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UPCOMING EVENTS:

- General Membership Meetings — 7 p.m. Nov. 9, 2021 — Live Meeting: Annual Meeting and Landlord Legal Seminar
- C.A.M. Certification — Virtual Courses via Zoom— 9 a.m. Nov. 9, 2021 — Marketing (www.uaahq.org/cam)
- UPRO Certification — Virtual Classes via Zoom: 9 a.m.-1 p.m. Nov. 11, 2021 (www.uaahq.org/upro)



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Holiday Safety for Residents: Trees, Lights, and Candles

While decorating helps add to the beauty of the holidays, it also brings an increased risk of fire hazards. Apartment communities and their residents can benefit from the following decorating tips provided by Preferred Insurance. We hope they help you celebrate the holiday season safely.

CHRISTMAS TREE SAFETY

- Keep a fresh-cut tree outdoors and cover the trunk in snow, or immerse it in a bucket of water until you are ready to decorate it.
- When you are ready to put up a live tree, cut a 1- or 2- inch diagonal off the bottom of the trunk. The new cut will help the tree to absorb water, which preserves its freshness.
- Select a spot for the tree that is at

See ‘Holiday’ on Page 5

Tips for Explaining to Tenants Their Rights & Responsibilities

The Utah Apartment Association believes that fair and just laws protect both landlords and tenants. We frequently work to protect the rights of tenants, and we advocate for laws that will protect them while still protecting the rights of landlords and property owners.

Individual property owners and landlords can make a big difference in the quality of their tenants’ experience by carefully explaining to tenants their rights and responsibilities under the lease and under state law.

Many landlords sit down and go through the lease with their tenants upon signing or move-in to clearly outline what they expect from the tenants and what the tenants have a right to expect from them.

An increasing number of landlords are also starting to use customized tenant handbooks that not only have general details

See ‘Many’ on Page 4



Can You Help Refugees Who Need Housing?

By PAUL SMITH / UAA EXECUTIVE DIRECTOR

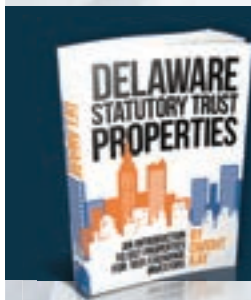
Dear Rental Housing Professional,

If you have any vacancies in the next week and are willing to house Afghan refugees, we have a steady stream coming in right now. While you won’t be able to do traditional “credit reports” and full background checks, these Afghans have been through security and health screening by the government and are current on all vaccinations. These people were loyal/helpful to the U.S. and our allies while in Afghanistan, putting them in danger if they had stayed. There is generally at least one member of each household that

See ‘Can You’ on Page 4



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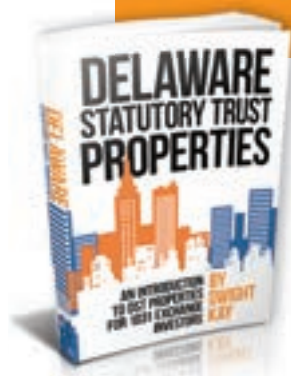
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What is a Delaware Statutory Trust Sponsor Company?

By **ALEX MADDEN, VICE PRESIDENT, KAY PROPERTIES AND INVESTMENTS, LLC**

Many 1031 exchange investors have never heard of a DST Sponsor, what they are, or what they do. It is important for investors considering DST properties to understand the role of a DST sponsor and what they do. After reading this article, a 1031 exchange investor should have a better understanding of what a DST sponsor company is and does, and why they play a critical role in the DST 1031 investment picture.

WHAT IS A DST SPONSOR?

As with other real estate investments, the term “sponsor” is used to identify the person or firm that basically “quarterbacks” the DST investment from start to finish, including structuring the investment to make it available for accredited investors including those in a 1031 exchange as well as cash investors. Whether it is an entire portfolio of net-leased retail buildings located across multiple geographic areas or a single multifamily building located in a single neighborhood, the role of the DST Sponsor is to find viable real estate deals in which accredited investors will be interested in investing for their DST 1031 exchange process.

THE ROLE OF A DST SPONSOR?

