



Tel. 512-2180

# CAPITAL AREA HOUSING ASSOCIATION

*“Landlords Working Together”*

Post Office Box 2901 • Augusta, ME 04338-2901

## MAY 2006 - NEWSLETTER

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caha4u.org

### THE PRESIDENT'S MESSAGE ...

A state law regarding residential rental unit energy audits was passed this session. Eric Dick, P.A. addresses this issue in his column this month – a must read.

Energy is a hot issue in another arena at this time of year for those of us who buy oil and propane to heat our properties. CAHA in conjunction with CMAOA asked most area oil companies for a proposal for oil supply this coming heating season. The results from the replies were most disappointing. Only one submitted a pre-buy price, and it was floating (some did not reply). They are living in the same world we are, and need to be as cautious as we are anxious. We don't need a supplier who makes a commitment they can't keep.

We hope to have more information available this month with a second request to these companies.

We are told that Downeast Energy will be sending out contracts to all their customers at the end of May. Please note that you **will** have to show or mail a copy of your 2006 paid up CAHA membership card to qualify for the discount price. If you do not have your 2006 card, please contact our Treasurer immediately.

**Ernie Clark, President**

**MAY 9<sup>TH</sup> MEETING - 7:00 P.M.**

*KV Federal Credit Union*

*316 Northern Avenue - Augusta, Maine*

***Mystery Guest Speaker***

***Next Meeting: JUNE 13th - 7:00 p.m. - KV Federal Credit Union***

### **DUES REMINDER**

*If your 2006 dues are not paid by now, you will no longer be eligible for CAHA benefits and you will stop receiving the monthly newsletter.*

*Contact the Treasurer for a renewal application.*

**Minutes of Regular Meeting  
Capital Area Housing Association (CAHA)  
Held at KV Federal Credit Union, Augusta  
April 11, 2006**

President Ernie Clark called the meeting to order at 7:01 pm with approximately 23 members present.

Secretary's report was presented as written in the Newsletter and approved by all members present.

Treasurer's report was presented and approved by all members present.

Gardiner Savings Institution: Checking Account = \$2955.00

KV Federal C.U.: Checking Account = \$23,684.00 - KV Federal C.U.: Savings Account = \$26.00

\$10,000 bonds with 6.75% interest rate. Current value of the bond is \$7463.00

Guest Speaker – George Soucy, Code Officer, City of Augusta has provided detail information about code enforcement process in Augusta. George has answered all questions raised by the members.

These are some highlights that we learned from the speaker:

Most apartment building inspection is requested by the tenants.

Once a request is made, basic inspection is done within 2-3 days and all the inspection results become public records.

Insurance companies request and use these records.

It was recommended that the problems found from the inspection should be corrected within the time frame given by the code officer.

#### **Old Business**

Member Harold Booth has expressed his dissatisfaction toward President and the Board about handling of his request for membership fee structure change. Harold Booth was given the floor to explain membership why he is requesting fee structure change. A question was asked whether members want to continue the debate of fee structure change. A motion was made to stop the discussion. By 21-1 vote motion passed. Member Harold Booth did not cast his vote.

Board member, Cheryl Dostie said that CAHA booth at the Manchester Lion's Club Home & Garden Show was a positive experience and the CAHA has had opportunity to interact not only with public but also with other businesses. Board Member, Lewie Manter said that many vendors were interested in coming to CAHA meetings and offer discounts to the membership. At the Show, several homeowners who have boarders at their homes were interested in becoming members of CAHA. President agreed to check the CAHA By-Law's regarding this matter.

Member Harold Booth asked about \$25.00 gift certificates which CAHA suppose to raffle each regular meeting. He has clamed that it was voted by the membership at a previous meeting. President agreed to check the previous meeting minutes.

#### **New Business**

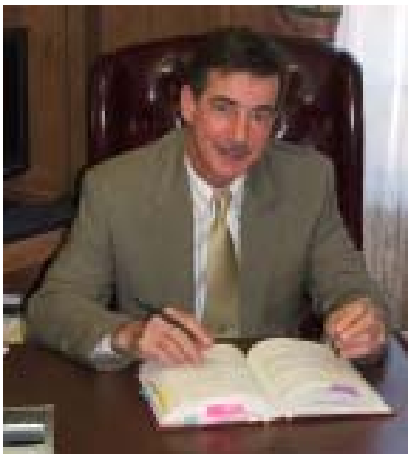
A Member said that he did not receive Downeast's discount heating oil price of \$1.85/gal for CAHA members because he is not buying 4000 gallons minimum. All of his tenants are buying their heating oil themselves. The member asked possibilities to get the CAHA heating oil price for his tenants. Another member suggested buying heating oil by the landlord at CAHA price and then billing the tenants.

