

Time Matters

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EVICCTIONS DELAYED!!

What's a Landlord to do with Non-payment of Rent and "Bad Apples" who are making the community miserable for our good residents?

As we have all seen over the past several months, laws are changing daily as we move through the pandemic.

As of this writing on May 18, 2020, Governor Wolf issued an order wherein landlords are not able to serve eviction notices until July 10, 2020. If notices are sent before that date, they will not be effective until July 10th, and evictions cannot be filed until 20 or 30 days after July 10th.

This is going to delay landlords from being able to start the eviction process against delinquent residents.

So, as Landlords, what are we to do?

We certainly aren't heartless, and we care about our fellow Pennsylvanians, we want to work with the residents. At the same time, how do we not allow the residents to pay rent and still be able to pay all the expenses for the community – mortgages, taxes, utilities, lawn care and everything else a resident requires. This is a very tough spot for community owners throughout Pennsylvania.

How have your delinquencies been over the past several months?

What I'm seeing is probably what most of

you are seeing. A larger percentage of residents who have always paid rent on time are still paying. I am finding a few residents who are struggling, but this is a very small percentage – especially given the government stimulus and the unemployment benefits, which in a lot of cases, has increased our resident's monthly income.

The other thing I am seeing is those residents who have always been delinquent – you know the ones I'm talking about, those that only pay when the Constable shows up at the door. These residents don't pay during good times and are using the pandemic and the governor's orders to not pay now. What the government doesn't take into consideration, is the fact that if these residents are let go for too long, they will never be able to catch up. In the long run everyone loses, the resident is evicted and landlords never get the money. But, for several months, the resident is benefiting, as they are living in the community for free.

Some of the things A. Hunter has been doing with regard to rent collections:

- We still send a friendly letter letting them know that they have an account balance, and what that balance is. We have removed any wording with regard to eviction, as we don't want to violate the Governor's orders, nor do we want to have issues with the Attorney General.
- We now make a lot of phone calls – we call residents who are not paying. We want to find out if they are okay, if they need a payment plan or if we can simply collect the rent for the month. When confronted with speaking to us, as opposed to just receiving a letter, I find that we are collecting more rents.

(continued on page 2)

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and Learn How

A. Hunter Property Management, Inc.
can make your rental property a
NO-HASSLE Investment



Includes links to other manufactured housing industry related sites providing you with a wealth of information.

**Contact A. HUNTER for a
FREE COPY OF THE MANUFACTURED HOME
COMMUNITY RIGHTS ACT – ACT 261 of 1976
as Amended by ACT 80 of 2010 by ACT 156 of 2012**

Remember, along with your rules and regulations, this Act should be on your bulletin board.

EVICCTIONS DELAYED *(continued)*

- Emails – If I can't reach a resident by phone, we email them.
- Communication is key!
- We are working with residents who need help. If they are truly suffering because of the pandemic, we do what we can to assist them on a case by case basis.
- We did waive late fees for April and in some communities, also for May.

On July 10th, unless the Governor extends the order, we plan on sending out our certified letters for non-payment, and then filing 20 days later, along with everyone else in Pennsylvania.

I can't imagine the backload for the Landlord Tenant Hearings, with all of us filing at the same time. But, I see those hearings being for the same residents we have always had to take to court. Those who have truly struggled, most will have contacted us and we will have already worked out payment arrangements.

The number of delinquent residents is not increasing for us. But, for the few residents who have never paid, I am now seeing their account balances increase.

Rule Violations – *The Governor has just announced that we can file a complaint and evict for Rule Violations. We do not have to wait till July 10th! Yeah!*

All communities have one or two "bad apples" – there is a lot of traffic in and out, police activity, possibly drugs –

someone having bonfires in the evening – setting off fireworks – having loud parties. We weren't originally permitted to file or evict them. I was frustrated, but the Governor has since changed his position on this. Now our good residents don't have to suffer due to "bad apples." I was very pleased to see this change.

