



A. HUNTER PROPERTY MANAGEMENT, INC.

PO BOX 224 • Annville, PA 17003 • Ph. 717-274-2104 • Fax 717-274-2327 • www.ahunter.com

VOL. 23, No. 1 JANUARY 2021

Time Matters

Featuring Information on our Services, News, Views & Tidbits...
KEEPING YOU ON TOP OF YOUR INVESTMENT!

Professional
Property
Management

Your
Key to
Peace
of
Mind!

info@ahunter.com
www.ahunter.com

CARES Act, CDC Declaration and a Landlord's Ability to Collect Rent

I am hoping this issue of *Time Matters* finds you and your family well and safe during these unprecedented times. We've all been through so much since March personally and with our businesses.

The manufactured housing industry remains strong, and as we've come out of lockdown, I am seeing a tremendous amount of home sales. As I write, I know that some of our manufacturers have had to significantly increase the cost of the homes coming out of the factories due to shortages in lumber, windows, appliances, among other things. Hoping that this is temporary and we see prices reduced as the pandemic is brought under control.

How are you doing with rent collections? We were very fortunate, across the board, most of our residents were able to pay their rent, many took advantage of the CARES Rent Relief Program, and the ones that didn't pay were the same residents that never paid before the pandemic, only getting them further in the hole, as we could not take any legal action.

For some reason, officials felt they were helping the residents by not allowing landlords to take legal action. It really hurt the resident and the landlord in the end.

As landlords, we are now faced with what to do with residents who have become delinquent, some not paying rent since March and certainly not able to get caught up at this point. Hopefully, that's a very very low percentage.

What are we doing? We've had one or two residents in each community who haven't paid. We have now started the legal process. Unless of course, the resident is aware of the CDC Declaration, and now we aren't able to file until the end of December.

I have found each District Justice that we deal with, is handling the CDC Declarations differently. For example, we have one Judge who hands out the Declaration Page and has the tenant sign it in court,

then refuses to hold the hearing. We have a second District Judge who has them sign the Declaration, still holds the hearing, but tells us we can't file the eviction/order of possession till December 31st. I even had one District Justice rule in our favor and when we received the Judgment paperwork, found we had lost?!?! We called the Justice who told us that he heard us discussing the CARES Act with the resident and he was told that if he even heard the mention of the CARES Act, he should not rule in a Plaintiff's favor?!?! So, until the end of December, as landlords, we may still have some difficulty collecting rent. Hopefully, they don't again extend that deadline.

Here are some suggestions that you may find helpful:

- We are legally allowed to send the Certified Notice to Quits to residents who have not paid rent. So, get your Certified Notice to Quit letters in the mail and begin to "tee up" for when you can get into court.
- If your resident has not provided you with a signed CDC Declaration, you can file your landlord tenant complaint. I can't guarantee what your District Justice will do in court, but at least you should be able to have your hearing.
- We have begun accessing late fees again. For the first 2 months, we waived all late fees.
- Communicate with your residents – Call them, ask them where their rent payment is, when they plan to pay you, can you pick up a check today? If we only send letters, the residents tend to ignore us, if we call them, we seem to get a better response.

As I always say: Consistency, Consistency, Consistency. Always be consistent with your late letters and policies. Your residents will come to realize that it's important to pay their rent in a timely manner.

Check Out www.ahunter.com

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.

Updating Your Resident Files For The New Year:

Some of us update our resident records all year, some of us, not so much so. It's always good to have up to date information on your residents, their pets, emergency contacts and homeowner's insurance.

If you haven't been updating your records, it's a great time to send out a tenant questionnaire, and get updated telephone numbers, emergency contact information, find out if they have made any changes in occupants or automobiles. You may want to confirm they have homeowner's insurance with liability, update their pets and make sure you have records of the pets and their shots. Once you get their updated information, make sure to put it with their tenant records, either digitally or in a hard file.

Now that you have everything updated – keep updating as you receive information.

Some ways that updated information helps:

- Pets – when we inspect, we mark our residents in “red” if they have registered a pet. This way, if we see a dog, but the resident is not marked in red, we know we have an unauthorized pet in the community and we need to speak with our resident to get that pet registered.
- With email, we can now notify our residents via email and phone blasts if water is going to be off, or someone will be working in the community. This is a quick and effective way to communicate with all the residents to get them pertinent information – we can only do that if we have updated telephone numbers and email addresses.

Having updated records helps us so much in the every day management of our communities.

Are You Billing Your Residents Enough For Utilities?

When billing your residents for water and sewer usage, are you keeping an eye on your water and sewer expenses, whether a public or private system?

