

Single-Family Rentals: Addressing the Pain Points of Apartment Living

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Monthly Meeting Update for AZREIA

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Circulated Monthly To Thousands Of Apartment Owners, Property Managers, On-Site & Maintenance Personnel

Phoenix Area Rents Climbing

RENTAL HOUSING JOURNAL

Rents continue to climb in the Phoenix metro, up another 0.8 percent, marking eight straight months of rent increases, according to the latest report from Apartment List.

Overall, rents are up significantly, by 4.9 percent year-over-year.

Median rents in Phoenix are \$967 for a one-bedroom apartment and \$1,181 for a two-bedroom.

While Phoenix rents have continued to grow, the rest of the country is starting to see increases.

RENTS RISING IN PHOENIX SUBURBS

Throughout the past year, rent increases have been occurring not just in the city of Phoenix, but across the entire metro.

Of the largest 10 cities that Apartment List has data for in the Phoenix area, all of them have seen prices rise.

Here’s a look at how rents compare across some of the largest cities in the metro.

- Surprise has seen the fastest rent growth in the metro, with a year-over-year increase of 10.6 percent. The median two-bedroom there costs \$1,542, while one-bedrooms go for \$1,316.
- Gilbert is close behind, with 9.4 percent year-over year.

See ‘Rents’ on Page 6

Area on Strong Footing in ’21 With Good Renter Demand

RENTAL HOUSING JOURNAL

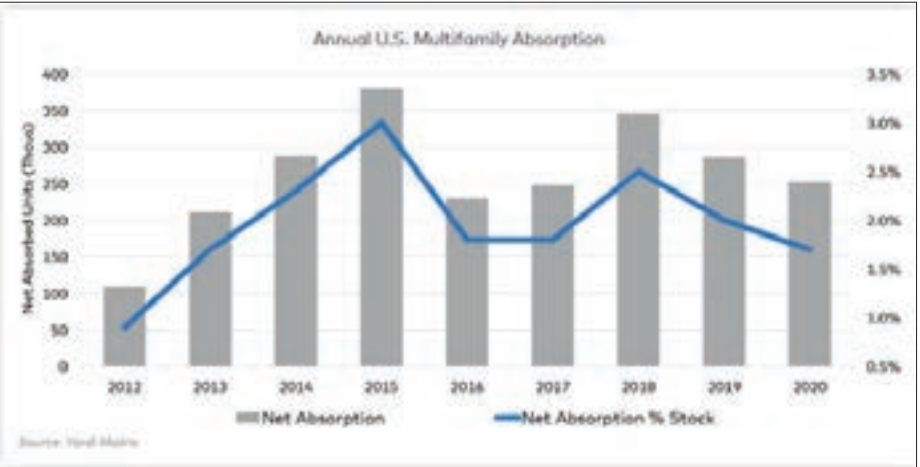
Arizona will continue to absorb new rental housing due to strong renter demand, and rents will continue to be among the best in the country, according to a first-quarter report from Marcus & Millichap.

The Phoenix metro’s economic outlook is “bolstered by a resilient labor market and positive migration patterns.

“Numerous outdoor activities, coupled with lower population density, encouraged people to move to the area as well. According to U-Haul, Arizona ranked fifth in the nation in destination one-way truck rentals last year. The Phoenix metro area specifically recorded the estimated net in-migration of over 75,000 residents, the second highest total in 14 years. These demographic tailwinds will continue to fuel record-low apartment vacancy in 2021 and nationally leading effective rent growth,” the report says.

“Strong long-term population growth has prompted a record level of apartment openings slated for this year. The pipeline of new inventory will be insufficient in meeting demand in 2021, however.

See ‘Phoenix’ on Page 3



Don’t Let Rental Criteria Be Your Kryptonite

BY DAVID PICKRON

Hypothetically, let’s say that last week an individual named Javier applied at one of your properties.

