

## DIALOGUE WITH DIRECTORS



What a month September has been! A day in infamy of September 11th will never be forgotten by any of us.

This fall's Iowa Landlord Association Seminar will feature important information we feel will be most valuable for your operations in this highly complex and ever more complicated world we live in.



**NOVEMBER 8TH**  
**Fall Iowa Landlord Association Seminar**

*Location: Holiday Inn Downtown -  
Des Moines Room*

This year's keynote speaker is Mark Hansen. Mark is an Attorney for several large apartment complexes here in Polk County. Mark has dealt with the issues of both landlords with large complex property holdings as well as landlords with but a few units to manage. His years of experience will provide valuable insight to making your operations more profitable.

Also featured on this year's seminar agenda will be:

- **Thelowa.Net** – web & media marketing consultants, will be covering benefits of new services to members. They will also cover information on how to include your apartments on our Apartments For Rent Search section of the ILA website.
- **Sergeant Deb Richardson** – with the Criminal Investigation Division of the Des Moines Police Department will present information on how the recent terrorist activities may impact landlords. Deb is in charge of the intelligence unit and has some really important content you will want to be present for. (By the way, if you would like to contact her regarding questions or information along this line, you may reach her at her office at 515-283-4815 or you may email her at: [drrichardson@ci.des-moines.ia.us](mailto:drrichardson@ci.des-moines.ia.us))
- **Joe Kelly** – ILA Iowa Legislative Lobbyist will be overseeing several new proposed pieces of legislation that will be of upcoming importance that may directly affect you and your operations. Also, Joe

will highlight some of the past accomplishments of the previous session. Joe will also be available for questions afterwards and during the break.

- **Tenant Pilot** – will be presenting a web-based property management system specializing in automated rent payment. They will give a demonstration on a laptop computer as well as being available to talk with you during the break and after the seminar. You may preview their website prior to the seminar at [www.tenantpilot.com](http://www.tenantpilot.com).

Seminar charges for members are covered with your current membership and are \$25 for nonmembers. Registration will begin at 6:00, the seminar begin at 6:30 PM and conclude around 9:00 PM.



### National Survey

Fannie Mae's 2001 National Housing Survey reports that 41 percent of renters surveyed say they rent as a matter of choice and not out of necessity. This is up from 32 percent in 2000 and 28 percent in 1999. The 2000 Current Population Survey which shows that even as homeownership rates have risen, the number of apartment renters has grown, and much of that growth is concentrated in the highest income groups. For the past three years, apartment households making \$50,000 or more have increased approximately eight percent annually. There are now 3.2 million apartment renter households making more than \$50,000.

#### ***This Month's October 2001 NewsBrief .....***

- Dialogue With Directors - ILA Fall Seminar
- National Survey
- When Rent is Late!
- Resident Locked Out Procedures
- Court Backs Apartment Leaflet Ban
- Why Do Residents Rent Your Homes?

## When Rent is Late!

What do you do? That depends on the circumstances. Will it affect my ability to pay the mortgage or insurance or utilities? Is this the first time rent is late by this tenant or is this an ongoing occurrence? It is important to remember that when rent is late, it is a business problem. Remember this is a business, not a charity or a hobby. To begin you must determine why the rent is late. Was it lost in the mail, did the tenant forget, did tenant lose their job or could it be that the tenant just won't pay and won't give you a reason. Your first response should be to find out why the rent is late. You can only do that by talking to the tenant. If the rent was lost in the mail, how about giving the tenant pre-printed and prestamped envelopes. If you cannot find the tenant, call the personal references on their lease or if that doesn't work check with the neighbors. If that doesn't work it may be time to start eviction procedures. Better yet, check to see if the tenant moved out in the middle of the night. Not a good way to terminate a lease but if you have a security deposit and if they have not trashed the place you are better off. What if you receive a check but it bounces? If a check comes in the mail you should always deposit it immediately. You should have some prearranged agreement with you bank to notify you as soon as possible when a

check bounces. If it does bounce, pick it up from the bank and take it to the tenant. Show the tenant the bounced check which should have imprinted on it NSF, and request payment in cash or a money order. Do not accept another personal check. If the tenant will not give you cash or something equivalent to cash, it is time to serve them the first eviction notice-the three day notice to cure default and to quit. Do not give the NSF check back to the tenant. It will come in handy in case you have to go to court.

