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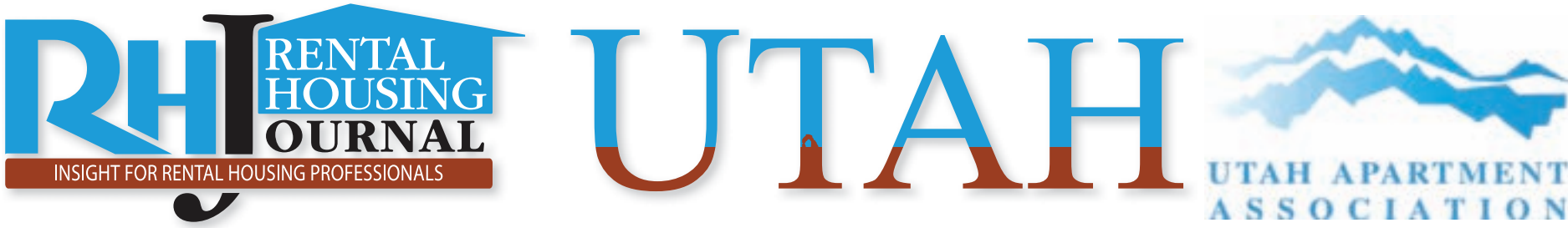
**UPCOMING EVENTS:**

**General Membership Meetings**  
Thursday, Sept. 24, 2020  
7:00 p.m.  
Virtual Meeting via Zoom  
Market Conditions  
Rental Rates & Other Market

Data – Rentler.com

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# 4 Signs That Your Gutters Need Cleaning

KEEPE

With the fall leaf season fast approaching, we have been receiving calls from single-family and multifamily rental homeowners concerned about overflowing gutters. The majority of these calls are coming from the Pacific Northwest, including Seattle and Portland.

Here are four signs that your gutters need cleaning, and several tips on how to properly accomplish the task before fall.

## 1. RAINWATER IS OVERFLOWING

One of the major reasons to have gutters is to drain water from the roof and channel it away from the foundation. This also helps prevent your roof from holding excessive moisture that could lead to the rotting of its wooden parts.

See 'Do' on Page 7



Rental Housing Journal, LLC  
4500 S. Lakeshore Drive, Suite 300  
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# Conference Speakers Announced

## UTAH APARTMENT ASSOCIATION

Each year, the Utah Apartment Association organizes an extremely valuable Economic Forecasting Conference for Utah members.

This year's conference will be no exception to the tradition. It might look a little different as we attend both virtually and in person, but the value remains the same.

The event is scheduled for Sept. 15, 2020, from 9 a.m. to noon, with registration beginning at 8:15 a.m.

The UAA has arranged some amazing and insightful speakers to present the economic data for the coming year. The speakers include Val Hale, Utah State Department of Economics; Christine Cooper, Economist at CoStar; Robert Spendlove, Zions Bank; Patrick Bodnar, CBRE; and Dejan Eskic, Kem C Gardner Policy Institute.

2020's conference will discuss, in depth, the recent conditions of the rental housing market statewide in Utah. There will be discussion of what financial markers to watch for when predicting the next recession era. Also included will be suggestions on how to

**Incredible Opportunity to Hear From:**

**Val Hale**  
Utah State Department of Economic Development  
Executive Director

**Christine Cooper**  
CoStar Group  
Senior Economist

**Robert Spendlove**  
Zions Bank  
Senior Vice President, and Economic Officer

**Dejan Eskic**  
Senior Policy Analyst  
Kem C Gardner Policy Institute

**Patrick Bodnar**  
Broker, Salt Lake office of CBRE

**September 15, 2020**  
9:00 AM - 12:30 PM  
230 W Towne Ridge Plwy Sandy, UT  
Register at:  
[www.uaahq.org/economic-conference](http://www.uaahq.org/economic-conference)

calculate and budget for rent growth in your portfolio. [www.uaahq.org/econ](http://www.uaahq.org/econ). Admission is \$75 for members and \$85 for non-members. You can register for the conference at

# What is the Best Way to Communicate With Your Tenants?

## UTAH APARTMENT ASSOCIATION

Sometimes property owners and managers imagine that once they have an old tenant move out and successfully put a new tenant in place, they need only respond to maintenance requests and collect rent. If only it were that easy.