His credit score was low and payment history showed a lengthy history of difficulty in keeping current with his obligations. The results of the criminal background check showed various drug and theft charges. Your call to his previous landlord alerted you to the fact that he was currently being evicted even as he was applying for your property. Like most landlords, you would analyze the situation and reasonably conclude that “there is no way he is living in my rental.” You decide to provide an adverse action letter to Javier and move on to the next applicant.

See ‘Rental-Criteria’ on Page 4

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Do DSTs Work for a 1033 Exchange Due to Eminent Domain or Involuntary Conversion?

Understanding the Rules of a 1033 Exchange aka Involuntary Conversion
DSTs Provide Replacement Options for a Property Sold Under Eminent Domain

By DWIGHT KAY, CEO of KAY PROPERTIES AND INVESTMENTS AND THE KAY PROPERTIES TEAM

Property owners initiating a 1031 Exchange often end up in that situation by choice after deciding to sell an investment property or business. But what happens when that decision to sell is out of your hands? That is the case when the government steps in to acquire a property by exercising its power of eminent domain.

WHAT IS EMINENT DOMAIN?

Eminent domain applies to situations where the federal, state or local government uses its authority to acquire private property for a public use or the greater good. Eminent domain has been around for decades with cases dating as far back as the late 1800s. It is commonly used by government entities to assemble land to build infrastructure, such as roads, interchanges or airport expansion. The government also has been known to step in and utilize its powers of eminent domain to acquire property to pave the way for private-sector development that will in some way potentially serve the community or help raise the tax base, such as a new convention center, hotel, or hospital. Eminent domain or condemnation also can come into play when a property has been destroyed by a natural disaster, such as flooding, hurricanes, or wildfires.

Although eminent domain sounds a bit onerous, property owners are entitled to fair compensation for that property. Once that eminent-domain transaction is complete, the question is: What to do with that pile of cash? Just as with any property sale where the transaction generates a profit, any income recognized from that eminent-domain ac-

quisition is subject to capital-gains tax. One way to potentially defer that tax bill is to roll the proceeds from the sale into a tax-deferred like-kind exchange. Whereas the 1031 Exchange is used for tax-deferred reinvestment in most property sales, eminent domain has its own separate category that falls under a 1033 Exchange.

KEY DIFFERENCES AND SIMILARITIES IN 1031 AND 1033 EXCHANGES

A 1031 Exchange and a 1033 Exchange were designed for exactly the same purpose. Each is sanctioned by the IRS as a means to defer capital-gains taxes. However, there are some key differences that an owner should be aware of when conducting a 1033 Exchange. One notable item is that similar to a 1031 Exchange, a 1033 Exchange allows the taxpayer to fully defer both capital gains and any potential depreciation to recapture taxes that may be incurred from the government acquisition. In other words, 1033 Exchanges have the potential for the taxpayer to avoid an even bigger tax bill. In addition, the rules on a 1033 are considered by many to be a bit more relaxed, giving property owners more time and flexibility to successfully execute the exchange. Some of those key differences are:

- More time to execute. The IRS gives taxpayers two years from the date the sale closes to complete a 1033 Exchange (three years if granted a further one-year extension) compared to 180 days for a 1031 Exchange.
- No limit on replacement IDs. The taxpayer has no restrictions on the number or dollar value of potential replacement properties they can identify for their exchange. In contrast, 1031 Exchanges have reporting rules that require

- that a limited number of replacement properties be identified within a 45-day window.
- No need for a qualified intermediary. In a 1033 Exchange, funds do not need to be handled by a qualified intermediary (also known as an exchange accommodator or facilitator), as is the case with a 1031 Exchange. In fact, funds can even be placed into shorter-term investments, such as a bond or CD, until they are needed to close on the purchase of 1033 Exchange replacement assets.

DO INVESTORS UTILIZE DSTS FOR 1033 EXCHANGE REPLACEMENT PROPERTY?

Yes, DSTs are commonly used in 1033 Exchanges. DSTs work just like other investment real estate, the difference being that it is fractional ownership. All of the same reasons why a DST work well for a 1031 Exchange also apply to cases of eminent domain where an owner is conducting a 1033 Exchange. For example, DSTs provide a solution that allows for portfolio diversification and passive ownership in real estate as well as income potential.