A member informed the membership that according to state law any chemical spraying should be done by licensed professional.

Meeting adjourned at 8:54 PM

Respectfully submitted,

**Ratna Don, Secretary**



## “ASK THE LAWYER”

### QUESTION:

Do I need to provide information to potential tenants about the energy efficiency of the heating system, insulation, windows, doors and appliances of my building before I rent the apartment?

### ANSWER:

Yes, beginning mid-late summer 2006 new mandatory disclosures are required. New laws were enacted on April 4, 2006 that will become effective 90 days after adjournment of the current legislative session at the end of April or early May. New **Title 14, M.R.S.A. §6030-C** requires the completion, posting and provision of a “Residential Energy Efficiency Disclosure

Statement” to prospective tenants of residential properties to be used as primary residence. New **Title 35-A M.R.S.A. §10006** requires the Public Utilities Commission and Maine State Housing Authority to prepare and post on its websites the required disclosure statement form to be utilized by landlords/agents. The new form is not yet available, but will be posted on the websites soon.

The purpose of the new laws are to inform prospective tenants of energy characteristics of residential properties used as a primary residence, and to inform tenants of their ability to obtain the history of the rental unit’s energy consumption and utility costs. **Title 14 §6045** already permits a current or potential tenant or property owner to obtain the prior 12 month history of electricity usage for the rental unit, while **§6046** requires the natural gas pipeline utility to provide similar information for properties using natural gas.

Beginning around August 1, 2006, any landlord or agent offering a rental property for use as a primary residence must complete the required disclosure statement, a copy of which must be posted in a prominent location in the unit offered for rent, and copies must be provided to anyone who requests the statement in person, though not to persons making inquiry about the rental by telephone, mail or internet.

The new form will require the landlord/agent to disclose:

- the type of fuel used for the heating system, the heating system efficiency if known and the test date;
- whether exposed pipes or ducts in unheated crawl spaces and accessible domestic hot water pipes are insulated;
- the extent of insulation in the rental unit walls, ceiling, doors over unheated areas and basement walls;
- the number of panes of glass in the windows;
- whether the outside doors are insulated or include a storm door.
- whether the refrigerator in the unit was manufactured after 1995 and whether it is “energy star” rated;
- whether any gas stove has electronic ignition or a pilot light;
- telephone numbers of the local electric and natural gas utility servicing the rental unit so that the tenant can obtain a prior 12 month history of energy usage of the rental unit.

The disclosure statement reflects minimum recommended standards (for example 82% minimum efficiency of heating system; R-38 insulation in ceilings) and the landlord/agent must indicate whether the rental unit meet/does not meet/partially meets the minimum guidelines.

The requirement to pose and provide the disclosure statement applies to all rental properties to be utilized as a primary residence, but does not apply to seasonal or special use properties such as summer cabins, hunting camps or timeshares. However, there is no exception for a small owner occupied multi-unit building, nor for a single family house offered for rent. Importantly, the new law required the landlord/agent to sign and date the disclosure statement before a deposit is paid or a tenancy is created by verbal or written agreement, and the landlord must retain the completed disclosure statement for a minimum of 7 years.

The new disclosure statement must be provided for all residential rental units utilized as a primary residence regardless of age, whereas the current requirements for disclosure of potential lead hazards, including the present or prior removal of lead based paint only applies to structures built prior to 1978.

The new laws do not presently specify a penalty if the landlord/agent fails to comply, but a tenant might assert a legal argument that no valid tenancy could be created because the tenant must be provided the required information and sign the required statement before paying a deposit or entering into the tenancy. This is an issue worth following because some proponents of the new laws have suggested financial penalties payable by the landlord to the tenant in the event of non-compliance. Some proponents also wish to establish mandatory minimum energy efficiency standards along with a timetable for compliance, but for now, these points have been left for future debate and legislation.