The key to being a successful property owner or manager is figuring out how to do two things well: asset management and customer service. Asset management involves doing frequent inspections, responding to maintenance needs, and making plans for future upkeep and upgrades to the property. Customer service, on

the other hand is a bit more nebulous, but the cornerstone to good customer service in any industry, especially the rental industry is good communication.

So, how should you communicate effectively with your tenants? Here are the advantages and disadvantages  
*See 'What's' on Page 6*

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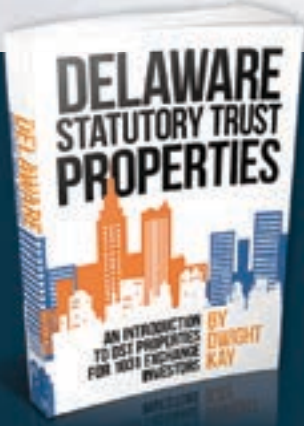
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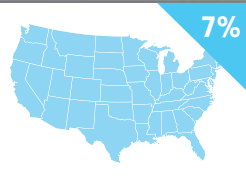
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*\*The Debentures will bear non-compounded interest at the annual rate of 7.0% per annum (computed on the basis of a 365-day year) on the outstanding principal, payable monthly on between the fifteenth and twentieth day of the following month. An investment in the Debentures will begin accruing interest upon acceptance and closing of the Investor's Subscription Agreement. There is a risk Investors may not receive distributions, along with a risk of loss of principal invested.*



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**SEATTLE MULTIFAMILY DST**  
Minimum Investment: \$50k

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**ABOUT KAY PROPERTIES and [WWW.KPI1031.COM](http://WWW.KPI1031.COM)**

Kay Properties is a national Delaware Statutory Trust (DST) investment firm. The [www.kpi1031.com](http://www.kpi1031.com) platform provides access to the marketplace of DSTs from over 25 different sponsor companies, custom DSTs only available to Kay clients, independent advice on DST sponsor companies, full due diligence and vetting on each DST (typically 20-40 DSTs) and a DST secondary market. Kay Properties team members collectively have over 115 years of real estate experience, are licensed in all 50 states, and have participated in over 15 Billion of DST 1031 investments.

**LEARN MORE:**  [WWW.KPI1031.COM](http://WWW.KPI1031.COM)  **855.899.4597**

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# Grateful to be Debt-Free: Kay Properties Helps a Client Stay Debt-Free in their \$1M 1031 Exchange into DST Properties for Sale


By the Kay Properties and Investments, LLC Team

Kay Properties is proud to announce the successful completion of five debt-free DST purchases for a couple selling a single-family home in Southern California. They were excited to be able to defer the accumulated capital gains and depreciation recapture taxes that they have accumulated over the many years of owning and managing the property by utilizing Internal Revenue Code, Section 1031. In addition to deferring the taxes by successfully utilizing the 1031 exchange, the clients were grateful to invest and diversify into more passive real estate investments by utilizing the Kay Properties 1031 DST marketplace at [www.kpi1031.com](http://www.kpi1031.com).

The Delaware Statutory Trust exchange investments were completed by Kay Properties and Investments team members Chay Lapin, Senior Vice President, and Matt McFarland, Associate.

Chay Lapin, Senior Vice President, stated, “Over a period of approximately 6 months, we helped educate the clients on the potential pros and cons of real estate, 1031 exchanges and DST structured investments. Through ongoing dialogue and correspondence, the clients decided that they wanted to remain debt-free and take a conservative position in their DST 1031 investments. By the time their single-family investment property sold and they officially entered into a 1031 exchange, we were able to work with them to select 5 different debt free DST properties, diversified across five states and across 4 different asset classes.”

Matt McFarland, Associate at Kay Properties, stated, “After successfully completing their DST 1031 investment purchases, the clients informed me that they were confident with their purchases and diversification profile of their 1031 DST portfolio as we head into an ever-changing and uncertain future.”



**About Kay Properties and [www.kpi1031.com](http://www.kpi1031.com)**

Kay Properties is a national Delaware Statutory Trust (DST) investment firm. The [www.kpi1031.com](http://www.kpi1031.com) platform provides access to the marketplace of DSTs from over 25 different sponsor companies, custom DSTs only available to Kay clients, independent advice on DST sponsor companies, full due diligence and vetting on each DST (typically 20-40 DSTs) and a DST secondary market. Kay Properties team members collectively have over 115 years of real estate experience, are licensed in all 50 states, and have participated in over \$15 billion of DST 1031 investments.