Despite the longer timeline to complete a 1033 Exchange, the clock winds down quicker than many people realize. Some simply put off identifying replacement properties because they don't know what to buy, or perhaps they are waiting out the market for better opportunities or pricing. So, it is not unusual for clients to focus on DSTs as replacement properties for their 1033 Exchange at the eleventh hour, knowing they can reinvest proceeds in one or more DSTs in as little as a week's time. For a free list of available DST investments for your 1033 Exchange please visit www.kpi1031.com.

About Kay Properties and www.kpi1031.com

Kay Properties is a national Delaware Statutory Trust (DST) investment firm. The 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.

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placement memorandum (the "Memorandum"). Please read the entire memorandum, paying special attention to the risk section prior to investing. IRC Section 1031, IRC Section 1033 and IRC Section 721 are complex tax codes; therefore you should consult your tax or legal professional for details regarding your situation. There are material risks associated with investing in real estate securities including illiquidity, vacancies, general market conditions and competition, lack of operating history, interest-rate risks, general risks of owning/operating commercial and multifamily properties, financing risks, potential adverse tax consequences, general economic risks, development risks and long hold periods. There is a risk of loss of the entire investment principal. Past performance is not a guarantee of future results. Potential cash flow, potential returns and potential appreciation are not guaranteed. Securities offered through Growth Capital Services, member FINRA, SIPC, Office of Supervisory Jurisdiction located at 582 Market Street, Suite 300, San Francisco, CA 94104.



Phoenix Rental Demand Expected to Keep Area on Strong Footing

Continued from Page 1

"Residents seeking relatively affordable accommodations will continue to gravitate to the western side of Phoenix, where construction is still in the nascent stages of picking up. Numerous completions in the central metro area, as well as the surrounding cities of Gilbert, Scottsdale, Goodyear and Peoria, will attract new residents and prospective employees of firms that are establishing facilities in these areas," the Marcus & Millichap report says.

Highlights of the report include:

- **Employment:** Phoenix employers weathered

the impact of the health crisis better than the U.S. overall, which will aid hiring this year.

- **New Units:** The metro's apartment inventory is anticipated to expand by 3.3 percent in 2021.
- **Vacancy:** While overall renter demand in 2021 is expected to exceed last year's level, historically high construction will temper the decline in the vacancy rate to a value of 3.5 percent, which is a new multidecade low.
- **Rent:** The combination of falling vacancy and new, high-priced units coming online will push the average asking rent up to \$1,338 per month in 2021.

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Rental-Criteria Sheet Could Keep You Out of Trouble

Continued from Page 1

In the week that follows, you receive a phone call from an attorney with Fair Housing asking why you denied the applicant.

Was it because of his ethnicity? “No,” but you explain all the negative history you found relating to the applicant and the risk he would be to your property and investment.

The attorney then asks a series of questions:

Did you tell the applicant that you did not accept people with evictions? “No.”

Did you tell him he needed a certain credit score to qualify? “No.”

Did you lay out your requirements in relation to criminal history? “No.”

Can you provide a copy of your rental criteria that details how you treat every applicant the same? “I don’t have one.”

The attorney then drops the hammer

with the final question: Is possible that you treat every applicant differently as a result of not having a written, base-qualifying criteria?

Javier believes he was disqualified based on his ethnicity and subsequently reported a potential violation.

Imagine how different this scenario looks for you as a landlord if prior to showing the property to Javier, you handed him a criteria sheet with crystal-clear information about credit, criminal, collection, and eviction history qualifying parameters. It also had income and residential history requirements as well as your policies regarding no smoking or pets on the property. If after seeing the property and performing your due diligence there was disqualifying information, it is easy to indicate to your applicant exactly which part of the criteria was not met. If the phone call then comes from Fair Housing or the attorney general’s office, you have



the ability to clearly show the reason for denial based on behavioral history alone.