A DST Sponsor’s role starts early on in a real estate investment. Many times, the DST Sponsor is actively involved with negotiations or plans months before investors or 1031 advisors even hear about a potential investment property. Typically, a DST Sponsor company will evaluate hundreds of properties across a vast swath of geographic territory for purchase, until they eventually make offers on a few of them. Sometimes the DST Sponsor finds these properties via on-market opportunities and other times off-market opportunities. Once a property is identified as a potential investment opportunity, they will then negotiate the purchase agreement and assemble the necessary equity capital and

debt financing needed to acquire the property. The DST Sponsor then negotiates the terms of the purchase and sale agreement, and prepares all the investor marketing materials. The DST Sponsor also oversees all pre-acquisition activities, including all due diligence (such as engaging specialists to provide third-party reports and reviewing existing financial information, among other things.).

As mentioned, DST Sponsor companies will often handle most of the financing aspects related to acquiring properties offered for a DST investment. This can include combining the combining the firm’s own capital with some kind of bridge loan for the acquisition, and then arranging any long-term debt that will be included in the transaction. This long-term debt can be an extremely important element from an investor’s perspective, as many DST investors need to replace debt as part of their DST 1031 exchange, and a property that has existing leverage can be helpful to these clients.

HOW WE EVALUATE OUR SPONSORS

Clearly DST Sponsors play an important role in a DST real estate investment, and therefore it is critical that the sponsor be highly qualified. Kay Properties & Investments works with 25-30 different DST Sponsors who, along with their property offerings, are always carefully vetted. A good DST Sponsor brings specific expertise to the project like intimate knowledge of the market or a deep understanding of the asset class - or both!

Not all sponsors are created equally. Some are much more qualified than others. So we ask the following questions for any prospective DST Sponsor.

- How much experience do you have with the local market and with that asset class?
- Have any of your prior real estate investment offerings failed to meet expectations?
- How good are you at evaluating risk?

- What systems do you have in place to ensure proper management of the project?

In short, the DST Sponsor is an important element in a DST investment’s success, so it’s important to work with a DST Sponsor that’s highly-qualified. When investing in DST investments, be sure to understand who you’re working with, what they’re responsible for and how they plan to execute on the project’s business plan.

Kay Properties provides a complete platform for real estate investors including providing access to a marketplace of DSTs from more than 25 DST sponsor companies, custom DSTs only available to Kay Properties clients, A DST secondary market - for those wanting to sell their DST interests prior to the property selling, the largest selection of debt free DSTs in the industry and leveraged DSTs for a 1031 debt replacement. For more information, please call Kay Properties today at 1-855-899-4597 or visit www.kpi1031.com to register for one of our exclusive DST 1031 events.

ABOUT THE AUTHOR:

Alex Madden joined Kay Properties and Investments as a vice president and DST 1031 expert, helping clients navigate the nuances and rules surrounding this unique investment universe. Prior to joining Kay Properties, Alex was a specialist at KPMG’s Management Consulting Federal Advisory practice where he consulted for the Department of Housing and Urban Development (HUD) and Federal Housing Authority (FHA), specifically in the Multi-Family, and Single-Family space.

Alex is a former US Army Ranger with multiple deployments to where he attained a rank of Chief of Staff in an elite Special Operations Task Force. Alex graduated from Salve Regina University, in Newport Rhode Island, with a degree in European History.



About Kay Properties and www.kpi1031.com

Kay Properties & Investments 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 \$21 Billion of DST 1031 investments.

There are material risks associated with investing in real estate, Delaware Statutory Trust (DST) properties and real estate securities including illiquidity, tenant

vacancies, general market conditions and competition, lack of operating history, interest rate risks, the risk of new supply coming to market and softening rental rates, general risks of owning/operating commercial and multifamily properties, short term leases associated with multifamily properties, financing risks, potential adverse tax consequences, general economic risks, development risks and long hold periods. All offerings discussed are Regulation D, Rule 506c offerings. There is a risk of loss of the entire investment principal. Past performance is not a guarantee of future results. Potential distributions, potential returns and potential appreciation are not guaranteed. For an investor to qualify for any type of investment, there are both financial requirements and suitability requirements that must match specific objectives, goals, and risk tolerances. Securities offered through Growth Capital Services, member FINRA, SIPC Office of Supervisory Jurisdiction located at 2093 Philadelphia Pike Suite 4196 Claymont, DE 19703.



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Chair's Message

UAA Membership Renewals are Upon Us



HOLLY SANFORD
Chair,
Utah Apartment Association

It is renewal season, and most of you will should be receiving dues invoices. For big complexes that have previously budgeted them for January, this is a reminder. For small owners, paying early means you can claim your dues on your 2021 taxes!

