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CDARPO

Member Meeting & Annual Election

January 12, 2023

Troy Marriott Courtyard

6:45 p.m. Registration

7:00 p.m. Welcome

- **Update on current events**
- **30 second commercials**
- **Issues, questions, and sharing by members**
- **Introduction of and Comments from the Candidates**
- **Opportunity for additional volunteers to serve on board**

******Refreshments and Networking******

Vote

Educational component: Landlord Forum -- Best and Worst Experiences

ADVICE TO THE HOUSELORN

BY MAC MOWBRAY

Before we get to the problems, here's a few tips to head off problems.

- Clean all air filters (Or replace them) before firing up the units. If the outdoor portion of window units and fan driven units were left uncovered, be sure to check for debris, leaves, twigs, insects, and animal and bird nests. These could interfere with the efficient operation of the units. Make sure no wires have been chewed by rodents.
- Check the outdoor faucets to make sure they did not freeze over the Winter.
- Check all gutters and downspouts as we have had some windy days and leaves blew off the trees.

Watervliet has a plumbing problem (How unusual for a landlord !)

My tenants of 3 years recently left one of my larger apts. There was about 9 years worth of wear and tear. Three kids, 2 dogs & assorted cats can wear and tear if they put their minds to it ! At any rate, all the faucets in the whole place are dripping. They never told me, so I have no idea how long it was going on. I am fairly new and have never fixed these things before. What do I need ? Some folks said I need washers, some said O rings and some said little springs in a kit.

Mac says: They are all right ! It depends on what type of faucets you have. The only thing you can do is take a picture of all the faucets and go to a hardware store, plumbing supply store or even a big box store and ask the clerk what you will need. They can probably tell by looking at the fixtures what the type of washer or other device you will need. When you get home, determine where the shut offs are for the individual rooms or if not shut offs are to be found, you may have to shut off the whole house.

Hopefully there will be a shut off for just that apartment. You will need wrenches, pliers, screw drivers. Perhaps some teflon tape.

If you have not done this before, best to consult a home repair book or go on line for directions. If it still seems above your pay grade, consult a plumber or a good handyperson.

West Albany is seeing spots.

I asked him what he was doing last night and it was nothing that would cause rust spots. Anyway, after a few questions, I determined that the sheetrock had been installed with some kind of nails that rusted through the joint compound. I have not seen this in a long, long time. He had painted over these spots and they bled right through the latex paint.

Fortunately, this is an easy fix. Go to the paint store and buy some alcohol based primer. It goes under the name of BIN made by the Zinsser Company or the Parks

company (I am not sure of the name of the Parks product). Prime the spots. (Do it a couple of times just to be sure.) (It dries in just 15 or 20 minutes.) Clean the brush with alcohol (Do not waste gin or vodka) Cheap drug store alcohol will do just fine. However, you SHOULD NOT DRINK THE LEFT OVERS. Then repaint the entire wall.

See you next month.

Mac Mowbray

President's Message

Dear Members and Friends of CDARPO:

During this holiday season please stay safe and consider making a plan to implement at least 5 improvements in the way you operate your rental property business during 2023. Consider the following examples:

1. Tune up your tenant applications and the process for applying
2. Rethink how much you charge for rent – study market rents to understand how much you should charge, and be sure to factor RISK into your equation
3. Do a comprehensive safety check of your properties and fix deficiencies
4. Update your lease language to ensure compliance with regulations and to ensure you are protecting your business. Consider having an attorney that is an expert in landlord-tenant matters review your lease. If you have multiple properties, it is very likely that each of your lease will have

differences based on the details of your properties – be wary of boilerplate leases or rental contracts.

5. Monitor and capture proof of all of your rental business expenses; have a conversation with your accountant to make sure you don't miss potential deductions.

Take heart that if you are a landlord, you cannot afford to proceed as if owning, maintaining, and managing your rentals is anything but a business. It is not a hobby. It is not a therapy offering. It is a

business that you must take seriously, because the challenges you face today are nothing like those of generations past. Tenant activism is doing everything it can to relieve you of your hard-earned assets.

