



Capital District Association of Rental Property Owners, Inc

Newsletter January 2012

President's Letter January 2012

Terrance Wansley

"Humbled and Challenged"

It is with a great deal of humility that I embark on this journey as President of CDARPO. I thank all those who have been supportive in this process. A special thanks to outgoing President Bob McRae. I know that I can never replace him. I only hope to be able to provide some semblance of the steady and effective leadership that he has provided to this organization for the past three years.

I also would like to salute all of the other members of the election slate, many of whom are returning Board Members. These intrepid souls have willingly sacrificed time from their families and daily lives to make sure that the goals and objectives of CDARPO are carried out. I am confident that the Board of Directors, and an active and engaged membership will prevail in the face of any situation that may arise.

"Every member will be asked to help make our organization a success."

It is my hope that through the contemplation, formulation and implementation of several key initiatives we can accomplish the following:

1. Maintain our core values with a concentration on mutual aid, education and shared information
2. Increase our organization's membership and member benefits
3. Encourage membership participation in both internal and external activities
4. Enhance the bonds between CDARPO, community groups, and municipalities in the Capital Region.

I am very enthusiastic about several technical, organizational, and quality of life projects already underway. Every member will be asked to help make our organization a success. A simple donation of one hour of your time, once a week, can be a huge contribution to our overall success.

NEXT MEETING

ANNUAL DINNER THURSDAY JANUARY 26TH

Crossgates Banquet House Washington AveExtAlbany

Keynote speaker will be
Steven Krokoff, Chief of
Police, City of Albany.

**NO MEETING at Ramada
Latham, NY in January**

**\$25 EACH for members
and one guest.**

\$35 for all others.

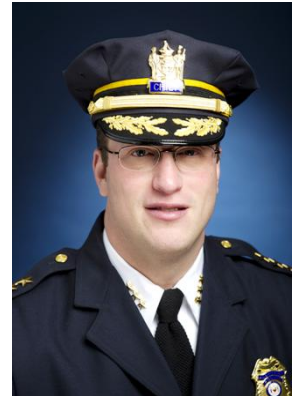
**Find Event Details and
Reservation form on page 2**

Reservation Deadline is January 20th

2012 Dues are now due **\$45** with email newsletter
(\$50 - if you also want black&white mailed n'letter)

Be an active "Landlord helping landlords."

Interactive forum	Member community directory
Ten meetings	Problem solving
Demonstrations	Guide to leases
Eviction guidance	Mgt & Maintenance Advice
Mail now – see form on next page	



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MEMBERSHIP DIRECTORY

Forty-five (45) CDARPO members have signed on to the new "Member Community Directory" project. Only those members who signed on by the October deadline have received a copy of the first edition. They now have the contact info and communities of interest for the other participating members. The cities/towns and counties where the members reside and own rental property are posted in the directory. It does not include the count or addresses of properties or units.

Depending on interest, an updated second edition will be compiled in February 2012, and members will have another opportunity to participate.

The Affordable Housing Partnership will be hosting their **landlording class** again

January 25th at 5:00pm
at 255 Orange St.

For registration or info call:

Louise McNeilly
518-434-1730.

ANNUAL DINNER & INSTALLATION OF OFFICERS

Thursday January 26th, 2012

Crossgates Banquet House Washington Ave. Ext

Dinner Tickets:

(1/4 mile west of Home Depot)

\$25 each for members (dues paid for 2012) and one guest,

\$35 each for all others non members are welcome

We must have reservation and payment by Friday January 20th

to give Banquet House final head count. **Please don't wait till the last minute!**

Mail check for dues and dinner reservation to

CDARPO PO Box 11097 Albany, NY 12211-0097

Please include dues payment \$45 (\$50 if you want snail mail newsletter)

Questions

call Beverly Brickner at 459-3165 or

email Joe Van Alphen at cdarpo@yahoo.com

6:00 pm Join us in the lounge for cocktails "cash bar" and hors d'oeuvres

7:00 pm Buffet dinner in main dining room features ziti, meatballs, eggplant parmigiana, chicken and fish selections, red bliss potatoes, green beans almondine, snap peas with carrots, salad and rolls.