Because we have a diverse membership population in

the UAA, many people have a variety of reasons for being members of the Association. Some join for the legislative efforts that the UAA provides and the support that is given proactively to protect owners, investors, and landlords. Others have joined for the UAA to become more involved and more engaged in the industry.

We have found over the years that many people, big and small, do not know all of the benefits of membership. Do you remember why you joined?

Here are just a few reasons why you should renew your membership or even re-instate it if it has lapsed.

- Legislative Advocacy
- Education
- Landlord Guide, Forms, Industry Publications
- Discounted Tenant Screening

- Staff Hotline
- Events
- Networking

At its simplest level, the UAA is a pool of resources for those in our business, and a voice of advocacy for our industry. It is a network of individuals and companies committed to professionalism and excellence. It is an organization committed to honoring our noble profession. We are a group committed to efficient and profitable businesses who wish to combine our efforts to assure continued opportunity in our profession and limited government interference!

Please renew your membership and commit to getting other property owners, managers, and ancillary businesses to support the UAA and assure we can continue to effectively pursue our mission.

Ask the Attorney

Dealing With Subtenants Who are Not Allowed in the Property



JEREMY SHORTS, ESQ.
Utah Eviction Law

Q: What do I do with subtenants who are not allowed in the property?

A: This issue can be a bit tricky and will probably be governed by your lease, so read it carefully.

A tenant is allowed to have guests, and depending on the terms of the lease they could even stay for a few nights without any problems.

But what about the guest that seems to have outstayed the



landlord's welcome?

First – Contact the tenant to express your concern. Sometimes there is a logical explanation that you're okay with. But often the tenant will try to hide the fact that they've

let a subtenant in without your permission.

Second – If the tenant's explanation isn't satisfactory, you may want to consider giving an eviction notice. That will let them know you're serious about enforcing the lease. It also gives the tenant time to come into compliance with the lease.

Hopefully, that fixes the problems, but if not you may need to file an eviction. Make sure you have strong evidence, though, because you'll have to prove your case – get witness statements from neighbors, keep a log of when the subtenants are there, etc.

These types of cases can be tricky so you'll want to do everything you can to gather evidence to support your case.

Jeremy Shorts, Esq.
Utah Eviction Law
Phone: 801-610-9879
Fax: 801-494-2058
Email: info@utahevictionlaw.com

Many Landlords Using Customized Tenant Handbooks

Continued from Page 1

about state laws and local ordinances, but also specific provisions in the lease and particular information about the unit they are occupying.

Many of these handbooks include:

- Information about the appliances in the apartment
- An overview of their responsibilities under the lease
- Ideas for how to save on utilities
- Tips for how to clean the apartment
- Suggestions for routine maintenance that the tenant can preform
- Contact information for the landlord or manager
- Emergency contact information for

police, fire, ambulance, and for any preauthorized contractors

- An explanation of how the deposit will be handled

Most tenants are good tenants, and most landlords are good landlords. Unfortunately, the landlords who are not doing things right cause problems for the rest of us because they get dumb laws passed that will create unnecessary and costly restrictions or problems for the rest of us. But responsible and reasonable landlords have nothing to fear from tenants who understand both their rights and their responsibilities and exercise both in equal measure. Educating tenants can help them to understand how things work and know what they can and cannot do if they think there is a problem.



Can You Offer Housing Help to Refugees?

Continued from Page 1

speaks fluent English. Many have highly marketable job skills and are expected to find jobs quickly. I hope you will consider helping them!

If you can help, send an email to paul@uaahq.org with details including:

- Size of available rental unit
- Where it is located
- Date it is available
- Rent and deposit amount required (note: many landlords require double or triple deposit when renting to someone they cannot do a complete background check on, as a way to mitigate risks and feel more comfortable. In this case the added benefit is that the higher deposit will be hopefully refunded to the refugee when they move, giving them an additional jump start!)

There are no rent limits, as the state is paying the rent out of federal rental assistance funds. It is preferred that the housing be near employment centers along the Wasatch front. If your housing unit works, you will be contacted by one of the aid agencies.