You want to make sure you are charging your residents enough to cover your expenses. Sometimes owners will set a rate for water and sewer and not keep a close eye on what they are billing the residents and paying out. We like to keep an eye on the monthly usage we are being billed for by the utility company or, what the usage is in our private systems to make sure that we are using the same amount of water that we bill the residents for.

Watching these two numbers let's us know if we have a leak within the community that we should be looking for. Watching the billing let's us know if we need to increase our water and sewer rates.

It's an important item that you want to monitor monthly, or at least quarterly.

This is one of the things **A. Hunter** tracks for the communities we manage.

Pennsylvania Manufactured Housing Association

Since 1946 the Pennsylvania Manufactured Housing Association has been advocating on behalf of the factory-built housing industry. Established as non-profit professional and trade association in 1949, PMHA has proudly represented builders of factory-built homes, retailers, community owners and managers, developers, lenders, transporters, installers, suppliers, and service companies. The association was founded to advance and promote factory-built housing.

What PMHA does for YOU ...

Networking

Meet and greet old and new friends at the many educational and social gatherings offered throughout the year.

- Industry Networking Conference – March
- Annual PMH PAC Golf Outing – June
- District Meetings – held regionally in July
- Community Symposium – November

PMHA is Social – stay connected to the association and other industry friends. Like us on Facebook and follow us on Instagram, Twitter and LinkedIn.

Advocacy

- PMHA serves as industry spokesperson and liaison with legislators as well as regulatory agencies on the local, state and federal levels.
- Active Political Action Committee (PAC) to raise awareness of issues related to legislation that may have an impact on the industry.

Resources

- PMHA Library is full of current information and historical information on the manufactured housing industry.
- Member only Resource Materials are available and include sample forms and information invaluable to community owners/managers, retailers, manufacturers, installers, etc.
- PMHA's Website is updated regularly and includes current classes, events and a "member's only" area providing members 24/7 access to PMHA forms and guidelines.

- Services – titles (processing initial and researching existing) criminal history checks, reviewing licensing paperwork, assist with licensing forms, etc.

Marketing Opportunities

- PA Perspective – Bi-monthly newsletter chocked full of valuable information.
- Membership Directory – Each year PMHA publishes a Membership Directory that lists all of our members. Each PMHA member receives a free copy of the directory.
- Access to Database – PMHA's membership listing is available, electronically or on labels.
- PMHA Members receive a FREE link from PMHA's online member directory to their business's website!

Savings

- PAOne Call – PMHA picks up the Annual Service Fee, saving members \$125.00 per year.
- APPI – is the endorsed independent energy consulting firm for PMHA.
- Office Depot – PMHA has partnered with them to bring you a discount program saving up to 80% off preferred items.

Annual membership costs \$405. This investment gives you access to unlimited information and the vast knowledge association staff has acquired over the years.

Hefty Housing ...

Housing is rebounding surprisingly well! Home prices are solidly rising by the low to mid-single digits, new home sales probably bottomed in March at 619,000, first-time mortgage applications are up 9% Y-o-Y after being down 35% just six weeks ago, and existing sales will bottom no later than June (reflecting contracts signed in April and May). Yet housing will not lead us out of recession; that is entirely Covid-19 path dependent.

Elliot F. Eisenberg, Ph.D.
elliot@graphsandlaughs.net • (202) 306 2731

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

A. Hunter and their Staff

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!!



A. HUNTER HOMES

We're So Excited!!!

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

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.

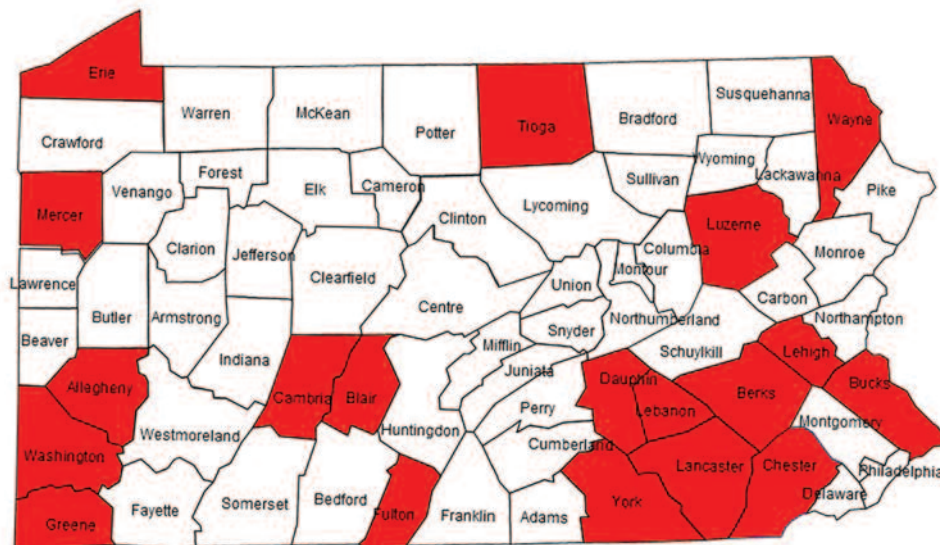
We obtained our license in order to assist our community owners. We can now buy homes direct from the factory for your community. We have started with franchise licenses through **Eagle River Homes** and **Clayton Homes**.