State and local government is not only acquiescing to tenant activism, it is complicit in it. The past two years have clearly demonstrated that landlords are at the bottom of the totem pole, and the rights of private property ownership are threatened in New York State.

When you have good, honest tenants there is no issue and business is pretty good. However, when you are faced with non-paying professional tenants, business is not so good. Eviction moratoriums to offset COVID problems were effectively sold as “rent-payment” moratoriums. The ERAP program ran out of money to assist the industry, and even while it remained unfunded ERAP led to the denial of due process for landlords in the so-called “unified” court system. Moreover, the backlog of cases pending before the courts has continued to kick the proverbial can

down the road. Private landlords are now somehow expected to continue providing shelter to problem tenants who do not honor the contracts they've signed and who know that the legislature and the courts will mostly stand in their favor and will continue to delay returning possession of property to the rightful owner. If you've not experienced these issues, consider yourself very lucky – keep doing what you're doing. But, still be sure to stay educated and prepare yourself for challenges to your status quo.

Your board and I look forward to working with you next year, when we hope to grow our membership and work with you to improve the association. Have a wonderful holiday and a safe and Happy New Year!

Tom Vandor

President, CDARPO

Schenectady Wants to Implement “Rent Stabilization” Measures

By Tom Vandor

On Thursday December 10, 2022 I had the opportunity to speak on behalf of Capital District landlords and property owners at a public town-hall forum held by the Schenectady City Council. The forum was set up so that the city council could hear opinions from all parties regarding the Schenectady's consideration of “rent stabilization”, a mechanism they would try

to implement to address rising cost of rent in the city. The city council wanted participants to address the following two questions:

1. In your opinion, what are the challenges facing landlords/tenants/homeowners?
2. What are your recommendations to address the above issue(s)?

A 3-minute time limit was imposed on speakers. I addressed the Schenectady City Council and the forum with the following remarks in response to their questions:

1. Challenges facing landlords and private homeowners include the following:

- a. Broad overreach of government AND the growing inability of landlords to remove bad actors who game the system (as witnessed countless times during the de-facto eviction moratorium established under the unfunded ERAP)
- b. An inability to properly screen prospective tenants, and exclude those deemed to be unqualified on the basis of objective factors.

Tenants are feeling the pain of government overreach which has been sold to them as "additional protections". The Housing Stability and Tenant Protections Act (HSTPA) of 2019 and other local laws are forcing tenants to pay much higher rents that might otherwise be necessary, because government fiat has increased and expanded the risks that private owners must overcome.

Increased risks and costs faced by landlords must be offset with higher rents because while the government is quick to levy

penalties and delay action to correct the behavior of tenants, government is not about to offset the costs borne and efforts required by landlords to correct those bad acts.

Another significant challenge is the failure of city building and codes departments to enforce the responsibilities of tenants. City government finds it easier to target and hold responsible the taxpaying property owners, because they are an easier target due to their unmovable stake in the enterprise.

Tenants can disappear with 30-days' notice (or no notice!) and never be held truly accountable. Landlords should not be punished for the bad acts of others – be they tenants or trespassers –

particularly when it comes to behaviors that destroy property, pollute common spaces like streets and alleys, and participate in nuisance behaviors that negatively affect the community and reduce the quality of life. Landlords and property owners should not have to go through extraordinary gymnastics to right the wrongs imposed by those who shirk their civil responsibilities as human beings living in our community.

2. What are your recommendations to address the above issue(s)?

Stay far away from the notion of rent control, rent regulation and similar concepts. Do not add further regulations that impede the rights of property owners who have worked hard and earned the ability to offer good, functional housing to tenants.

Instead, work with property owners to even the playing field, and tear down barriers that add unaffordable costs to landlords and property owners that inevitably must be passed along to the tenant.

Participate in landlord association meetings around the Capital District, have open dialogue and seek to understand the business of the rental industry, before passing additional regulations into law. Enforce the responsibilities borne by tenants in terms of caring for the properties that they have been given the opportunity to live in.