What do you do if the tenant is willing to give you a partial payment. Some landlords accept partial payments and some do not. If the tenant has been a good tenant in the past, it is probably safe to accept the partial payment. By accepting a partial payment you have just changed to the terms of your lease. And you have just treated this tenant differently than all your other tenants. Also if you serve the three day notice to start the eviction process and then accept a partial payment, you have to start the eviction process over with a new three day notice. If the tenant has paid you this way in the past it may be time to cut the strings and not accept the partial payment and serve them the three day notice. Remember, an unscrupulous tenant will take advantage of you every time you let them.

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## Resident Locked Out Procedures

Do you have a formal policy that you follow when a resident is locked out of one of your properties? You should have a policy in place that will help safeguard against you giving authorized access into your residents' homes. If a resident claims to have been locked out of their property, here are a few guidelines:

- Have a clause in your lease that states that residents understands that management charges a lock-out fee to provide a duplicate key or for management to unlock a resident's door. The fee should be one amount for providing this assistance during normal business hours and a higher fee for assistance during non-business hours. This helps to discourage late night phone calls. Resident may stay over at a friend's house one night and wait to call in the morning so they will not incur the higher charge.
- Require the resident to show identification prior to allowing access into the home or giving them a duplicate key.
- Review pictures and identification on file prior to offering key assistance.
- Document in the resident's file the date and time of the lockout and time assistance was provided and what type of assistance.

- If the resident does not have proper identification, verify resident's identity by obtaining the correct answer to at least two pertinent questions that can include: social security number, driver license number, birth date, move in date, rental rate or their emergency contact. This information can be found in the resident's file.
- Require that any lock out fees be payable at the time service is provided and in the event that a complete lock change is necessary, there will be an additional charge for lock replacement.
- Do not allow access or release duplicate keys to anyone who is not a lease holder without proper authorization.
- Don't rely on your memory.
- Always check the rental agreement as a current resident, such as a roommate or spouse may have been released from the rental agreement.

(from Apartment Association, Van Nuys, CA)

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## Court Backs Apartment Leaflet Ban

The California Supreme Court held that a San Francisco apartment owner can ban a tenant group from distributing leaflets in the complex without running afoul of the First Amendment. This case pitted private property rights against free speech protections. The justices determined that an apartment owner's right to regulate the distribution of leaflets and other material trumped California's strong free speech guarantees. This ruling stemmed from attempts by owners of a 1254-unit complex in downtown San Francisco to keep a tenants' association from distributing newsletters and meeting notices under the doors of all residents. The Chief Justice said, "there is no state or federal constitutional right to distribute unsolicited pamphlets in a location... not open to the general public, such as the closed interior hallways of the apartment building". The American Civil Liberties Union, which backed tenant groups, was dismayed. "It's bad news in terms of free speech...". Lawyers for the apartment owners took a different view, "the interests of private property owners win unless you have private property that is so open to the public that it is public in character".

## Why Do Residents Rent Your Homes?

Every resident has two reasons for deciding to rent your property. The first is because they need a place to live. The second is more abstract and may be one of the following reasons: *Financial* – your property is offered at the best rental rate of other comparable properties; *Location* – your property is the best location they can find; convenient to key places the resident frequents, ie work, school, stores, bank, church; *Upgrades / Extras* – your property offers features and items that others did not offer.

The next time a prospect calls or looks at one of your properties, try to determine which of the three factors applies to their needs.

From all responses you receive from the prospects, determine which factors are the most appealing for your property. Then make a list of why your property is a great match for those factors. Tailor your presentation to meet those needs. You should be able to easily state reasons that match most of your prospects interest. (from Rent & Retain Magazine)

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## ILA FALL 2001 SEMINAR REGISTRATION FORM Thursday, November 8th, 2001

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**Please submit your  
registration  
By November 2<sup>nd</sup> to:  
IOWA LANDLORD  
ASSOCIATION  
PO BOX 13246  
DES MOINES, IA 50310**

If you are an ILA member, and wish to pre-register for this seminar, you can do so at no charge - but we do need your registration for facilities purposes. If you are a member and you do not pre-register, the "at-the-door" fee is \$10.00. If you are a member, you may fax this form to the office at 515-270-2796 or you may also register on-line at:

<http://members.iowalandlord.org/ilasemregform.htm>

If you are not an ILA member, you may pre-register for \$25.00 by sending a copy of this registration form with your check postmarked by November 2<sup>nd</sup>. If you are a non-member, and you do not pre-register, the "at-the-door" fee is \$35.00.