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.**

Hud Issues New Guidance on Assistance Animals: *A Must Read for Housing Providers*



The U.S. Department of Housing and Urban Development (HUD) issued its new guidance, “Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation under the Fair Housing Act.” In the guidance, HUD sets out best practices for housing providers when confronted with a resident’s request to house a service or support animal. It also provides insight into how HUD investigators will handle complaints when a request for a service or support animal is denied.

Initially, HUD stated that there are two kinds of animals that are relevant to housing: service animals and “support animals.” In its guidance, HUD maintains the traditional definitions of these animals but suggests for the first time that service animals must be dogs (as is required under the Americans with Disabilities Act). If the proposed animal is **not** a dog, HUD says that it is not a service animal. HUD cautions, however, that the animal may constitute a support animal for which a reasonable accommodation must be granted.

HUD also discusses in the guidance which types of animals can be support animals. It has long been said that any animal (within some level of reason) could serve as a support animal. HUD appears to disagree with this, and states that a support animal should normally be “a dog, cat, small bird, rabbit, hamster, gerbil, other rodents, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes.” If a resident seeks to have a “unique animal,” e.g., one that is not commonly kept in households, the resident “has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal.”

In this guidance, HUD also considers several topics that are rarely discussed but are issues that housing providers sometimes struggle with. For example, HUD defines what constitutes a “readily apparent” disability, for which housing providers may not request verifying information. It also provides a list of “observable impairments,” which are “readily apparent,” such as blindness or low vision, deafness or being hard of hearing, mobility limitations, some types of autism, Parkinson’s disease, cerebral palsy, and epilepsy. It follows that HUD would not allow a housing provider to ask for verifying documentation of these conditions.

In addition, HUD addresses the often-asked question of who can be a verifier of a disability or the need for a service or support animal. In the guidance, HUD suggests that a verifier should be a health care professional with personal knowledge of the patient **BEWARE:** This position is contrary to the position that HUD and the Department of Justice (DOJ) took in the May 2004 *Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act*. In that publication, which is not superseded by the guidance and remains fully in force, HUD and DOJ state that any person with actual knowledge can be a verifier. Housing providers are therefore cautioned not to follow the position in the new guidance until HUD addresses this inconsistency.

Consistent with HUD Secretary Carson’s recent statements about certificates and registrations that residents can obtain from the Internet, HUD states in the guidance that “such documentation from the Internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.” HUD cautions though, that some healthcare professionals deliver their services remotely, including via the Internet. Housing providers must distinguish between the two in order to make an informed decision about an accommodation request.

The guidance is easy to read and clarifies HUD’s position in many of the gray areas involving service and support animals in housing. I recommend that every housing provider review and become familiar with it. Knowing how HUD views reasonable accommodation requests will allow housing providers to make more informed and safer decisions on residents’ requests about service and assistance animals.



Steven Williams regularly represents landlords other housing providers in all aspects of their businesses. For more information, or with questions regarding this guidance, please contact Steve Williams at swilliams@cohenseglia.com or 717.480.5302.

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.

A. HUNTER
PROPERTY MANAGEMENT, INC.

A. HUNTER PROPERTY MANAGEMENT, INC.

Over 36 Years Experience in the Industry

Professional Property Management



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

eMail: info@ahunter.com • Website: www.ahunter.com



Member PMHA, Institute of Property Management, SOHO, Lebanon Valley Chamber of Commerce, Manufactured Housing Institute, Small Business Association, NAR, LCRA, PA Real Estate Broker, Realtor

A. HUNTER

PROPERTY MANAGEMENT, INC.

PO Box 224
Annville, PA 17003

PRSR STD
U.S. POSTAGE
PAID
LEBANON PA
PERMIT NO. 110

RETURN SERVICE REQUESTED



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.

Member PMHA, Institute of Property Management, SOHO, Lebanon Valley Chamber of Commerce, Manufactured Housing Institute, Small Business Association, NAR, LCRA, PA Real Estate Broker, Realtor