Keynote speaker Steven Krokoff, Chief of Police City of Albany

Print and Return this coupon with your payment for dues and dinner reservations to:

CDARPO PO Box 11097 Albany, NY 12211-0097

2012 Dues for member _____ **\$45** (\$50 if snailmail) \$ _____

Dinner Reservations (please include name, changes can be made at the door)

MEMBER _____ **\$25** \$ _____

FIRST GUEST _____ **\$25** \$ _____

Non-members / Additional guests _____ # _____ **X \$35** each . . \$ _____

Total submitted . . . \$ _____

Collecting Money Owed by a Tenant

by Attorney William Bronchick,
LEGALWIZ.COM



Did you ever have to evict a tenant for non-payment of rent, then get stiffed for the bill? You may be able to collect what is owed to you, even years later.

First, you need a court-ordered money judgment. If you filed for an eviction in court, you received a judgment and order of possession. The actual name of this court order may change slightly from state to state, but it's the same thing - a document signed by a judge that permits a local sheriff or constable to forcibly remove the tenants from the property.

In most states you can also get a money judgment against the tenant, but this requires one of two things: 1) the tenant must have been personally served with the court papers or 2) the tenant must have shown up in court. If the eviction papers (the court papers, not the notice to pay rent) were posted on the door of the unit and/or mailed to the tenant, you generally do not get a money judgment from the court.

What About Security Deposits?

If you have a security deposit from the tenant, you can apply that against anything he owes you for back rent or damages. However, you still must comply with state law for notifying the tenant of your intent to keep the deposit. Even if you return the security deposit, you can still sue the tenant for actual rent owed and/or damages incurred to the unit.

If the tenant left before the court date or you did not otherwise get a money judgment, you can always sue the tenant in your local small claims court for money owed and any damages to the property. The process is quite simple, and does not require a lawyer. You have to file the claim before the end of the statute of limitations, which generally ranges from three to six years, depending on which state you live in.

Once you have a money judgment, you can collect it against all non-exempt assets of the debtor. Certain assets, such as retirement accounts, are exempt from

collection by creditors. Also, keep in mind that assets of the debtor's spouse may be attached as well in states that

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recognize community property (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington and Wisconsin).

Cash in bank accounts is the easiest target. If you have a copy of a recent check from your tenant, you can file for a "levy of execution" on their bank accounts through the local sheriff (this is why it is a good practice to make copies of your tenants' checks each month to make sure you know where they are banking).

If the tenant is working, you can garnish wages, but most states limit garnishment to 25% of the wages of the debtor. Still, if they have a steady paycheck, you will get your money back, plus interest. If you get a transcript and record the judgment in county records, the tenant will not be able to buy a house in that county without paying you off. If the tenant owns other real estate in his name (not likely, but always possible), the judgment will create a lien on that property as well.

If you do not know where the tenants assets are located, you can start a debtor proceeding in court to make him appear in court and answer questions regarding his assets. Failure to comply may result in a warrant issued for the debtor's arrest. Depending on the amount of money owed and likelihood of collecting, this process may not be worth your effort. But, considering a judgment may be valid for as long as 10 years and you get interest on your money, why not make it a part of your business practice?

CDARPO thanks **William Bronchick** for supplying the article above.

About the author... **William Bronchick, Esq.** is an author and attorney who regularly presents workshops and do-it-yourself seminars at real estate and landlord associations around the country. He is the president and co-founder of the Colorado Association of Real Estate Investors. Bill specializes in all forms of asset protection and is the author of several great home study courses.

Read more articles by **William Bronchick** at Legalwiz.com.