HOW THE RENTAL ASSISTANCE PORTION WILL WORK:

- The state Rental Assistance program will pay the deposit and at least six months' rents
- An aid agency like International Rescue or Catholic Community Services is supporting/supervising the integration process and will be your liaison
- Other groups will provide furnishings and clothing, so apartments do not need to be furnished
- The aid group who reaches out to you will help you connect with rental assistance, and you will be paid at least 3 months at a time

For more information on how you can help, contact paul@uaahq.org.

Latest Updates:

INTERNATIONAL RESCUE:

For the IRC, we have secured a few units for housing that are available beginning in November. Right now we are still in need of 32 units of all sizes (studio to 4-bedroom) for IRC clients.

CATHOLIC COMMUNITY SERVICES:

For Catholic Community Services of Utah, we were able to house over 40 people and we still need to house 66 people plus any new arrivals from today. Thank you for all landlords you sent, we used most of them.

Director’s Messsage

2022 UAA Landlord Guide



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

The UAA has just published our 2022 Landlord Guide. The purpose of this book is to provide you the tools to understand basic landlord/tenant law and best practices that

will help you be more successful, and provide better services and options to your tenants and the community.

Roughly one out of three people in Utah rent their housing. There are about 300,000 rental units in Utah. Managing, leasing, maintaining and servicing tenants directly employs thousands of Utahans, and thousands more are contracted with to provide additional services to the over 100,000 buildings containing residential renters. Without people like you who are willing to invest their time, money and effort into rental housing, our state’s economy and society would not function. You should be proud of your tremendous impact!

Each year the UAA spends considerable time and effort working to make sure your interests are represented and that you are aware of any changes to state or federal law, industry best practices, court procedures or city regulations. We have updated and streamlined the materials in this book to best serve the needs of landlords like you.

We are excited to provide this resource to our members. A copy of this book will be included in your renewal packet that is mailed to you when you pay your 2022 dues. If you would like to get an advance copy of this book, please email info@uaahq.org to request that one be mailed to you.

Holiday Safety Tips for Residents: Trees, Lighting, Candles

Continued from Page 1

- least three feet from a heat source.
- Put the tree in a sturdy, water-holding stand with widespread legs, and keep the stand filled with water.
- Once a tree is dried out, don’t keep it in your home or garage, as it is highly flammable.

HOLIDAY LIGHTING SAFETY


- Mixing and matching lights can create a fire hazard, so keep outside lights outdoors and inside lights indoors.
- Always buy lights and electrical decorations bearing the name of an independent testing lab, such as

- UL, and follow the manufacturer’s instructions for installation and maintenance.
- Carefully inspect new and previously used light strings before using them. Throw away any that appear damaged.
- When hanging lights, string the lights together, using built-in connectors. Don’t join more than 200 midget lights or 50 larger lamps through one string or cord.
- Don’t connect more than three sets of lights to one extension cord.
- Remember to unplug all decorations and lights, both inside and outside your apartment home, before leaving or going to bed.
- If a fuse is blown, unplug the lights from the outlet


and immediately replace the blown fuse. If the replacement fuse blows again, a short circuit may be present. Throw the faulty light string or decoration away, or if it’s new, return it for a refund.

CANDLE SAFETY

- Place candles in stable holders and in a spot where they cannot be easily disturbed.
- Never use lit candles to decorate your Christmas tree.
- Never leave a burning candle unattended, and always extinguish candles before leaving the room or going to bed.
- Avoid placing candles near flammable objects.
- Keep burning candles out of the reach of children.



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Is Your Tenant a Tool? (It’s Not What You Think)

By SCOT AUBREY

A few years ago my wife decided to surprise me by organizing our garage. I was reluctant at first because my garage has always been the one safe place for me to put my stuff; no questions asked. I knew once the organizing process started, there would be a lot of questions from her and a lot of push-back from me.

We started by emptying the contents of my tool bag, some of which were embarrassingly still in their original wrapper. After pulling out five or six screwdrivers, my wife asked, “Do we really need this many screwdrivers? After all, you only have two hands.”

What I knew that she did not is that each screwdriver (flathead, phillips, ratchet, magnetic) had unique characteristics that made it especially useful. This process continued as we worked our way through cutters, pliers, and other odds-and-ends, with a brief explanation of why I needed each, and its usefulness.