*\*Diversification does not guarantee profits or protect against losses.*

*\*This case study may not be representative of the experience of other clients. Past performance does not guarantee or indicate the likelihood of future results. Please speak with your attorney and CPA before considering an investment.*

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## Chair's Message

# How the UAA PAC Protects You



**JEAN SMITH**  
Chair, Utah  
Apartment  
Association

One of the most important and beneficial reasons for the existence an Apartment Association is to represent us as an industry in the Government Affairs arena. This is why the Utah Apartment Association was founded over 80 years ago, and this is why advocacy at all levels of government

continues to be a major priority for us today.

For the past 15 years the Utah Apartment Association has been one of the most energetic, pro-active, and pragmatic advocacy groups in our state. We have helped to find solutions for problems, proposed fair regulations, and worked with other groups such as city governments, tenant advocates, and the courts to negotiate win/win solutions for the issues that have come up in our industry.

This has enormous value for property owners and managers. As members of

the association and part of the rental housing industry we have all benefited significantly from the Utah Apartment Association's advocacy efforts.

Contributing to the PAC is so important because it enables the association to fulfill one of its main goals and functions of representing your interests and your rights to the State and local governments. Every year things are proposed that can negatively affect property owners and managers and your bottom line.

Through the PAC we are able to foster respectful working relationships

and help educate others about the issues important to our industry and to our members. We work hard to find lasting solutions through common ground and compromise that will benefit our members both now and in the future, and which will have a positive impact on all parties involved.

We can only accomplish these goals with donations from members like you. Your PAC contributions make a real and lasting impact. No matter what kind of rental homes you have, or how many you have, the UAA is here to help you succeed. Let's all work together to make sure it stays that way.

## Ask the Attorney

# How Do I Remove a Tenant Who is Residing in My Property Without a Lease?



**JEREMY SHORTS**  
**Attorney**

**Q: I am the owner of a property and I let someone live in my house without a lease.**

## How do I get them out?

**A:** This is not an uncommon situation. Many times friends or family members allow someone to live in a home temporarily, without a lease, but it turns into something more long term.


Under Utah law, the person living there without a lease probably becomes a month-to-month tenant under an implied lease. Under Utah law, the owner would then become a landlord.

What that means is that even though you don't have a written lease agreement in place, once the owner allows someone to reside in the property for a period of time, they become a landlord and must use Utah's eviction statutes in order to have the friend/ family member removed from the property.

Typically, you can provide the tenant with a No Cause Notice to Vacate and terminate their tenancy. You can

provide that to them 15 days prior to the end of the month. If they fail to vacate at the end of the month, you can move forward with seeking a court order to have them evicted and removed from the property.

Contact the author at the Law Offices of Jeremy M. Shorts, LLC at 801-610-9879 or by visiting the website [www.utahevicctionlaw.com](http://www.utahevicctionlaw.com).




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Director's Messsage

# To Prevent Evictions, Help Renters, Don't Hurt Landlords



**L. PAUL SMITH, CAE**  
**Executive Director,**  
**Utah Apartment**  
**Association**

In the first week of August, just over 150 evictions were filed in the state. While about average for that week, the alarming thing is that most of these evictions involve renters who are 3-4 months behind. They were renters who received stimulus money and expanded unemployment, and blew that money instead of paying rent. Meanwhile, their landlord bent over backwards to be patient and accommodating. Instead of “fight or flight,” these renters “froze,” didn’t communicate, and did not attempt to solve the problem. They

buried their head in sand, hoping by ignoring their problem it would go away.

One-third of Utah households rent their homes. The vast majority are paying their rent. Rent collections are within 1% of normal. Evictions are down 49% in this pandemic, not because of eviction bans, but because most renters are getting the help they need and are using that money to pay rent.

Some say the way to help renters is to prohibit the business owners they contract with from doing an eviction for non-payment. But the help renters really need is from their friends, family, churches and government to find a way to pay rent so they can stay in their homes. Putting the burden on landlords to support renters is the wrong answer. The best way to help renters is to help them find a solution and remind them to

communicate instead of ignoring their problem.