**Disclaimer:** For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2006 Eric S. Dick, Esq., Augusta, Maine.

<p><b>CERTA PROPAINTERS</b>  * Painting (Exterior &amp; Interior)  * Pressure Washing  * Plaster / Drywall repair  Andy Mann - 622-6065  10% off for CAHA Members</p>	<p><b>Aubuchon Hardware</b>  <b>623-9844</b>  20% off Glidden Paint - 10% off all other regular price items  <b>Aaron Seldmus</b></p>	<p><b>SHOP FROM HOME FLOORING</b>  <b>626-3100</b>  <b>10% off any regular price Sales &amp; Installations</b>  <b>Sam MacMadden</b></p>	<p><b>Sherwin Williams</b>  622-6818  Paint, Wallcovering and Accessories  10-20% off all products  <b>Aaron Smith</b></p>
<p><b>Central Maine Wall to Wall</b>  <b>582-1526 - email:</b>  info@cleaningmainescarpets.com  Carpet and upholstery cleaning  <b>Rick Bonenfant</b></p>	<p><b>Hammond Lumber Co.</b>  <b>495-3303</b>  Full Service Lumber &amp; Building Materials  10% off Retail and Free Delivery  <b>Dale Tobey</b></p>	<p><b>Major Appliance</b>  <b>622-5859</b>  Free Delivery  Farmingdale, Maine  <b>Ken Martin</b></p>	<p><b>Steve's Appliance Service &amp; Sales, Inc.</b>  621-0520 - Fax:547-4083  Heaters - Mattresses  New &amp; used appliance sales / service</p>
<p><b>Farris, Foley &amp; Dick, P.A.</b>  <b>Eric Dick, Esq.</b>  88 Winthrop Street, Augusta  LEGAL SERVICES • 622-5872  \$ 25.00 off standard hourly rate on landlord/tenant matters</p>	<p><b>DOWNEAST ENERGY.</b>  Oil • Propane  Equipment Sales &amp; Service  191 Water Street - Hallowell  <b>622-7521</b></p>	<p><b>Central Maine Property Management</b>  Property Mgmt - Maintenance  Lawn care - Bookkeeping - Snow removal  20% discount to CAHA members  Devon L. Dobbins • 622-7691</p>	<p><b>D.R. Struck Landscape Nursery</b>  <b>395-4112</b>  15% discount on your purchase  <b>Robin Struck</b></p>
<p><b>Rick's Downeast Building &amp; Property Maintenance</b>  <b>923-4054 &amp; 623-7535</b>  10% discount on property maintenance excluding the new Depo-section.  <b>Ricky Bradstreet</b></p>	<p><b>SEARS</b>  • Appliance packages  • Maintenance Equipment packages  Discounts based on brand  SGM Tess Zardus or ASM Peter Sullivan  <b>621-2088</b></p>	<p><b>Moody &amp; Company Office Supplies, Inc.</b>  <b>622-6616</b>  25% off list and Free Delivery</p>	<p><b>TC &amp; Company Cellular: 242-8499 or Phone: 621-8090</b>  Handyman jobs at a 10% discount  No jobs too small  <b>Tim Dennett</b></p>
<p><b>POULIN PROPANE Propane Appliance Installation &amp; Service</b>  <b>Edward Poulin</b>  <b>441-1574</b>  <b>Discount on Labor</b></p>	<p><b>Moreau Home Improvement</b>  Property Management &amp; Maintenance  (207) 215-7500 - (207) 549-5724  <b>10% off - \$45.00 hr.</b></p>	<p><b>O&amp;P Glass (the clear choice)</b>  <b>622-3652 Fax: 622-3268</b>  Auto, residential commercial, stained glass</p>	<p><b>Winslow Aluminum</b>  873-0412 • 1-800-924-0412  Windows, Doors, Siding, etc.  35% off Replacement Windows  <b>Rick Heffernan</b>  Sales Representative</p>
<p><b>Big Daddy's Handyman Service</b>  Painting &amp; Lawn maintenance  Apartment clean-ups - Odd jobs big or small  Discounted rates for CAHA members  Sean Fritz 441-2490  93 Green Street - Augusta, ME</p>	<p><b>R&amp;R Property Management</b>  Rob Jordan  <b>(207) 485-1237</b>  Tenant Relations - Handyman service  Landscaping &amp; Odd Jobs  Discount on Labor for CAHA members</p>	<p><b>AUGUSTA AREA NEWCOMERS &amp; Relocation Services by ramona "Upscale Rentals"</b>  Phone/Fax 622-4312 - Cell: 446-4312  email: ramona@aan-newcomers.com  www.aan-newcomers.com</p>	<p><b>Dave Labbe Plumbing</b>  <b>622-2566</b>  <b>DISCOUNT ON LABOR</b></p>

ADDRESS SERVICE REQUESTED

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