How we take care of rule violations that disturb the other residents remains the same:

- We have asked the neighbors who are having issues to log the issues in detail – date, time and exactly what issue they are having. We are making notes in our records, "teeing up" so that when we can go to court, we have our ducks in a row and we can file with the District Magistrate. We also discuss with the residents who have issues, the importance of them attending the hearing as a witness.
- We are sending certified letters for Rule Violations, as we have always done in the past.
- Be prepared when you get to your hearing.

I know this has been and will continue to be frustrating for some months to come. All we can do is PREPARE – keep good records, do as the law requires. In the end, it will all work out.

HUD Installer Program Update

Courtesy of PMHA Perspective

Effective October 1, 2020 all installers operating in Pennsylvania will be required to have a HUD license to install manufactured homes. To date, over 230 people have attended HUD Installer Training Programs and others have taken their required 12-hour training online. A HUD license will not be issued unless a 12-hour training program is successfully completed prior to submitting the installer applications. HUD Form 307.

Though in-person training has been cancelled due to the current COVID-19 situation, you can also take the class online. Options include a class hosted by Mark Conte, which can be accessed at

<https://www.licensetobuild.com/manufactured-housing/>, and MHEI's course which can be found by going to <https://www.manufacturedhousing.org/online-training/>.

Once the COVID-19 shutdown has been lifted, PMHA will evaluate the need for future classroom training.

Don't wait till the last minute to apply for a HUD Installer License. The process is currently taking 4-6 weeks before they even look at the application, and this was pre-COVID. We are sure this processing time has doubled. If there is missing information this will hold the application up even longer.

To avoid delays, make sure you complete the HUD Form 307 in its entirety. The form itself can be two-sided and some of the supporting documents may be two-sided as well, so if submitting electronically or via fax make sure you are sending all sides of the documents. According to SEBRA Pro, the HUD contractor processing the applications, in addition to not copying both sides of the documents, the following are items they are seeing missed most by PA applicants:

- Insufficient information related to the bond or insurance.
- Insurance does not list HUD as an additional insured to include their address. Address for HUD is: HUD, Administrator, Office of Manufactured Housing Programs, 451 7th Street SW, Room 9168 Washington, DC 20410.
- Lack of bond or letter of credit to accompany insurance. Many applicants do not read the insurance-only requirements and assume their policy meets the standards.

To date, no policy has met the insurance-only requirements, and insurance providers have been unwilling to create such a policy.

- Bonds must be signed by all parties and a copy must accompany the Form 307.
- The application and all supporting documents can be mailed, emailed or faxed to SEBA Professionals Services.

Mailing Address:

Office of Manufactured Housing Installation Programs
c/o SEBA Professional Services, LLC.

1325 G Street, NW, Suite 500

Washington, DC 20005

Email: hudinfo@sebapro.com

FAX: 202-379-3340

Phone: 202-552-7356

General information on the entire HUD installation program is available by going to: <https://www.manufactured-housinginstallation.com/installers>. Once on their page there are many resources including the **Program Information Packet which can be found on the "Home" page under "Program Information."**

As for the code officials signing the new inspection form - HUD Form 309, PMHA continues to work with code inspector groups to answer their questions and concerns related to signing the form. We hope to have good news on this issue in the near future. Meanwhile, we highly encourage retailers to reach out to your code inspectors to help them understand that other than HUD now being responsible for the training and licensing of the installers, there is no change to how the homes are installed. We need to encourage them to sign the forms. If you need help in answering any questions they may have, feel free to reach out to PMHA.

Also, effective October 1, 2020, retailers will need to begin reporting sales using HUD Form 305 and reporting installations of those sales using HUD Form 306. SEBA Professional has a recorded retailer webinar at <https://www.manufacturedhousinginstallation.com/retailers> which will give you more information on retailer responsibilities and PMHA will be talking about this at their 2020 District Meetings. We encourage all retailers to get familiar with the regulations before October 2, 2020.