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Top 10 Helpful Features on the IRS Website

Navigate your way through the tax season online and skip waiting in line. All you need is a computer and Internet access because the IRS website has a wealth of free information and online tax support. Here are the top 10 reasons to visit www.irs.gov.

1. Unlimited access - get answers 24 hours a day, seven days a week. You'll find answers to many frequently asked questions, and the helpful Interactive Tax Assistant is a tax law resource that takes you through a series of questions and provides you with responses to tax law questions. Much of the website and many forms and publications are also available in Spanish.

2. Use Free File Let Free File do the hard work for you with brand-name tax software or online fillable forms. It's available exclusively at www.irs.gov. Everyone can find an option to prepare their tax return and e-file it for free. If you made \$57,000 or less, you qualify to use free tax software offered through a private-public partnership with manufacturers. If you made more or are comfortable preparing your own tax return, there's Free File Fillable Forms, the electronic versions of IRS paper forms. Visit www.irs.gov/freefile to review your options.

3. Try IRS e-file IRS e-file is the safe, easy and most common way to file a tax return. Last year, 78 percent of taxpayers - 112 million people - used IRS e-file. Many tax preparers are now required to use e-file. If you owe taxes, you have payment options to file immediately and pay by the tax deadline. Best of all, the IRS issues refunds to 98 percent of electronic filers by direct deposit within 14 days, if there are no problems, and some may be issued in as few as 10 days.

4. Check the status of your tax refund Whether you chose direct deposit or asked the IRS to mail you a check, you can check the status of your refund through Where's My Refund?

5. Make payments electronically You can authorize an electronic funds withdrawal, use a credit or debit card, or enroll in the U.S. Treasury's Electronic Federal Tax

Payment System to pay your federal taxes. Electronic payment options are a convenient, safe and secure way to pay taxes.

6. Find out if you qualify for the Earned Income Tax Credit EITC is a tax credit for many people who earned less than \$49,000 in 2011. Find out if you are eligible by answering some questions and providing basic income information using the EITC Assistant.

7. Get tax forms and publications You can view and download tax forms and publications any hour of the day or night.

8. Calculate the right amount of withholding on your W-4 The IRS Withholding Calculator can help ensure you don't have too much or too little income tax withheld from your pay.

9. Request a payment agreement Paying your taxes in full and on time avoids unnecessary penalties and interest. However, if you cannot pay your balance in full you may be eligible to use the Online Payment Agreement Application to request an installment agreement.

10. Get information about the latest tax law changes Learn about tax law changes that may affect your tax return. Special sections of the website highlight changes that affect individual or business taxpayers. Remember the address of the official IRS website is www.irs.gov. Don't be confused by sites that end in .com, .net, .org or other designations instead of .gov

CANA December meeting

Presentations from the minutes of the
Council of Albany Neighborhood Associations

Albany City Treasurer, Kathy Sheehan

Ms. Sheehan stated that since being in office about two years she has made a number of changes. One change is that a lock box has been established at KeyBank where payments will be mailed directly, so that they are received faster. The timely payments are expected to offset the bank fees for this service. The city/county tax bills will be mailed on December 30th and are due January 31st. She also has a new Assistant Treasurer. **Cont. pg 8 >>>**

Corey Ellis & Ronald Quartimon, Founders, Capital District Black Chamber of Commerce (CDBCC)

Mr. Ellis and Mr. Quartimon co-founded the organization because they recognized a need to assist minorities in the region. The NYS Empire

Cont. pg 8 >>>



CREATIVE SILENCE CAN GENERATE HELPFUL ANSWERS when interviewing Tenants

Here is a good guide for interviewing prospective tenants that I found on the Landlord Tip of the Week:

Often it is difficult to elicit responsive or satisfactory answers from a prospective tenant. (That, of course, is grounds to reject them.) But sometimes everything looks good on a rental application, but something bothers you. Here is how to get the applicant to tell you things he might not otherwise tell you.

