, 2010

Our speakers will be John Riggs, Matt Widner and an inspector from the city of Cedar Rapids.

They will speak on the changes coming in CR Housing.

NEW LOCATION! The monthly meeting will be held at the Clarion Hotel & Convention Center

525 33rd Avenue Southwest
Cedar Rapids, IA 52404

6:00 Social Hour; 7:00 Program.

APRIL 11, 2010

Karl Cassell, Executive Director of CR Civil Rights, will be speaking on Fair Housing. April is Fair Housing Month.

NEW LOCATION! The monthly meeting will be held at the

Clarion Hotel & Convention Center
525 33rd Avenue Southwest
Cedar Rapids, IA 52404

6:00 Social Hour; 7:00 Program.

MAY 13, 2010

To be determined, stay tuned



Joe Kelly updates from the state

SF 2300 ON ITS WAY TO GOVERNOR

SF 2300, the Iowa State Bar Association's bill in response to the War Eagle Supreme Court decision, has passed the House this afternoon. The Iowa Bar considered my request to move the presumption of receipt of mailing from 4 to 3 days. The Iowa Bar did not want to make the change this year, but would be open to supporting that change and other changes if this new law doesn't work as well as it should.

Given those facts, I didn't think it prudent to work for an amendment to the bill. If there are changes we want for next year, we'll offer up our own bill.

SF 2300 will now go through the



**Added benefits means
greater results for our
members**

enrollment process before it goes to the Governor. SF 2300 has an immediate enactment clause, meaning that it will become law the day the Governor signs it. It might be a week to 10 days away.

**NOTICES THAT GO
TO ALL RESIDENTS,
SUCH AS RENT
INCREASES AND
RULE/REGULATION
CHANGES OR
ADDITIONS**

- (1) hand delivery to resident
- (2) delivery evidenced by an

Joe Kelly continued....

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acknowledgement that is signed and dated by a resident of the dwelling unit who is at least 18 years old. The notice to this one resident is deemed to have served all tenants within the dwelling.

(3) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule.

(4) Mailing by both regular and certified mail to the address of the dwelling unit or to an address provided by the resident

(5) Posting on the primary entrance door of the dwelling unit. The notice shall be dated and must be posted within the applicable time period.

(6) Any method of providing notice that results in the notice actually being received by the tenant.

MORE SERIOUS

NOTICE, WITH 7 DAYS TO CURE....CLEAR/PRESENT DANGER....30 DAYS NOTICE OF NON-RENEWAL OF LEASE

(1) delivery evidenced by an acknowledgement of delivery that is signed and dated by a resident of the dwelling unit who is at least 18 years old. Delivery is deemed served to all tenants of the dwelling unit.

(2) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule.

(3) Posting on the primary entrance door of the dwelling unit and mailing by both regular and certified mail to the address of the dwelling unit or to the resident's last known address, if different from the address of the dwelling unit. A posted notice must be made within the applicable time period for serving notice and shall include the date the notice was posted.

FORCIBLE ENTRY OR DETAINER (FED) OR EVICTION NOTICES

(1) delivery evidenced by an acknowledgement of delivery that is signed and dated by a resident of the dwelling unit who is at least 18 years

old. Delivery is deemed served to all tenants of the dwelling unit. Notice must be completed 3 days prior to the hearing date.

(2) Personal service according to the rule of civil procedure 1.305, a Supreme Court rule.

Notice must be completed 3 days prior to the hearing date.

(3) If, after two attempts at personal service, using either option 1 or 2, then posting of the court date notice can be made on the primary door of the premises and the notice must be mailed by both regular and certified mail. The posting and mailing must be completed no less than 3 days prior to the court date, which can be no sooner than 8 days from the filing of the FED.

USING MAIL NOTICES

Since the War Eagle decision was totally about the use of certified mail, HSB 693 is cautious about keeping mail options constitutional. If you use mail, HSB 693 has an automatic 4 days as the delivery assumption. If you use mail, HSB 693 adds 5 days to the count. The bill has 4, and the counting of time procedures in the code of Iowa (4.1[34]) adds another day.

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NOTICES....THOSE THAT COULD RESULT IN LOSS OF RESIDENCY.....SUCH AS NON-PAYMENT OF RENT....7 DAYS

Evening Monthly “Networking Meetings”

Thanks to everyone who has attended our evening meetings in 2010. Our attendance and attendance and feedback has been great!

This is probably one of the biggest changes for our organization but for good reason. We looked around the state of Iowa and talked to other landlord organizations and the most successful monthly meetings were in the evenings. We've had a number members ask for evening meetings because they work during the day.