Why hire and train someone to work for you, when you can hire

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who are experienced in all facets of the manufactured housing industry

YOU GET OUR WHOLE STAFF 24/7 for LESS than the Cost of 1 EMPLOYEE!!



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A. Hunter Property Management
has branched out and has obtained their
Dealership License.

A. HUNTER HOMES

We are proud to bring you **A. HUNTER HOMES!!**

Obtaining our Dealer's License has been a long undertaking, but after 6 months we are now licensed to sell new homes in Pennsylvania.

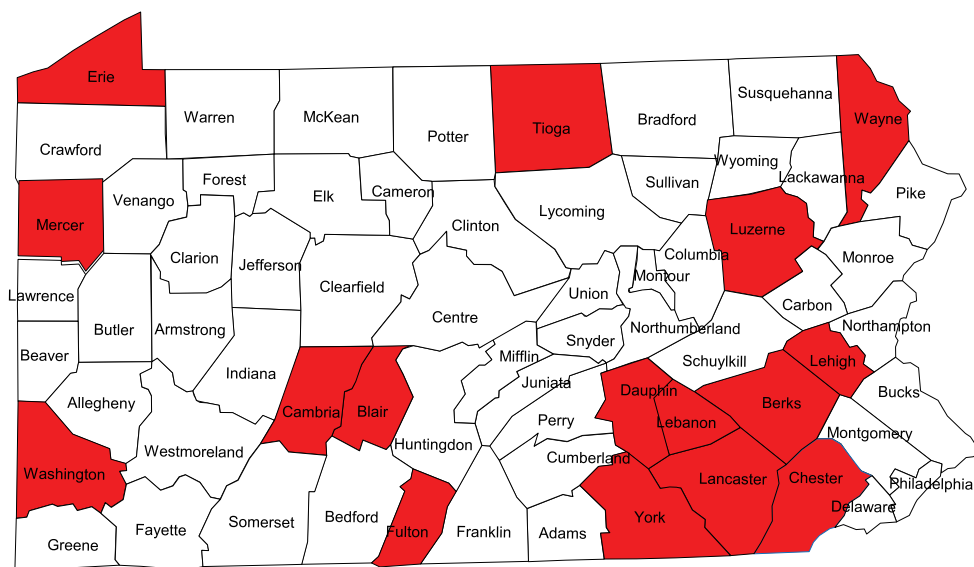
We obtained our license in order to assist our community owners. We can now buy homes direct from the factory for your community. We have started with franchise licenses through *Eagle River Homes* and *Clayton Homes*.

Our market is on an uptrend and we are excited to see home sales taking off over the past year or two. Now, instead of having a lot sit vacant, we encourage our owners to place a new home on the lot and sell it. Communities are finally being upgraded! For years, community owners have been holding on to all abandoned homes and trying to repair them, but we are seeing a shift where we can finally install and sell new homes. How Exciting!!! People driving through your community can't always imagine themselves on a vacant lot ... they think it's difficult to go through the hassle of purchasing a home and having it placed on a lot ... but, when they see a beautiful home on a lot, they can actually envision themselves living there!

The placement of new homes in your community will revitalize the community and encourage existing residents to look at making repairs or even upgrading to a new home. Some of our quickest sales result from an existing resident purchasing the new home once it's placed.

New homes will change the curb appeal of your community! If you are interested in purchasing a home for your community, it is a great time to do it! We'd be honored to place a home in your community and will oversee the project from ordering the home to having it set up.

We are thrilled to be taking part in this new endeavor and would love to help you!



**A. Hunter is proud to manage communities throughout the state of Pennsylvania.
We can accommodate your community in whatever county it's located.**

Salesperson Change of Employer/Reactivating License Application

In February the Department of State issued a revised application for salespersons changing employers or reactivating a license.