Creative silence. People hate silence. After you ask a question, SHUT UP! If they are not forthcoming with an answer, don't help them. Wait for them to say something. After they have answered, wait for a few seconds. They may hate the silence and tell you something they had not intended to tell you.

Ask open-ended questions. The key words are "Who, What, When, Where, Why, and How." No question with one of those words included in it can be answered yes or no. Another way to phrase a question is "Tell me about. . ."

Here are some sample questions which cannot be answered with just a word or two.

What did you like about your last landlord?
Tell me about your neighbors at your last apartment.
Why did you move from the house you rented before the most recent one?
When did you decide to move?

What are your hobbies?
What kind of electronic equipment do you have?
Why would you or wouldn't you rent from your present landlord again?

I think you get the idea. None of the above questions can be answered in less than a sentence. The prospective tenant will have to tell you something real.

DON'T DENY - ASK THEM TO PROVE IT!

The following tip was shared by one of the regular contributors to the popular MrLandlord.com Q&A Forum. Thanks Ellie, IL!

Listen up New Landlords.

People who fill out applications will put down ANYTHING needed to get into your rental property. --- Verify!

- Pay Stubs
- Award letters from Social Security
- Award letters from Welfare Department
- W2's W9's
- Bank statements showing deposits

Never accept their word for how much they make. I had an unmarried couple apply. Together their stated income would qualify. So I called her up and told them I would need verification of income. She started telling me that her award letter didn't reflect her actual amount on her check - that her check was more - Yeah right. She said that her check was direct deposited so she couldn't show me the check. And that he didn't have pay stubs because his pay was put directly on a Walmart card. Do I smell a fib here?

There was dead silence when I told her to bring me her bank statements showing the deposits for her checks and that he must get some proof of the amount he was paid. Told her that when she got the proof of income she could contact my property manager and I would proceed with processing her application.

Do not deny people. Throw it back on them to provide the proof that they meet your criteria. I told them that when they got verification of income, and my property manager brought it to me that I would proceed with processing their application. If they do come back with verification of income, I will proceed with credit checks, background checks, etc. That is if the rental property is still available.

Editor's Note: Agree or Disagree? We welcome your comments and Landlording Tips that we may feature in an upcoming issue. Email Editor@Mrlandlord.com

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WWW.ALBANYHOUSING.ORG

"Wot an Organization!"

as paraphrased from Yakov Smirnoff.

At or last meeting Bob McRae
demonstrated his camera surveillance
system for his apartment building. Two
weeks later, a tenant reports a break-in.

By the time you read this, a \$309
eight-camera surveillance system will
be installed at my one building.
That's "Landlords Helping Landlords".

Wot an organization!!

John the Geezer (Fenimore)

Advertisers!

Reach more landlords -- now on-line at: www.cdarpo.org

Non-members

Display Size	3 mos	6 mos	1 Year
Business Card	\$ 90	\$ 175	\$ 265
¼ Page	\$ 160	\$ 300	\$ 460
½ Page	\$ 300	\$ 500	\$ 800

Members & Business Affiliates 25% Discount

Display Size	3 mos	6 mos	1 Year
Business Card	\$ 68	\$ 132	\$ 200
¼ Page	\$ 120	\$ 225	\$ 345
½ Page	\$ 225	\$ 375	\$ 600

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Officers

Terrance	Wansley	President	
Maria	Eastwood	Vice-President	732-2994
Daniel	Malsan	Secretary	396-0859
Joseph	VanAlphen	Treasurer	371-0964

Board Mmbers

Beverly	Brickner	Ray	Koloski
Emily	Calabrese	Bob	McRae
John	Fenimore	Matt	Montesano
		Jaye	Nerad

Inquiries regarding the newsletter or advertising should be directed to:

Joe Van Alphen, Editor
P.O. Box 11097, Albany, NY 12211-0097
e-mail: cdarpo@yahoo.com
tel: (518) 371-0964

Meetings are held on the 2nd Thursday
each month September – June.