The Daily Gazette published their report of the event at

<https://dailygazette.com/2022/12/01/schedady-rent-costs-in-the-spotlight-at-packed-town-hall-meeting/>

The City and Counties of Albany also are continuing to put the pressure on landlords and property owners. Be sure to read the article “A ‘War on Landlords’” elsewhere in this newsletter. There Mark Grimm, one of few pro-business county legislators, offers his perspective on Resolution 579 which is designed redistribute monies from county taxpayers to the City of Albany to help pay tenants’ legal costs to fight YOU when they are facing eviction. I also submitted remarks to the Clerk of the Legislature encouraging the Albany County Legislature to vote AGAINST to measure. My comments also were sent out to our forum on Google Groups, so hopefully you read them. The public forum which preceded the vote (in addition to the legislative session - with

discussion - prior to the vote) may be viewed at <https://www.youtube.com/watch?v=VJpJCKsXIFk&t=5315s>. (You may need to bypass and or scroll past some of the unrelated content).

If you have difficulty finding those comments or cannot access our forum, please let one of your board members know, and we'll get you up and running.

ADAMS AND HOCHUL UNVEIL ACTION PLAN FOR HOUSING, BUSINESS DISTRICT

Original Article from [The Real Deal](#)

The mayor and governor shared a stage — no, really — to unveil an action plan Wednesday for New York, outlining a series of steps to create housing and improve the office market's bleak outlook.

Gov. Kathy Hochul and Mayor Eric Adams' "New' New York: Making New York Work for Everyone" action plan includes 40 proposals aimed at, among other things, increasing housing supply and making business districts more attractive.

At an event held by the Association for a Better New York, they emphasized that unlike previous administrations, which made headlines for trading barbs or ignoring each other, they would fight for the proposals together.

"The era of the governor of New York and the mayor of New York fighting each other is over," Hochul said. "Instead we are going to fight for the people we represent."

In the plan, the mayor and governor reinforce their support for replacing the property tax break 421a with a program that "enables multifamily rental development while requiring affordable housing." The report also proposes an incentive like the expired J-51 program to finance renovations in multifamily housing.

Citing high office vacancy rates, the report emphasizes the need to make it easier for developers to convert outdated office space in Midtown and other business districts into housing.

It indicates that the city and state will explore incentive programs for such conversions, as well as to encourage businesses to improve existing office stock and support the growth of businesses in "high-priority" sectors.

The city and state will also push to increase mass transit options and housing around employment hubs to cut commute times — potentially encouraging workers to make the trek to the office. However, the report floated making libraries more attractive for remote work.

Other proposals include removing the cap on the residential floor area ratio as well as allowing accessory dwelling units — two ideas that Hochul tried to sell to state legislators last spring.

The report also suggests mandating new design specifications for sidewalk sheds to “increase street openness and vibrancy without sacrificing safety.” The Adams administration plans to create a new “director of public realm” position focusing on quality-of-life and other issues in business districts.

The governor and mayor may agree on these changes, but that does not mean lawmakers will cooperate. Many of the housing proposals are recycled from the agenda unveiled by the governor in January. The city is pursuing citywide text amendments and other zoning changes to encourage the creation of more affordable housing, but many of the other initiatives — such as removing the FAR cap — require state action.

Both executives acknowledged that enacting the plan’s proposals would not be easy.

“Good ideas don’t always make it over the finish line in Albany,” Hochul said.

In the past two weeks, the governor and mayor have positioned themselves as pro-housing champions and have outlined, in broad strokes, their priorities in this arena. The mayor announced a goal of creating 500,000 homes in the city over the next decade through various changes to speed development.

The governor this month promised a “bold and audacious” housing plan, to be revealed during her State of the State address Jan. 10. On Wednesday, she set a goal of creating 800,000 new homes over the next decade. These housing targets, however, face an uphill battle, given New York’s status as “a national leader in blocking housing,” as Hochul put it recently.

A "War Against Landlords"

A "War Against Landlords" resolution passed December 19th in the Albany County Legislature. Every Republican and Conservative opposed the bill, every Democrat supported it. The vote was 24-9 (plus 5 absent and one abstained). See attached roll call.