Simply said, if you do not have a written criteria, then everyone qualifies. That’s right, everyone qualifies. As a landlord, you know that is a recipe for disaster.

The sidebar has some examples of criteria that have been strategically written to protect you, broken down by category. These should be reviewed and modified by your local attorney to represent what is legal in your specific jurisdiction.

(Email info@rentperfect.com if you would like an all-inclusive criteria sample.)

In addition to a well-explained criteria, I recommend having a tenant-advisory section that tells applicants what they need to do to find success in renting with you. For example:

- Review the residential lease prior to signing it.
- Review the residential-lease owner’s property-disclosure form.
- If the property is in an HOA, have the tenant review the CCRs of the development.
- If the property was built prior to 1978, a lead-paint disclosure form will be provided.
- A move-in checklist should be provided by the landlord and returned to the property manager within (5) five days of move-in.

This may seem obvious, but if you ever find yourself in court as “the big bad landlord” versus “the victim tenant,” you can show the judge how you tried to educate the applicant on what he or she could do to protect themselves. When

a judge sees the steps you have taken, they will know you are a quality housing provider who has the tenant’s interest in mind.

Just like every applicant is unique, so is every property. Each property should have its own criteria based on the risk of the investment. If a property commands higher rent, then you should consider upping the income ratios or requiring higher credit scores. On the other hand, a property in an economically challenged part of town might have a lower criteria due to the average applicants that apply. As landlords, filling our properties with the best applicants helps us accomplish our financial goals.

The Final Word: Never, ever depart from your criteria. You might find you really like some applicants; they say all the right things, have money in their pockets, and are ready to move in today. Do not let your feelings override your criteria. Subjectivity is out the window as they qualify, or they do not. Overriding your criteria puts you in a position of treating people differently, and that pushes you into lawsuit territory at an alarming rate. If it’s time to update or create a criteria that matches your property, reach out to us at info@rentperfect.com for assistance or a sample criteria.

David Pickron is President of Rent Perfect, a private investigator, and fellow landlord who manages several short- and long-term rentals. Subscribe to his weekly Rent Perfect Podcast (available on YouTube, Spotify, and Apple Podcasts) to stay up to date on the latest industry news and for expert tips on how to manage your properties.

Sample Criteria

CRIMINAL HISTORY

Any felony relating to or regarding a person, property or drug-related criminal activity in the past seven years from the date of the investigative report to the date of the conviction, release from custody or parole, whichever occurs last.

CREDIT SCORES

- Approved = 700 and above
- Conditional = 550 to 699
- Denied = 549 and below

EVICTIION RECORDS

Any open eviction. Any unsatisfied eviction judgment in the past (7) seven years. Any satisfied eviction judgment in the past (5) five years.

BANKRUPTCY

Any bankruptcy filed or discharged in the last (1) year. Any open bankruptcy will be automatically denied.

RESIDENTIAL HISTORY

Two (2) years verifiable (non-family) history is required. Co-signers considered for lack of rental history. 12 months proof of rental payments.

EMPLOYMENT HISTORY

Last four (4) paycheck stubs or proof of income. Two (2) years verifiable employment.



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Rents are Climbing in Phoenix Metro

Continued from Page 1

- Median rents in Gilbert are \$1,276 for a one-bedroom apartment and \$1,482 for a two-bedroom.
- Scottsdale has the most expensive rents of the largest cities in the Phoenix metro, with a two-bedroom median of \$1,587; rents increased 1.4 percent over the past month and 2.5 percent over the past year.
 - Phoenix proper has the least expensive rents in the Phoenix metro.

Tucson rents have increased 0.5 percent over the past month, and are up sharply by 7.4 percent in comparison to the same time last year.

Median rents in Tucson are \$830 for a one-bedroom apartment and \$1,109 for a two-bedroom.

This is the ninth straight month that the city has seen rent increases after a decline in May of last year.