Name \_\_\_\_\_ Company Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_ E-Mail Address \_\_\_\_\_

**Please indicate** which of the following best applies to your position:

Landlord  Manager  Realtor  Other (If other, Please indicate: ) \_\_\_\_\_

**Membership Status:** (Please Indicate)

I am a:  Regular Member  Corporate Member  Charitable, Government, Educational Member  
 Associate Member  Non-Member

**Would you like to list your property on the Iowa Landlord Association Apartment Rental Search but you're not on the Internet?**



**Iowa Landlord Association  
Apartment Search Service  
Listing Form**

*Make copies of this form, fill out the form and FAX to: 515-255-0675*

You can mail or fax in your listing directly to our office if this would be easier for you.

To list your property, please fill out this form and send a picture of your property to our office.

Have you a rental property you wish to sell? Advertise it on the web site! Call us for details.

Interested in banner ads on our website?

**ILA Rental Property Search Listing Rates**

- Listing Prices = Members - \$50/mo., Non-Members - \$100/mo.
- Pictures/Logo inclusion = \$10/submission
- Picture/Logo image preparation (if needed) = \$35/hr.
- Photography Services = \$50 trip fee; \$35/hr after 1 hour; Materials at cost; Service available in the Des Moines metro and Polk County surrounding areas; Services are on a scheduled basis; Contact [information@iowalandlord.org](mailto:information@iowalandlord.org) for arrangements.

Your Company: \_\_\_\_\_  
 Your Name: \_\_\_\_\_  
 Your Company Address \_\_\_\_\_  
 Your Phone number for contact \_\_\_\_\_  
 Property Address: \_\_\_\_\_  
 Property City, Zip: \_\_\_\_\_

**Monthly Rent Price:** \$ \_\_\_\_\_ / Month  
**Number of Bedrooms:**  Studio/Efficiency  1  2  3  4+

**Type of Housing:**  Condos, Townhomes, or Duplexes  
 Unfurnished Apartments  Furnished Apartments  
 Single Family Dwelling  Short Term Rentals  Senior Community

**Utility Arrangements:**  None Supplied  Some Paid  All Paid

**Accommodations and General Amenities** – Please check the items associated with this property:

Air Conditioning: .....	<input type="checkbox"/>	Dishwasher: .....	<input type="checkbox"/>	Wheelchair Accessible: ..	<input type="checkbox"/>
Microwave: .....	<input type="checkbox"/>	Stove: .....	<input type="checkbox"/>	Trash Compactor: .....	<input type="checkbox"/>
Balcony / Patio: .....	<input type="checkbox"/>	Refrigerator: .....	<input type="checkbox"/>	Garbage Disposal: .....	<input type="checkbox"/>
Dining Room: .....	<input type="checkbox"/>	Fireplace: .....	<input type="checkbox"/>	Pet Friendly: .....	<input type="checkbox"/>
Computer High				Laundry Type:	
Speed Broadband				<input type="checkbox"/> Washer / Dryer	
Internet Accessibility: <input type="checkbox"/>		Cable Ready: ...	<input type="checkbox"/>	<input type="checkbox"/> Washer / Dryer Connections	
		Garage: <input type="checkbox"/>		<input type="checkbox"/> Laundry Facility	

**Community Accommodations and Amenities**

Club House: .....	<input type="checkbox"/>	Storage Facilities:	<input type="checkbox"/>	Gated Access: .....	<input type="checkbox"/>
Public Transportation: ..	<input type="checkbox"/>	Tennis Courts: ....	<input type="checkbox"/>	Playground: .....	<input type="checkbox"/>
Fitness Center: .....	<input type="checkbox"/>	Swimming Pool: .	<input type="checkbox"/>	Whirlpool / Spa: .....	<input type="checkbox"/>

**Run Dates of Your Listing**

Date Begin: \_\_\_\_\_ Date End: \_\_\_\_\_

*\*\*\* Don't Have A F.A.X. - - Just copy and mail your form to us. \*\*\**

As an **INTRODUCTORY Special**, we are offering Reduced Rates and in some cases - **FREE** listings!

- Listings placed in the month of September to run through December 2001: \$ **FREE** /mo. for Members !!! - \$50/mo. Non-Members;
- Listings placed in the month of October to run through November 2001: \$ **FREE** /mo. for Members !!! \$50/mo. Non-Members;
- Listings placed in the month of November to run through November 2001: \$ **16.50 /mo. for Members !!!** \$88/mo. Non-Members;

- Listings placed in the month of December to run through December 2001: **Just \$ 33 /mo. for Members !!!** \$100/mo. Non-Members;
- Listings placed in **January, 2002** are back to the full published rates above.

**(HINT!** For the cost of an ILA membership - Non-members can purchase their membership, save money and experience ALL the benefits of ILA membership!)