Resolution 579 sets aside \$160, 000 in county taxpayer money (of course, a good chunk of it from landlords themselves) to help tenants prevent eviction. This is the government taking sides in a civil dispute between two private parties. It is wrong and should be fought at every opportunity. The state legislature and the city and county legislatures in Albany are unfair to landlords. Too many lawmakers act as if withholding rent payments are the landlord's problem, not the tenant's responsibility.

Please view my legislature floor remarks here: shorturl.at/mBU27. Contact legislators (especially if you live or have property in Albany County) to let them know your position. You can send an email message and ask the legislature clerk (Necole.Chambers@albanycountyny.gov) to circulate it to all members. Speak up. There are consequences for remaining silent.

Mark Grimm

Albany County Legislator (R-Guilderland)

Senior Republican on Finance Committee

Call for Volunteers

CDARPO is looking for volunteers who are interested in serving on the following committees.

- Membership
- Legislative Update
- Newsletter
- Speakers / Events

STAY CONNECTED

Current members should join our forum discussion area on Google groups. This will be the Email-based forum for exchanging ideas and interacting with fellow landlords that may have experiences to share. Send an email requesting access to cdarpo-talk+subscribe@googlegroups.com or contact Marshall Miller at marshall@bluehattery.com for more assistance.

Find us online at CDARPO.org and on [Facebook](#). Sign up for our newsletter on the [contact page](#) of our website.

Attention:

CDARPO Mailing address is:
PO Box 8, Latham, NY 12110

BOARD OF DIRECTORS

- President: Tom Vandor
- Vice President:
- Secretary: Lisa Benware
- Treasurer: Sean Daley

BOARD MEMBERS

- Eric Wentz
- Gordon (Mac) Mowbray
- Karen Wenz
- Bryson Gibson
- Roland Nzaou

MEMBERSHIP

Regular Membership dues are \$75/year and include a 10-issue monthly newsletter, a landlord help line, education classes, free advertising at meetings & more.

Send membership inquiries to:

Membership@cdarpo.org
Commercial Membership dues will vary based on desired advertisement formats - please visit our [website](#) for more details.

PROSPECTIVE SLATE FOR 2023

- President: Tom Vandor
- President: Roland Nzaou
- Vice President: Bryson Gibson
- Treasurer: Karen Wentz
- Secretary: Caroline Gibson

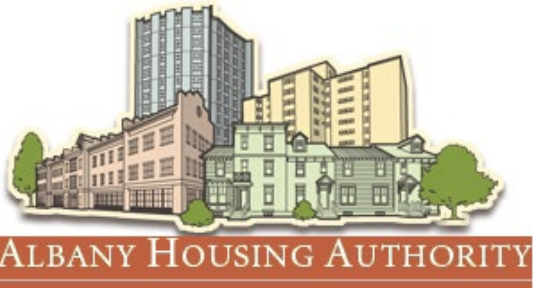
BOARD MEMBERS

- Director: Eric Wentz
- Director: Gordon (Mac) Mowbray
- Director: Sean Daley
- Director: Lamon Snyder
- Director: Lisa Benware

Members may nominate themselves for Director at the January 12th member meeting

CDARPO is a member of Under One Roof, a coalition of landlords and landlord organizations, formed to represent landlord interests with issues arising from legislation passed and proposed in favor of tenant interests. Learn more at <https://www.facebook.com/UNDERONEROOFNY/>
They may also be contacted at advocacy@nycraa.com.

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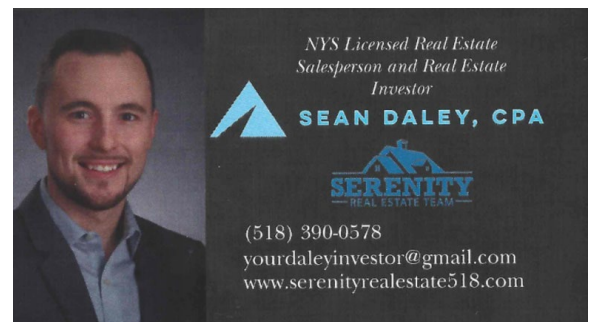
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