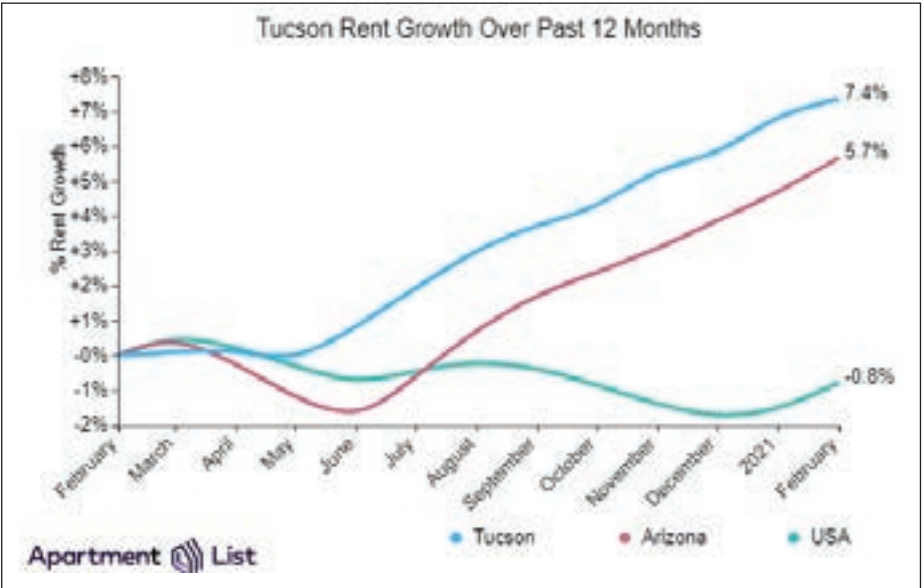
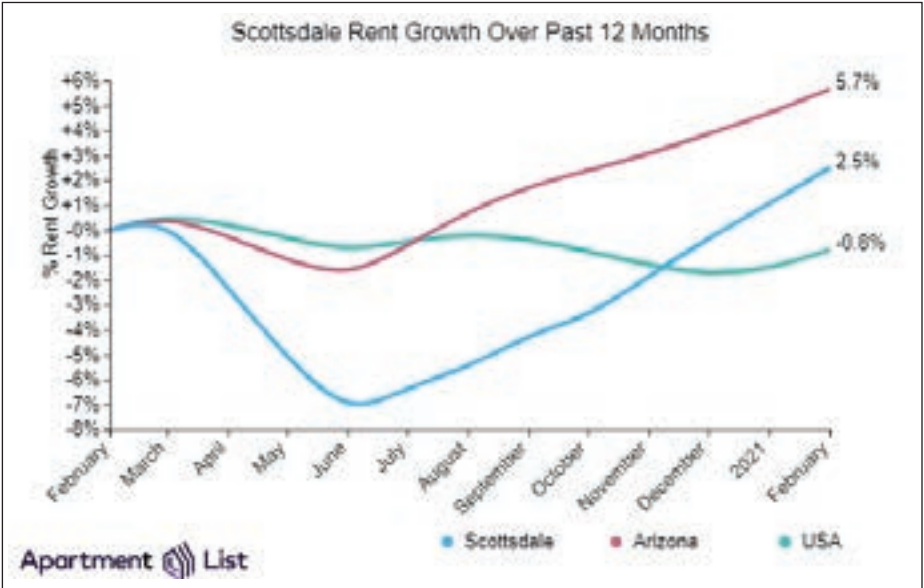
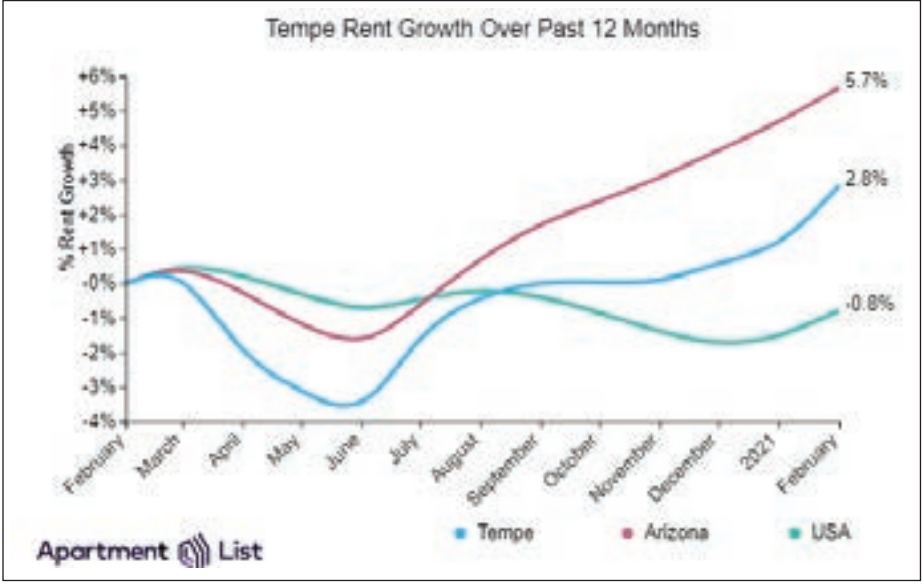
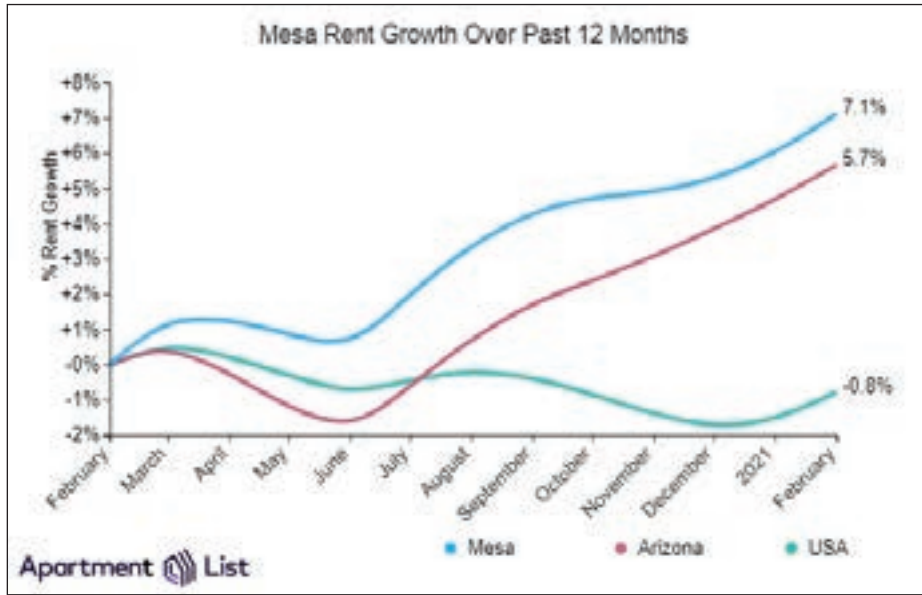