**WAYS TO AVOID EVICTIONS**

As a society we all need to help our renter friends and neighbors understand the 5 ways to avoid evictions and take non-payment of rent seriously:

1. Tap into to personal resources. There are countless examples of people who lost income and found ways to still pay rent. Using savings, getting a loan, selling assets, getting a second or third job - these are all examples of tapping personal resources.
2. Friends and family. Many renters are getting by currently by relying on friends and family to help cover expenses. It is often hard to ask for help. Renters may need to be encouraged to ask.

Family may need to offer.

3. Churches and community organizations. Churches and community organizations are being very generous right now. Some church congregations are paying one month’s rent to anyone in their borders who asks - member or not. Again, the key is asking.
4. Government resources. In addition to stimulus and unemployment, right now there are millions of dollars in rental subsidies available. Renters should reach out to housing counselors by calling 211. Counselors can help but renters need to quickly apply and navigate the process. Housing providers cannot access these funds, only renters can.
5. If the above fail, the last resort is for the renter to move out. No renter who moves out to address non-payment can be evicted. Evictions are only necessary when a renter refuses to move. Moving avoids evictions along with the attorney’s fees and court costs. Letting someone struggling with rent move in with you temporarily may be a good option to provide help.

**CONSEQUENCES OF EVICTION**

An eviction is a public record that will affect a person’s ability to get credit and housing for many years. If a renter forces an eviction, the amount owed will increase dramatically and include attorneys’ fees, court costs and damages. Landlords can garnish renter’s wages to recover money, which can be devastating. All of this can and should be avoided by addressing issues when they arise and not avoiding them or “freezing.”

**CITIZENS AND GOVERNMENT SHOULD HELP PREVENT EVICTION**

The way to prevent evictions is by helping the renter, not hurting the landlord. All of us should help renters avoid eviction by teaching them ways to address inability to pay rent and guiding them to jobs and support opportunities. Once the eviction has happened it’s too late. Renters need guidance and help early.

The way to prevent evictions is by helping the renter, not hurting the landlord. There are over 100,000 landlords in Utah, many are seniors. They depend on rental income for their retirement or livelihood. Property management operations employ tens of thousands of Utahns. Hurting them is not the answer.

Utahns are kind and generous. To help avoid evictions you may need to be aggressive in asking how the renters around you are doing; are they doing fine or do they need help. If they need help, connect them with housing counselors at 211, help them communicate and negotiate with landlords and teach them alternatives to eviction. Don’t sit by and let people you could help be evicted.



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- 9:05 AM Val Hal e
- 9:50 AM Robert Spendlove
- 10:30 AM Break
- 10:45 AM Patrick Bodnar, CBRE
- 11:00 AM Christine Cooper, CoStar
- 11:40 AM Dejan Eskic
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# What’s the Best Way to Talk to Tenants?

*Continued from Page 1*

of some of the more common communication techniques owners and managers use to communicate with tenants.

**FACE TO FACE**

**Advantages:** Meeting face to face with your tenants is the best way to communicate and make sure that both sides are understood, especially since you can pick up on body language. Most owners and managers insist on meeting face to face during the application process and at the lease signing so they “know who they are renting to”.

**Disadvantages:** Unfortunately, meeting in person can be difficult to arrange and involves travel by one or both parties. Also, some tenants would rather be left alone and feel that frequent requests for face to face meetings are intrusive. Finally, face to face meetings don’t leave a record, so you and the tenant will have to rely on each other’s memories for what transpired. Plus, in these unique times of social distancing, a face to face meeting can end up being a stressful experience for all parties involved.

**PHONE CALLS**

**Advantages:** Speaking on the phone usually means getting an immediate response to questions that you are asking and enables a discussion.

**Disadvantages:** Many tenants will screen their calls. Furthermore, playing phone tag is frustrating and time consuming. Also, like in person meetings, there is no automatic record made of the interaction (unless you record your phone calls, something which might be illegal unless you notify the person on the other line.)

**TEXT MESSAGES**

**Advantages:** Many tenants prefer



communicating via text because it is much less intrusive than a phone call or visit. It is also often easier to communicate because texting allows “asynchronous communication” where you can send messages back and forth when convenient (most people will respond faster to a text than a voice mail). Perhaps most important, texts leave a record that you can use later, as long as you don’t delete them.

