



Tel. 512-2180

# CAPITAL AREA HOUSING ASSOCIATION

*"Landlords Working Together"*

Post Office Box 2901 • Augusta, ME 04338-2901

## MARCH 2007 - NEWSLETTER

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**Gerard Bechard, Jr.**

CAHA Website

caha4u.org

### **PRESIDENT'S MESSAGE .....**

The Annual Meeting was a success if measured by the fun attendees had, and nice comments made to us during the gathering. I want to thank Ramona Venskus and Marg Straffin for the arrangements, the Lou, Duke and Frank trio for selling 50/50 tickets, our MC Cheryl, the Elks Club and the Cony Madrigals for enjoyable entertainment.

In the future, we will be reviewing the bylaws at regular meetings. If you have suggestions for changes, please bring them for discussion.

We plan to start publishing the Board Minutes in the Newsletter. We hope to work out the logistics by next month.

We are aware of two pieces of Legislation that are of interest to landlords. LD 383 An Act To Amend the Landlord-tenant Laws

(Legal and Veterans Affairs Committee)

<http://www.mainelegislature.org/legis/bills/billtexts/LD038301.asp>

and LD 330 An Act To Protect the Integrity of Security Deposits

(Legal and Veterans Affairs Committee)

<http://janus.state.me.us/legis/LawMakerWeb/billtextsearch.asp>

As of 10pm 2/28/07, it appears they are not yet scheduled for a hearing, but that can change at any moment. We will probably discuss these at future meetings.

*Ernie Clark, President*

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**MARCH 13<sup>TH</sup> MEETING - 7:00 P.M.**

**KV Federal Credit Union - 316 Northern Avenue - Augusta**

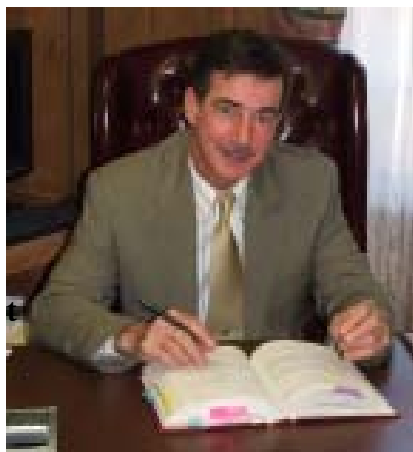
**Guests: Legislators & Senators**

**William P. Browne** (R-Vassalboro) House District 58 - **Patrick S.A. Flood** (R-Winthrop) - House District 82

**Abigail Holman** (R-Fayette) - House District 83 - **Elizabeth Mitchell** (D-Kennebec) - Senate District 24

**Next Meeting: APRIL 10, 2007 - 7:00 P.M. - KV Federal Credit Union**

## ASK THE LAWYER



### QUESTION:

My tenant lost his job and failed to pay rent this month. He gave me a voucher from the City that promises to pay the full amount owed within the next couple of weeks. Do I have to accept the voucher or can I evict this tenant?

ANSWER: Title 14 § 6002; General Assistance Vouchers

In these circumstances, State Law provides that the voucher is a payment equivalent to the amount promised in the voucher. Title 14 §6002 states that “Payment or written assurance of payment through the General Assistance Program (of the State or a Municipality) has the same effect as payment in cash”.

In some instances the State (DHS), a City or Town may give the tenant a check payable to the landlord as emergency General Assistance in order to prevent the eviction of a tenant, or to stop an eviction which may have already been commenced by the landlord under a 7-day Notice to Quit for non-payment of rent. In these cases, the check can be promptly deposited and be used by the landlord just like any other payment by check.

More often, the City will issue a “voucher” which promises to pay a specific stated sum, but actual payment may not be received by the landlord for a couple of weeks. Nonetheless, the landlord must accept the City’s “promise to pay” just as though the tenant has made a cash payment and the landlord should provide the tenant with a written receipt in exchange for the voucher just like any other cash payment.

Furthermore, since the City’s promise to pay in the near future has to be treated the same as cash, that “payment” can serve to cure a default of non-payment and reinstate the tenancy under a 7-day Notice to Quit for non-payment of rent where the eviction is already pending in the Court.

From a purely legal standpoint, I wonder whether this law results in an unconstitutional “taking” of private property by a governmental entity since the landlord cannot promptly pay the landlord’s bills with the City’s future promise to pay, but the landlord is required to give immediate value to the tenant. Nonetheless, this is the status of the State Law and the landlord must accept the City’s voucher, the same as a cash payment.

A City voucher issued on behalf of a tenant normally occurs in the context of an immediate emergency and is not generally made available to the tenant on an ongoing basis like the Section 8 Program or other forms of subsidized housing, which are entirely different.

Next month I will address the pro, cons and pitfalls of subsidized housing such as the Section 8 Program.