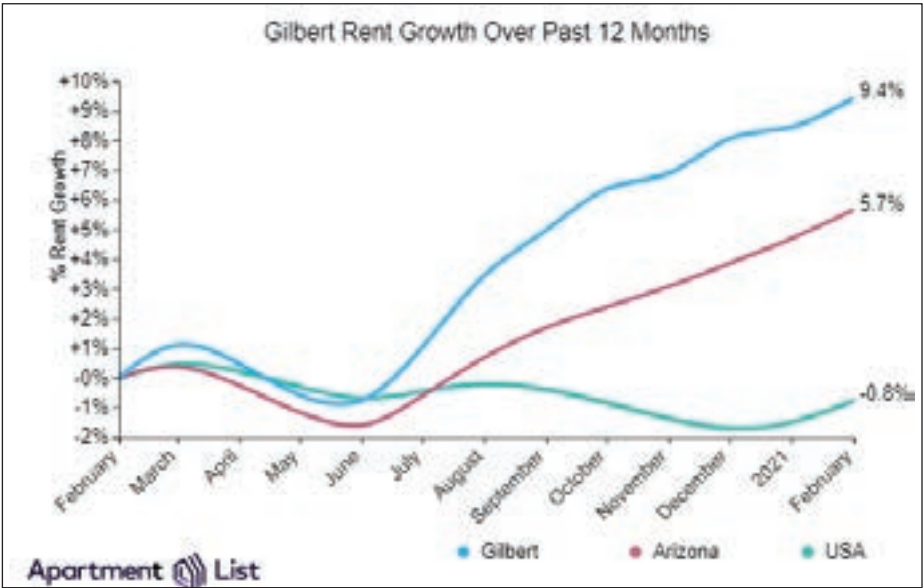
The national rent index is up by 0.7 percent month-over-month, representing the second straight month of positive rent growth and the largest monthly increase