**Disadvantages:** It can be difficult to get an immediate response from tenants, and conversations can take longer. It is also harder to pick up on nuances, such as sarcasm, in writing. Interpretation of meaning is almost as important as what is being said. “I thought you meant” and “I wanted you to” arguments spend more time than a phone call.

**E-MAILS**

**Advantages:** E-mails offer many of the same advantages as texts, but they allow you to develop your thoughts more carefully. They also allow for flexibility in when and where you will respond, and can seem more professional than just sending texts - and they are free to set up and use! Above all, e-mails are the easiest way of recording your communications for future use.

**Disadvantages:** E-mails can often come across as impersonal, and if they are sent in an argumentative tone they can escalate quickly. You should always be calm while writing an e-mail. Also, sometimes people don’t check their e-mail frequently, so you might want to check with the tenant before communicating with them this way.

**CONCLUSION**

What is the best way to communicate with your tenants? The best answer is “however they prefer to communicate” but you should also consider the pros and cons of other methods. Being a professional property owner or manager means being able to communicate effectively, and you should become comfortable with making visits, phone calls, text messages and e-mails so that you can communicate well regardless of your tenants’ communication preference.



# Do Your Gutters Need Cleaning for the Fall?

*Continued from Page 1*

However, when your gutter is filled with debris or wooden particles, it becomes difficult for it to control the water and even channel it away from your property.

**2. PRESENCE OF ALGAE, DEBRIS**

Algae, debris, and dirt are most likely to find their way to your gutter one way or the other.

If you notice the presence of birds and critters, you may want to check if there is debris in your gutter.

Failure to clean your gutter of algae and debris may lead to mold growth, which can damage the exterior area of your home.

**3. STAGNANT WATER AROUND THE FOUNDATION**

Your foundation is the anchor that holds your home to the ground and prevents moisture or even flood water from getting in.

But a clogged gutter can cause severe damage to your foundation if not cleaned properly and early.

If you notice a pool of standing water around your foundation, it could be caused by gutters not working properly.

**4. STAINS ON YOUR SIDING**

If you notice any form of stains or streaks on your siding, it may be time to get your gutters checked and



cleaned.

This is because when your gutter is clogged with debris and leaves, water is not able to flow properly, causing it to seep into the siding.

**CONCLUSION**

Should you hire a professional to clean your gutter amid the COVID-19 pandemic?

While you may be able to handle minor gutter cleaning, you should consider hiring a professional company to handle bigger jobs.

This will help you get the job done on time and correctly the first time.

Most importantly, with the coronavirus pandemic and social distancing ruled, a professional will adhere to local health rules. Our professionals do not need to set foot inside your property to handle gutter cleaning.

*Keepe is an on-demand maintenance solution for property managers and independent landlords. The company makes a network of hundreds of independent contractors and handymen available for maintenance projects at rental properties. Keepe is available in the Greater Seattle area, Greater Phoenix area, San Francisco Bay area, Portland, San Diego and is coming soon to an area near you. Learn more about Keepe at <https://www.keepe.com>.*



## Should Landlord Replace Flooring if Tenant in Place?

**BY HANK ROSSI**

Dear Landlord Hank,

I have had a good tenant for more than 10 years. Is my responsibility to replace the flooring and painting while he is living there? — Sharon

Dear Landlord Sharon,

I would check the laws in your area to see if this is addressed.

The Department of Housing and Urban development guidelines are that carpeting should be replaced after 7 years. A paint job usually lasts 3-5 years.

I typically paint between tenants, and that is when flooring is dealt with as well. It's easier to work in an empty unit than one where furniture would need to be moved.

I have replaced carpeting for a good tenant, during a lease. We agreed that tenant would be responsible for moving all furniture so the job could be done and the tenant would pay for any delays or increased costs, if furniture was not moved as required.

So to answer your question, I don't know if the law in your area requires flooring or painting while a tenant is still living in the unit, but if the carpet is in need of replacement, I would definitely consider this to keep such a good, long-term tenant.

*Hank Rossi manages his real estate portfolio in Florida and Atlanta. Visit Landlord Hank's website: <https://rentsrq.com>*



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