Reviewing rental applicants remind me a lot of this initial organizing experience. When we open up the pool of possible tenants for our properties, we are almost always looking at a mixed bag of individuals and personalities. Each is valuable, each has purpose, and each has merit for us to consider as we look to fill our property with a potential, qualified “business” partner. Let’s take a look at some of the types of people you might encounter as you get ready to rent our property.

THE HAMMER

Often you can hear the hammer applicant coming from a mile away. A hammer tenant isn’t necessarily bad and when managed the right way, can be the perfect tenant to get things done. As a hard but effective



personality, the hammer tenant can either beat up or fix up your property. As a property owner your management style will directly affect which way the hammer hits. Hit too hard and the hammer will hit even harder back; but sometimes direct conversation can be your best bet. Instead, handle the hammer properly, focus their energy, and provide clear directions and expectations. Use your expertise to anticipate where this type of personality will have issues with you, your property, or the lease. Use their strong personality type to build a great relationship and you’ll be amazed at how often they “hit the nail on the head” and become a great tenant.

THE SAW

You may recognize the saw applicant by their ability to cut to the heart of the matter. This applicant has no time or energy to waste becoming friends with you, they just want to get down to business and get the job done. How does that work with your management style? If you like to become best friend with your tenants, the saw type may challenge you... or they may become your best tenant yet. After all, when looking for a business partner, who better to have than someone who is all business. When working with this type of applicant, it is important to remember to not take things

personally, rather understand that business is business. The saw type values paying rent on time, respecting the property, and keeping your relationship transactional. These are all great things when protecting your investment is critical to you.

THE WRENCH

Having a wrench type applicant means one of two things; either they will literally throw a wrench into all your plans, or they will tighten things up and make them stronger than ever before. There are a few things you can do to help facilitate this personality type into becoming a great fixer for your investment. First, realize they will always be questioning how things are done. Why does your lease include this, why can’t we do that on the property, etc. Being prepared with well thought out answers in advance puts you in a position to react professionally. Second, consider their questions, ideas, and suggestions, not just out of courtesy, but out of curiosity. Why are they asking these questions? Have they had past experiences as a tenant that can make me a better owner? Lastly, assume the best when dealing with the wrench type. Interpret their interest as a positive thing and see them as a beneficial partner rather than a nuisance.

THE MULTI-TOOL

Sometimes you get those applicants that are a mishmash of all the possible personality types. Reluctant to be typecast as any one thing, they truly represent the multi-tool with many facets, functions, and features. Although they may be difficult to categorize, and even more difficult to manage, I actually love working with this type of applicant. Think of the countless ways you can connect with someone like this. Every good baseball team needs a utility player who can cover many positions, and that is exactly what the

multi-tool applicant brings to your rental business relationship. Need someone to challenge you? Someone to quickly get down to business? Someone to make you think more deeply about your business? Check, check and check! The multi-tool tenant has the potential to challenge you and help develop you into the best owner You Can Be.

THE WRECKING BALL

Although I doubt any of us have a wrecking ball in our garage, this type of applicant is the one to avoid. They are wired to destroy anything in their path. Often playing the toxic victim, they will bad mouth past landlords, challenge you on every front, hesitate or refuse to provide you information and give you every reason not to trust them. Run!!!

With all this talk of tools, it’s equally important that you also implement the other critical landlord-specific tools of background screening, consistent criteria, and online rental collections into your daily business practices. Regardless of the “tool type” your tenant turns out to be, if you examine your business and make a goal to get organized, you will be ready for anyone that walks through the door. By viewing each applicant as a tool with the potential to make you a better landlord and investor, you can see them positively for the good they bring to your life, and not just as another tool you can shelve, use, or throw away.

Scot Aubrey is Vice-President of Rent Perfect, a private investigator, and fellow landlord who manages short-term rentals. Subscribe to the 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.

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UAA Members Approve 2022 Slate of Candidates and 2022 Board is Sworn in

For those of you who do not know or may have forgotten during your long tenure as members of the association, our bylaws call for a nominating committee, comprised of 3 past chairs of the board, to solicit, interview and select candidates for board positions. Every year the nominating committee presents the slate of candidate for the following year at our annual membership meeting, as they did this year on November 9th, 2021.

Anyone interested in serving on the UAA committees or board should contact the staff or a board member and we will get you involved! Typically, board terms are for two years*. This year, we selected candidates that represent a broad cross section of interests and geography. All board members, with the exception of the Executive Director, are volunteers.