The most notable change is that **criminal history checks no longer need to be submitted when applying for a change of employer or when reactivating a license.**

Previously, a completed state police background check was required from each state in which the applicant for reactivation resided, for the five years immediately preceding the date of application. (*Initial salesperson applications will continue to require criminal history checks.*)

A salesperson who changes employers or reactivates their license can sell immediately upon submitting a license application to the Department of State. A copy of the application will function as a temporary license for up to 45 days from the date of application. When the new license is issued, it will serve through the remainder of the period covered by the previous license.

Before submitting an application for change of employer or reactivating a license, a salesperson should ensure that

they are completing the most recent version, dated 02/2020 at the top right hand of the page.

The application process is not required when a salesperson moves from one dealership to another when there is common ownership between the dealerships.

To change employers or reactivate a license, dealers can access a printable PDF application online at www.pmha.org or at www.dos.pa.gov/ProfessionalLicensing/BoardsCommissions/VehicleManufacturersDealersandSalespersons/Pages/Application-Forms.aspx.

All vehicle salesperson licenses expire May 31st of each odd numbered year, requiring renewal.



Seller Financing Bill Introduced: The Affordable Homeownership Access Act

House Resolution 5614 has been introduced which, if passed, would allow a person (other than a depository institution or a manufacturer of manufactured homes) to originate not more than 30 loans or extensions of credit security by a security interest on a manufactured home on property that is owned by such a person without going through a mortgage loan originator. This bill, introduced in the U.S. House of Representatives, is cited as the Affordable Homeownership Access Act.

Specifically, the bill also makes changes to the definition of a mortgage loan originator stating that it does not include (in part):

- if a loan or extension of credit is seller financed and is a consumer loan or extension of credit security by a security interest on a manufactured home;
- the home is owned by such a person or entity and serves as security for the loan;
- the loan is not made by a person that has manufactured the manufactured home;

- the loan is fully amortizing;
- the seller determines in good faith and documents that the buyer has a reasonable ability to pay the seller;
- it has fixed rate or an adjustable rate that is adjustable after five or more years, subject to reasonable annual and lifetime limitations on interest rate increases;
- and meets any other criteria the Bureau may prescribe.

The bill also requires that the Secretary of Housing and Urban Development and the Secretary of Treasury shall jointly carry out a study on:

- the number of homes bought for under \$200,000 or 60% of the median home value in a community, whichever is lower;
- the number of loans financed by licensed mortgage brokers or depository institutions and the partial number of such loans which could be financed but the brokers or institutions were unwilling or unable to comply with mortgage broker rules;

- and, the potential benefit to home values, neighborhood stabilization and family wealth creation through affordable home ownership if more homes are able to be sold utilizing seller financing.

A report of the findings shall be introduced no later than one year after the enactment of this Act, including data on the number of transactions utilizing seller financing 20 years, 5 years, 10 years and 5 years prior to the date of the enactment of the Act.

The National Association of Manufactured Housing Community Owners (NAMHCO) was instrumental in security, the introduction of this legislation along with the Sellers Finance Coalition (a group of people who own and would finance the sale of homes owned) for the past year. For further information contact Susan Brenton, Secretary, National Association of Manufactured Housing Community Owners (NAMHCO) 480-966-2446, sbrenton@me.com.

Choose From A. Hunter's 2 Comprehensive Management Plans Or We Will Customize a Plan for You!