We also feel rushed at our noon meetings as people need to get back to work or their properties.

The new schedule is:

6pm drinks/social hour

7pm dinner

7:15-8pm presentation

There will be a short Vendor Spotlight at each monthly meeting

Again we want to create more of a monthly social gathering so our members can get to know each other more, ask questions and

discuss landlord topics.

Of course some will prefer Noon meetings but we need to commit to this change and not switch back/forth and confuse the group!



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LinnForRent.com and yard signs

All landlords members who have paid their 2010 membership are eligible to receive LinnForRent.com yard signs for free!

If you paid your 2010 membership and you have not received your signs be sure and attend our next meeting and you can pick up your signs there.

There are large yard signs as well as 1/2 size directional signs.



Both signs have space for you to put your phone number and it gives the tenants a website to view your listing online.

If you haven't reviewed our online site yet go to <http://LinnAreaRentals.com>

For Rent yard signs will drive tenants to our website to learn more about the property for rent.

New Member Packages

ALL current paid members will receive a New Member Package after January 2010 for no additional cost!

New members after Jan 1, 2010 will pay a \$25 processing fee to receive the package.

The processing fee pays for the “New Member Package” and the package will include:

One/two 24”x36” coreplast “For Rent” sign and post

Two 8” x 36” coreplast “For Rent” directional signs and posts

CD containing most recent copy of Iowa landlord forms

Tri-fold brochures explaining our organization

Crime fee/drug free stickers for

your properties

(Additional signs can be purchased)

Attend the next meeting to receive your new member package.



Letter from the President

FEBRUARY 2010

Hello Members,
Well, 2010 is underway and hopefully Spring is just around the corner. Since



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undertaking the Presidency in January, I have attended many meetings and will be providing and sharing

valuable information with our members. As President, please feel free to contact me regarding any questions you may have with regards to landlording or contact me if you feel there is an important issue within Linn County or the State of Iowa that Landlords of Linn County needs to be involved in.

As President, I hope to provide the membership with knowledge and information by using transparency within our organization. All information that affects the membership needs

to be shared with the membership. Please watch your emails for information updates.

I am looking forward to serving you for 2010. I'm hoping to make our organization bigger and better for our members. I may be contacted at 319-329-5378 (cell) or 319-362-1020 (office). My email is

President@LandlordsofLinnCounty.org.

Regards,

Stephanie Feuss
President

Housing Services Receives HUD Recognition

HUD Recognizes Cedar Rapids Assisted Housing

The City of Cedar Rapids was recently notified by the Department of Housing and Urban Development that the Assisted

Housing Office had received a "high performer" rating.

This designation specifically recognizes this city office for its abilities in administering the Section 8 Housing Choice Voucher Program. There are fifteen (15) indicators that are measured to determine a public housing agency's rating. These indicators cover everything from Selection from Waiting List to Annual HQS Inspections to Family Self-Sufficiency.

The "high performer" rating is for the period of July 1, 2008, through June 30,

2009.

Assisted Housing would like to thank those landlords who provide affordable housing to the 1,144 families participating in the program. If you are not familiar with the housing program or would like to know more, please contact us at 286-5872.



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Application Screening

Employment & Income Qualification

Although there are many screening items that

are important, verifying an adequate source of income that the applicant will use to pay rent is usually near the top of the list. As a landlord, you want to determine whether the applicant has sufficient, stable income to afford the rental property. If the applicant lacks the financial ability to pay or cannot meet acceptable alternative arrangements, such as a guarantor, there is no need to proceed with other screening reports.

Time is a key factor in conducting tenant screenings to identify qualified candidates. Obviously, the earlier the determination of a likely candidate who has adequate funds, the better. It is a waste of time and money pursuing a course of action that will be futile. A rental information packet, available to interested parties, can provide your rental policies and procedures including income qualifications. Prospective applicants can quickly determine if their income will fall within the stated requirements.

In general, a landlord can request whatever financial information is desired in order to confirm the applicant's ability to pay under the legal, reasonable, and logical criteria the landlord uses, so long as the same requirements are demanded of all applicants.

Gross income (income before deductions) is used as the industry



In certain states, a source of income falls under a protected class category qualifying standard. Government assistance programs base applicant eligibility on gross income. For landlords, the simplest income qualification determination is to require a gross income of a certain multiplier times the rent. As a general rule, most landlords use the industry average, a multiplier in the range of 2.5 to 3.0 times the monthly rent. For example, if the unit rents for \$1,000, an applicant would need a monthly gross income in the range of \$2,500 to \$3,000. Using a multiplier as a rule of thumb is more convenient than attempting to generate an after tax income expense statement for each applicant.