In 2022, there will be 32 board members –11 of them representapartment management companies, 11 are industry suppliers, and 10 are independent owners or single-family residential property managers.*

After being presented with the 2022 Slate, motion was made, seconded and the membership approved the candidates at the annual meeting. Per tradition, the 2022 Board was sworn in during the 4th quarter board meeting the following day on November 10th, 2021.

The 2022 UAA Board Chair is Brad Randall with Welch Randall Property Management and serving with his on the executive committee are:

Holly Sanford, Past Chair | DJ Bruhn, Vice Chair | Ryan Froerer, Treasurer

Cody Reeder, Secretary | Peter Harradine, Legacy Member | Kirk Cullimore Sr., Legal Counsel

Dave Todd, Government Affairs Chair | Dan Link, Associates Committee Chair

All of the staff here at the Utah Apartment Association look forward to working with our 2022 Board of Directors and serving all of our members in 2022. We have overcome a lot of obstacles and experienced a unique year this year and are ready for anything 2022 sends our way.

2022 Slate of Candidates for UAA Board

Proposed 2022-2023 Terms

*DJ Bruhn, Greystar
*Peter Harradine, Harman Property Management
*Brad Randall, Welch Randall Property Management
*Ryan Froerer, Century 21 Gage Froerer
Robert Watson, WSI
Cody Reeder, Reeder Property Management
Craig Johnson, Sego Lily Properties
Dave Todd, Law Offices of Kirk A. Cullimore
Dan Sprengeler, Real Property Management
Dan Link, KSL Homes
Curtis Carter, Greystar
Stacey Manzella, Bridge Property Management
Cat Kidder, Weidner Group
Kandace Brewster, Brewster Insurance Group
Marcie Blake, Triton Investments
Derek Seal, Maxfield Property Management
Chelsea McElheney, UV Residential

2022 Associate Members Chair**

Dan Link, KSL Homes

Current 2021-2022 Terms

Holly Sanford, Cowboy Properties
Beverly Stachowiak, RentPath
Clint Garner, Ameritrust Real Estate
Charles Patten, Avenue 5
Sheri Martin, Cornerstone Residential
Rich Wilcox, PPG Architectural Coatings
Kelly Hunsaker, Fitlogistix
TJ Robinson, Rentler
Brent Rasmussen, Western Reporting
Spencer Tibbitts, Olive West
Nate Tew, KeyRenter
Casey Miller, HomeRiver Group
Chrisy Bond, AMC
Jilliane Starcor, Alpine Cleaning & Restoration

2022 Executive Committee*

Past Chair:	Holly Sanford, Cowboy Properties
2022 Chair:	Brad Randall, Welch Randall Property Mgmt
Vice Chair:	DJ Bruhn, Greystar
Treasurer:	Ryan Froerer, Century 21 Gage Froerer
Secretary:	Cody Reeder, Reeder Asset Management
Legacy Member:	Peter Harradine, Harman Property Management
Legal Counsel:	Kirk Cullimore Sr., Law Offices Kirk A. Cullimore
Government Affairs Chair:	Dave Todd, Law Offices Kirk A. Cullimore
Executive Director:	L. Paul Smith, CAE

*UAA bylaws term limit board members to no more than two consecutive 2-year terms. However, members serving on the executive committee are exempt from term limits.

** The Associate Member Committee Chair is elected by their committee for a one-year term.



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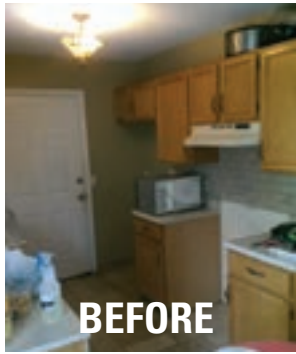
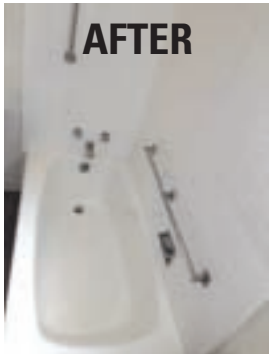
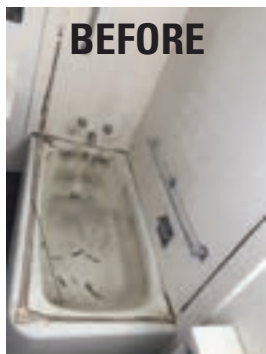
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