since June 2019, when the market was in the middle of the summer boom, according to the Apartment List national monthly report.

“This month’s data represents the clearest indication yet that rent prices are rebounding in markets across the country,” Apartment List said in the report. “For comparison, in the previous three years, the average month-over-month rent growth in February was 0.3 percent. In other words, the month’s increase was more than double the prior-year average for this time of year.

“The data continue to exhibit significant regional variation, but the days of plummeting rents in pricey coastal markets appear to be coming to an end, with cities such as San Francisco and Seattle experiencing positive month-over-month growth for the first time since the start of the pandemic.”

The report says the latest month appears to be the time where steep rent declines are bottoming out, but booming markets are continuing to see prices climb, such as many of the mid-sized markets that have seen rents grow rapidly through the pandemic.





Monthly Meeting Schedule for the Arizona Real Estate Investors Association

PHOENIX MEETING
MONDAY, APRIL 12, 2021
5:45 P.M.
ONLINE

The Phoenix meeting is held on the second Monday of the month. These meetings are full of education, information, and networking.

Open Networking: The perfect time to get checked in to the event and chat with other local real estate investors in attendance.

Market Trends and Outlook: Your up-to-date analysis on the trends in national, regional, and local areas. Come find out where the market is heading – valuable information no real estate investor should do without.

Association Update: Find out about what’s happening at AZREIA, how to best leverage your membership benefits, and get the best prices on upcoming events!

Trade Show, Networking and Guest Orientation: Spend time meeting AZREIA business associates and other investors and build your team. (Live meetings)

Market Update for Fix and Flip and Rentals: Full analysis of fix & flip and rental markets. Plus, the latest market news affecting your business.

Main Presentation: This presentation features a national or local panel of experts on general topics such as fix and flip, buying notes, private money lending, marketing strategies, buying land or commercial/multi-family property. These are “you can’t afford to miss” meetings.

TUCSON MEETING
TUESDAY, APRIL 13, 2021
5:45 P.M.
ONLINE

The Tucson meeting is held the Tuesday after the Phoenix monthly meeting each month. These meetings are full of education, information, and networking.

Investor-to-Investor Networking and Dynamic Haves and Wants are an important part of the Tucson AZREIA meeting. This is your chance to meet local investors, ask for what you need, and share what you have. Deal of the Month is your chance to find out what your local investors are doing and how they are doing it. Don’t miss this opportunity!

Open Networking: The perfect time to get checked in to the event and chat with other local real estate investors in attendance. (Live meetings)

Local Market Update: Bob Zachmeier presents the latest in trend analysis for the U.S., Arizona and Greater Tucson area, including existing homes, new homes, foreclosures, REO, short sales and traditional sales. What investment strategies are working and why? This is must-know information for the serious real estate investor.

Main Presentation: This presentation features a national or local panel of experts on general topics such as fix and flip, buying notes, private money lending, marketing strategies, buying land or commercial/multi-family property. These are “you can’t afford to miss” meetings.

The cost for meetings is \$10 for AZREIA Members and \$20 for guests. PLUS members can attend free of charge. Please refer to the website www.azreia.org closer to the meeting time for up-to-date information on meeting place/format and agenda.

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A cartoon monkey wearing a green uniform and cap, holding a large red wrench over its shoulder.

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