It is important that you use the same multiplier for all applicants for the current vacancy. However, you are not necessarily prohibited from using a different multiplier for future vacancies in the same building or at other locations. While a gross multiplier is useful, it usually cannot be the only consideration and some degree of cash flow analysis is often required. You may also try to take into account how spendable income is dependent on income tax considerations. This means considering both (1) sources of income – i.e., whether or not taxable – and (2) circumstances that affect tax bracket – e.g., number of exemptions or special deductions such as depreciation.

There are many sources of income with wage earnings being the most common. Other sources of income include self employment, stocks and bonds, trust funds, mutual funds, spousal or child support, government assistance, and income from

rental properties.

In some states, landlord participation in a Section 8 public housing program is voluntary, while in others, landlords are required to accept Section 8 recipients. While a landlord may be required to accept Section 8 as the tenant's source of income, the tenant's gross income must still meet the landlord's income qualification standard. If the applicant's gross income fails the income requirement, and provided the same standard is applied to all tenants, the landlord can reject the application.

In certain states, a source of income falls under a protected class category. In those states, if a landlord rejects applicants receiving government assistance, the landlord's action will be considered discriminatory. In some states, arbitrary discrimination, that

is, discrimination based on a personal trait or characteristic not otherwise named by local, state, or federal law, is illegal. Attempts to circumvent denial of housing based on the source of income by using some other characteristic may subject the landlord to discrimination charges and possible penalties.

In a situation where a disabled applicant requests accommodation of terms in order to qualify, the landlord must consider the applicant's request and work with the applicant to determine if there is an acceptable solution. For example, if



Application Screening cont...

the disabled applicant's source of income is government assistance but the gross amount is less than the landlord's income standard, the applicant may request the landlord to accept a co-signer in order to meet the rental obligation. The landlord cannot summarily dismiss the applicant's request. However, the landlord retains the right to screen the co-signer applicant just as he would any applicant. If the co-signer satisfactorily meets the landlord's customary selection requirements, the landlord will be required to accept the applicant under reasonable accom-

modation laws.

To safeguard individual privacy rights and to protect sensitive information, many employers now require specific

written authorization from the employee to release employment data. The best approach is to have a separate and specific release form for employment verification (dates of employment and wage amounts) signed by the applicant employee and mailed or faxed to the appropriate employment department.

A copy of the Employment Verification form can be included in the Information Package or handed out when the application is submitted. It is the responsibility of the applicant to insure that the completed form is returned to the landlord by the employer in a

timely manner, with a deadline being stated. Don't hesitate to check the legitimacy of the returned "Verification of Employment" form if you have any reason for suspicion.

Employment and income documentation can consist of requiring the applicant to produce the last several paycheck stubs. Note that last year's W-2 provides no certain information regarding current income, although it might be useful as additional verification if other items are questionable.

Pay stubs are useful for confirming employment information and sometimes even to verify the applicant's Social Security number. Review the pay stubs to verify that the applicant's name, address, and SSN are the same as shown on the application. The pay stub may also show the pay period, monthly, bi-weekly, or weekly. Make copies of the stubs.

Verification of non-employment income must be considered on a case-by-case basis with a verifiable document, appropriate to the source of income, requested from the applicant.

Self employed individuals can be asked to provide copies of their tax returns. Last year's 1099s mean little, as it is net profit shown on the Schedule C rather than gross revenues that counts, except that they can be useful for verification of gross income. However, you must remember that self-employed individuals often do not receive 1099s for all gross income and, in fact the percent received may be very low. In

other words, the total of 1099s is a minimum income and may be substantially less than the actual.

It is legal to require that an applicant provide evidence by showing income tax returns. Keep in mind that the return will usually not be providing current information, depending on the time of year, possibly as much as about 15 months old. However the bigger problem is that, with today's computer software, it is possible to generate a tax return within minutes that is in no way related to the one filed with the IRS. It is possible to obtain a copy of an applicant's Form 1040, as well as attached forms and schedules, directly from the IRS with the permission of the applicant. However, the typical screening and selection process time would not usually allow doing so. Additionally, the cost of the copies, particularly if multiple attachments are necessary, may be prohibitive.

Verification of non-earned income, including interest, dividends, and other investment cash flow and entitlement items, including disability, spousal support, social security, and private retirement, are all relatively easily verified because the recipients are provided official statements of the amounts.