Dues are \$45 for emailed newsletter or
\$50 snailmail newsletter. Already a member?
Renew your CDARPO membership for 2012.

Know of a prospective member or a landlord who
needs help?
With their permission, send their e-mail or address
to cdarpo@yahoo.com or call (518) 433-7377.
We will send them newsletters and information.

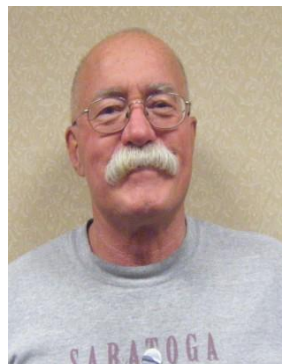
CDARPO is on **Facebook!** Search PAGES for
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communications of interest to landlords. You can
also comment on our posts.

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ADVICE TO THE HOUSELORN

By Mac Mowbray



Keep those questions
coming. 463-4310 or
gmm400@hotmail.com.

**Capital District Association of Rental Property
Owners (CDARPO) welcomes the entire Capital
District – Albany, Rensselaer, Saratoga, and
Schenectady counties.**

Please join us on-line at www.cdarpo.org

Continued from page 4

Corey Ellis & Ronald Quartimon

Development Corporation demonstrated statistics noting the lack of jobs for or businesses owned by minorities. Of the 1,300 Minority and Women Owned Businesses (MWBEs), only 77 were owned by African Americans. They were concerned that there was no economic plan for minority neighborhoods in place. Their mission includes increasing the number of businesses in the area and also the support for those businesses.

The CDBCC has obtained 501 (c) 3 status as a non-profit organization and is the first of its kind in the capital region. Currently there are only six chambers of commerce for minorities in the state. The organization sought affiliation with the National Black Chamber of Commerce, but Mr. Ellis and Mr. Quartimon made assurances that they will help women and other minorities as well. The organizations official launching will be in February.

Sign-up and participate

Our members-only interactive forum, CDARPO@yahoogroups.com, needs your participation to be a successful web-based sharing tool. Whether you have a landlord-tenant issue, or you're trying to find a competent plumber, your questions will be seen by at least 60 of our current members.

And, of course, your experience and opinion can be valuable to fellow members. The power of this site is in the number of readers who can offer their insights and solutions to problems and questions we all face.

Our industry faces many challenges and changes. With each new member the group becomes more and more valuable as we all know things the rest of us don't. Even old dogs learn something everyday.

So how can you help us help ourselves? Email two friends in the business and invite them to join CDARPO and sign up for the interactive forum.

To visit our group on the web, go to:

<http://groups.yahoo.com/group/cdarpo>

Continued: from page 4

Albany City Treasurer, Kathy Sheehan

Ms. Sheehan has also been appointed to the Albany Industrial Development Agency (IDA) board. This quasi-governmental body provides incentives to certain enterprises in the way of tax breaks and PILOT (payments in lieu of taxes) programs. Empire-Zone is a county program, but the IDA must approve projects on a case by case basis for that incentive.

Ms. Sheehan also gave a financial report. . . . So many workers live outside the city that the daytime population almost doubles that of off-business hours. For this reason Albany has a different drain of resources than other communities must face. She said that a more progressive tax structure to include a commuter tax would be very difficult to accomplish.

Ms. Sheehan stated that . . . the city suffers the highest poverty rate in the region showing 25.3% of people are at or below the poverty rate. There are also 700-1,000 blighted buildings or properties. She said that it unfortunate for the city because it faces a disproportionate tax exempt burden from other county municipalities.

Ms. Sheehan shared her strategic plan for Albany, scheduled for release the following day. The plan included lowering

tax rates to within the regional average; investing in connecting residents with jobs; creating a sustainable operating budget where non-recurring revenue is less relied upon; providing smart incentives to encourage businesses and homeowners to invest in Albany; engaging all stakeholders; make every neighborhood safe and livable.

CDARPO

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