***Disclaimer: For general information of CAHA members; not intended as legal advice. Consult a lawyer for your specific situation © 2007 Eric S. Dick, Esq., Augusta, Maine (207) 622-5872.***

**Minutes of Annual Meeting - Capital Area Housing Association (CAHA)  
Held at Elks Lodge, Augusta - February 13, 2007**

After a social time and a sumptuous dinner at the Elks Lodge, President Ernie Clark called the meeting to order at 7:30 pm. Louise Hinkley moved, Cheryl Dostie seconded, to dispense with normal business. Motion passed.

President Clark presented those members who had been nominated for the Board:

For 2 years terms: John Gwazdosky, Cheryl Dostie, and Ramona Venskus

To fill the second year of a two-year term: Harold Booth

(Ratna Don and Gerard Bechard, Jr., remain on the Board for their second year).

Jeanne Griffis moved, Tiny (Gerard) Bechard seconded, to approve the slate of nominees as presented. Motion passed.

Don Gilbert reported for the Oil Committee. He noted that the committee sent out letters to area oil companies requesting bids, and several companies have responded. The committee will try to negotiate the best deal for CAHA members. Mr. Gilbert praised committee members for their hard work.

President Clark asked for member input regarding the newsletter. Most members indicated that they read the President's message, some read the minutes and a few would also like Board meeting minutes included, many were enthusiastic about the Ask the Lawyer column, and most take advantage of vendor discounts. Ernie mentioned that the Board will be reviewing the By-Laws in the near future, and encouraged anyone interested in assisting to let him know.

The business portion of the meeting adjourned at 7:45, followed by a delightful and well-received musical performance by the Cony High School Madrigals, and then door prizes, emceed by Cheryl Dostie and delivered by President Clark and Ramona Venskus.

**Winners:**

Kathy Murphy, 3 gallons of Primer paint from Aubuchon Hardware;

Sal Crisci, Deadbolt lock from Burt's Lock Shop;

Harold Booth, 1 replacement window from Winslow Aluminum;

Bill Gauvin, Paint bucket and supplies from Sherwin Williams;

Greg Wehrwein, \$25.00 Chamber certificate from CAHA;

Rejean Blais, \$25.00 Chamber certificate from CAHA;

Michael Labbe, \$25.00 Chamber certificate from CAHA;

Tiny Bechard, \$25.00 Chamber certificate from CAHA;

Brigitte N-nyada, \$50.00 Chamber certificate from CAHA;

Eric Dick, \$50.00 Chamber certificate from CAHA;

Si Gilbert, \$100.00 Chamber certificate from CAHA;

Chris Karagiannes, Model car from Gosline's Hardware;

John Ruffing, Chime doorbell from Audette's Hardware;

Jean Guy Pacquet, 6 wrapped roses from Flo's Flowers & Gifts;

Larry Fleury, \$10.00 gift certificate from the Pancake House;

Cheryl Dostie, One Mexican entrée from Margarita's;

Rick Gilbert, Annual furnace maintenance package from J & S Oil;

Roger Badershall, Gift basket from Northeast Bank;

Charlene Brousseau, \$20 gift certificate from Panera Bread;

Carl Hubbard, Gift basket from Northeast Bank;

Russell Hubbard, Oriental rug from Shop from Home Flooring;

Mike Laflin, \$50 gift certificate from Steve's Appliance;

Robert Berry, \$50 L.L. Bean gift certificate from Joseph Charrier, Adjuster;

Scott Treworgy, \$100 off a cell phone from Wireless Explosion;

Jackie Green, Track phone deal from Wireless Explosion;

Lewie Manter, \$50 certificate from Downeast Energy;

Duke Dulac, \$50 certificate from Downeast Energy;

Barbara Derbyshire, \$50 certificate from Downeast Energy;

Roger Moody, \$50 certificate from Downeast Energy;

Ernie Rice, Model airplane from Gosline's Hardware;

Norm Pouliot, One Mexican entrée from Margarita's;

Lou Ashland, Plant from Flo's, courtesy of CAHA;

Norman Straffin, Plant from Flo's, courtesy of CAHA.

And, the 50-50 raffle winner was Gerene LaChance, who won \$233!!

President Clark expressed thanks to the Elks, and to Ramona Venskus and Marge Straffin for organizing the Banquet.

Respectfully submitted,

*Louise Hinkley, Secretary*

<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 Feldmus</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 Macmaster</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. 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>BAYLEIGH FLOORING</b>  Flooring &amp; Lighting Sales  Essence Wilkins  (207) 620-8888 - FAX 620-7024  ewilkins@bayleighflooring.com</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 Edward Poulin 441-1574 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>NEWCOMER RELOCATION SERVICES "Upscale Rentals"</b>  Phone/Fax 622-4312 - Cell: 446-4312  email: ramona@NewcomerRelocation.com  www.NewcomerRelocation.com  No application fee for CAHA Members</p>	<p><b>Dave Labbe Plumbing</b>  <b>622-2566</b>  DISCOUNT ON LABOR</p>

ADDRESS SERVICE REQUESTED

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