Verification of child support depends on how the applicant receives payments. If payments come through "child support enforcement" or a similar agency, the applicant can obtain a printout of recent payments (most states will pro-



Application Screening cont...



Caption describing picture or graphic.

from the ex-spouse. Although child support does not show up on income tax returns because it is not taxable, spousal support (alimony) is taxable and should be shown on income tax returns.

Your selection policies should address the issue of cash-only workers. Cash employment presents problems because most cash employers will be willing to furnish documentation of employment and cash payments. If a cash-only worker can provide adequate documentation of his cash earnings and the likelihood of steady future income from his employer, you may wish to accept his application for

further tenant screening. While you cannot arbitrarily discriminate, you can enforce your policy requirement of legitimate, adequate documentation of source of funds for rental payments.

About the Author

YouCheckCredit.com has been providing online credit reports and background checks since 2000. If you have any questions, we can be contacted at YouCheckCredit.com, 3822 Campus Drive #200, Newport Beach, California. Toll Free number 1-866-666-8833 or Articles@YouCheckCredit.com

vide 6 months payment history). Regardless of whether it's paid through an agency or directly to the applicant, the applicant should usually have proof of that from copies of checks received, bank deposit receipts, or bank statements.

For spousal support, even if the applicant didn't make copies upon receipt of checks, it may be possible to obtain copies of the cancelled checks

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FILL—Flood Impacted Landlords



Caption describing picture or graphic.

representing flood impacted landlords. The group, now formally named (FILL - Flood Impacted Landlords), is a continuation of the grass-roots efforts of the CRSBRG in conjunction with Landlords of Linn County in supporting the needs of flood impacted landlords in Cedar Rapids and the surrounding areas.

landlords have been largely been ignored during the 16 months. Delays and eligibility requirements associated with current CDBG funding have left many landlords unable to rebuild.

Those interested in additional information, may contact FILL by email - fill@q.com. Interested individuals should include their name and other contact information including mailing address and phone number for periodic updates regarding FILL activities.

Contact: Mari Davis, representative from CRSBRG - FILL (fill@q.com) RentalSolutions/Home Locators (319)364-8478 or 373-1553

The Cedar Rapids Small Business Recovery Group (CRSBRG) announced Wednesday, October 14, 2009, the expansion of the originally formed subgroup

It is estimated 50 per cent of all flood impacted housing in Cedar Rapids is owned by landlords, yet the needs of



City's Section 8 Housing Offers Path to Homeownership

Generally associated with providing rent assistance, the City of Cedar Rapids' Section 8 Housing Choice Voucher Program also offers eligible families the opportunity to become homeowners. So far in 2009 there have been three (3) families that have transitioned from being a renter to a homeowner. This transition was made possible in part by the City's Section 8 Housing Program. As with all families who become homeowners for the first time, the stories of these three families vary. One of these families was kind enough to share their story:

Diane, a participant in the City's rent assistance program since 1998, had been thinking in recent years of

buying her own home. While renting had filled a need, she wanted to establish a permanent residence. By having such a residence, her family could have greater security and stability. The idea of homeownership also appealed to Diane in terms of having a place she could continue to live in during her retirement years.

In the last two years Diane, with assistance from the Family Self-Sufficiency staff, worked towards her goal of homeownership. Since Diane had maintained a good credit score over the years, her primary focus was to complete the required homeownership classes and continue to save money for the home purchase. On September 1, 2009,

the realization of Diane's goal became a reality. Diane and her family now reside in a home they can call their own, thanks in part to the Section 8 Housing Choice Voucher Homeownership Program.

If you have any questions about this program, please call the Cedar Rapids Housing Services Office at 286-5872.



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We want your ideas and feedback!

Our primary goal is to offer more benefits and tools to both our landlord and vendor members.

By harnessing current technologies we now offer a website for tenants to look for current properties "For Rent", and contact the owners.

Our website has become the place to find a unit for rent! Landlord members pay nothing for this service, only their annual membership!

Vendors have new opportunities to advertise not only to our landlords but to tenants visiting our website!

We are counting on you, our members to get the word out about our new website. We will by distributing attractive yard signs and directional signs to bring more tenants to your properties. Combine that



Do have an idea where to host a monthly meeting?

Do you want to host a monthly meeting?

with newspaper advertising and our website will be connected to social network sites like Facebook and Twitter!

As always we are open to any other ideas or feedback you might have.

Send your comments/ideas to:
Membership@LandLordsOfLinnCounty.com