— Monthly Responsibilities for Your Community —

FULL SERVICE

1. Negotiate and complete all new and existing leases, resident information sheets, addendum clauses, etc. If owner wants all residents to have a new lease agreement, owner is responsible for the cost of copying and mailing the agreements.
2. Review all rental prospects through established criteria.
3. Handle all resident communications, including complaints, suggestions, rules notifications, overdue rents, rent increases, rule violations, etc.
4. Resident emergencies will be handled on a 24 hour/7 day basis.
5. Collect all rents and timely deposit of same in a dedicated property checking account.
6. Pursue all delinquent accounts and attend District Justice Hearings.
7. Conduct periodic on-site visits and enforce all community rules and regulations in legal accordance with PA Act 261.
8. Arrange and supervise employees and outside contractors to perform regular maintenance and leasing work for the property.
9. Solicit bids for lawn care, snow removal and maintenance/emergency work as authorized and approved by owner of community. Follow up for on-time satisfactory completion of all contracted services.
10. Pay all bills for the community, subject to owner review, if desired.
11. Provide a computerized monthly accounting of income and expenditures. Owner will be provided with copies of actual bills, and bank statements.
12. Work diligently and make every reasonable effort to maintain occupancy and fill any community vacancies through normal advertising channels, mobile home dealer contacts and other methods of self-promotion. All promotional move-in incentives will be submitted for prior approval by owner.
13. Provide owner with a written, detailed monthly report on the property including but not limited to: move ins/outs, resident notification, unusual activity, etc.
14. Newsletters can be sent to residents on a monthly or quarterly basis. Owner is responsible for the cost of preparation and cost of postage for the newsletters.

FULL SERVICE WITHOUT BOOKKEEPING

1. Negotiate and complete all new and existing leases, resident information sheets, addendum clauses, etc. If owner wants all residents to have a new lease agreement, owner is responsible for the cost of copying the agreements.
2. Review all rental prospects through established criteria.
3. Handle all resident communications, including complaints, suggestions, rules notifications, overdue rents, rent increases, rule violations, etc. (Owner would give us a report on delinquent accounts.)
4. Resident emergencies will be handled on a 24 hour/7 day basis.
5. Pursue all delinquent accounts and attend District Justice Hearings.
6. Conduct periodic on-site visits and enforce all community rules and regulations in legal accordance with PA Act 261.
7. Arrange and supervise employees and outside contractors to perform regular maintenance and leasing work for the property.
8. Solicit bids for lawn care, snow removal and maintenance/emergency work as authorized and approved by owner of community. Follow up for on-time satisfactory completion of all contracted services.
9. Maintain occupancy and fill any community vacancies through normal advertising channels, mobile home dealer contacts and other methods of self-promotion. All promotional move-in incentives will be submitted for prior approval by owner.
10. Provide owner with a written, detailed monthly report on the property including but not limited to: move ins/outs, resident notification, unusual activity, etc.
11. Newsletters can be sent to residents on a monthly or quarterly basis. Owner is responsible for the cost of preparation and cost of postage for the newsletters.

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Professional Property Management

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Specializing in Manufactured Home Communities

A. Hunter Property Management provides the highest standard of professional management services thoroughly and efficiently through the competence and technical knowledge of our staff. Our primary objective is to maximize return on your investment using years of experience and expertise, and a sophisticated approach to property management.

Objectives

- Provide a service to owners which will free them of the work load involved with running an investment property
- Maintain a clean, smooth operating, profitable property
- Ensure a pleasant community residents will appreciate

Advantages for the Owner

- Experienced and Dependable Service
- Well Maintained Property
- Satisfied Residents
- Informed Owners
- Freedom of Owning
- Employees have PHC Designation

Services

- Coordinate Property Maintenance Including: utilities, lawn care, snow removal, etc.
- Improvement Projects
- Rent collection, payment of property bills
- Monthly Income and Expense Reports
- Owner/Resident Communications
 - Routine "On-Site" Inspections
 - Rule Violation/Enforcement
 - Represent Owners at Related Hearings
 - Emergency Service Hotline 24 hrs/day, 7 days/wk
 - Maintain Occupancy
 - Keep Owners Informed of Changing Legislation with Proactive Involvement

For More Information Contact...

A. Hunter Property Management

P.O. Box 224, Annville, PA 17003 • (717) 274-2104

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while we handle your hassles!

While a great deal of care has been taken to provide accurate and current information, the ideas, suggestions, general principals and conclusions presented in this letter are subject to local, state and federal laws and regulations, court cases and any revisions of same. The reader is thus urged to consult legal counsel regarding any points of law – this publication should not be used as a substitute for competent legal advice.

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