

Is Your Property Accessible?  
Testers Want to Know  
Page 4

How Thirdhand Smoke  
Affects Your Properties  
Page 6

Tenant Kills AZ Property  
Manager During Eviction  
Page 13

RH

RENTAL  
HOUSING  
JOURNAL

INSIGHT FOR RENTAL HOUSING PROFESSIONALS

ON-SITE

www.rentalhousingjournal.com • Rental Housing Journal, LLC

Mailed Monthly To Puget Sound Apartment Owners, Property Managers & Maintenance Personnel  
Published in association with Washington Association, IREM & Washington Multifamily Housing Association



# What If Tenant Refuses Entry After Notice?

BY HANK ROSSI

**Dear Landlord Hank:** In regards to your answer to enter property even if the tenant does not respond: What do you do if the tenant is in the house when you want to enter and they tell you to get out? – Patti



**Dear Patti:** If you have given proper notice to the tenant that you will be entering the property, the tenant cannot deny the landlord the legal right to enter the property. You'd need to enter during normal hours – however your state defines that – unless there is an emergency; then you can enter at any time.

Don't argue with your tenant, but let them know you have the legal right to enter and if the tenant refuses entry, tell them they are in violation of the lease and put a seven-day notice to cure on their door.

Then they have seven days to "fix" the problem. If they still won't allow access, I'd move on to eviction. It's amazing what a legal notice will do to change an unreasonable tenant's mind (sometimes).

Each week Hank Rossi answers questions from landlords and property managers across the country in his "Dear Landlord Hank" blog in the digital edition of Rental Housing Journal.



Rental Housing Journal, LLC  
4500 S. Lakeshore Drive, Suite 300  
Tempe, Arizona 85282

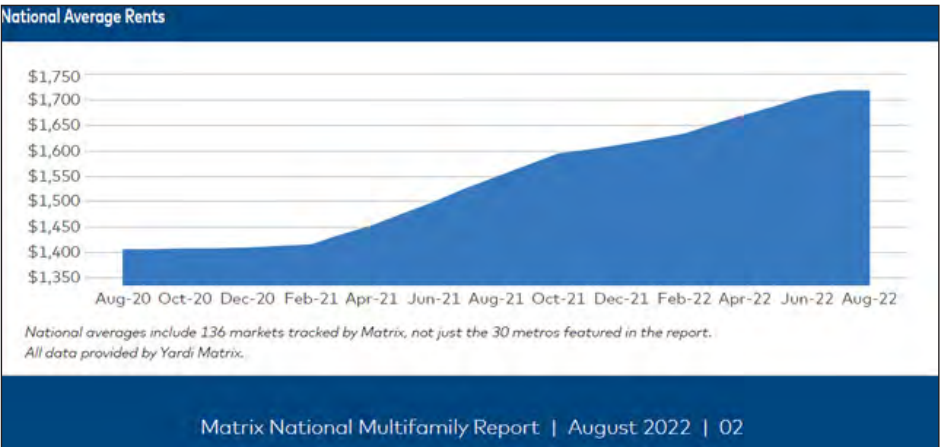
# Multifamily Rent Growth Hits a Wall in August

RENTAL HOUSING JOURNAL

After two years of rapid gains, U.S. multifamily rent growth hit a wall in August, with national asking rents dropping \$1 during the month and year-over-year growth dropping to 10.7 percent, according to Yardi Matrix's national multifamily supply-and-rent-cap report for August.

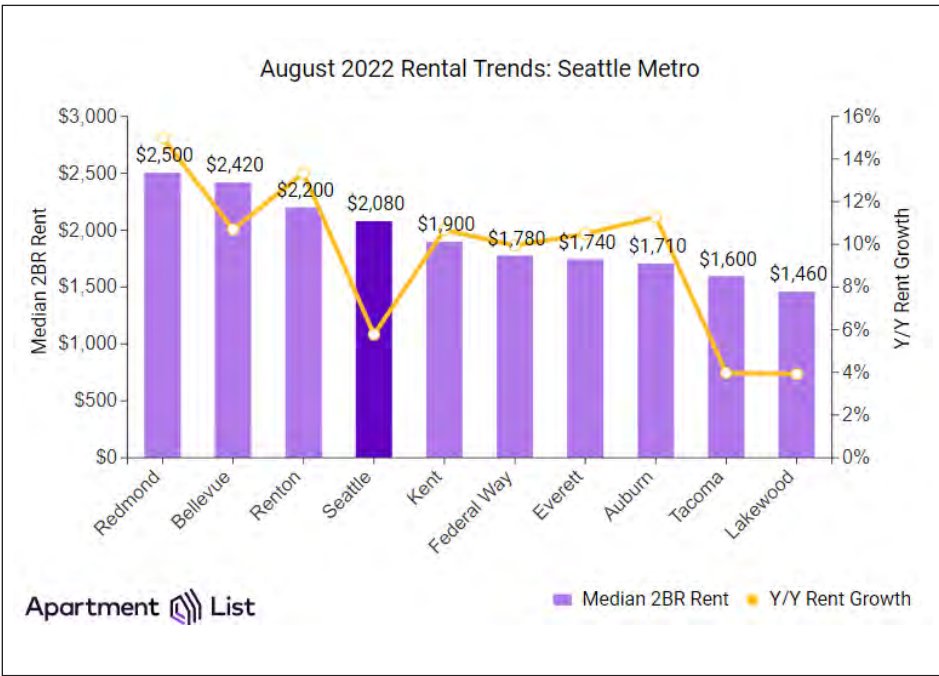
The drop represents the first month-over-month decline since June of 2020, during the pandemic.

"The numbers presage a slowdown in rent performance in the second half of the year as economic growth and the post-pandemic migration boom begin to slow," the report says.



- A summary from the Yardi Matrix report:
- Multifamily rents finally slowed in August after a long run, presaging a deceleration that may extend through the second half of 2022. The economy is starting to feel the effects of higher interest rates, while migration is slowing and the increasing lack of affordability is affecting high-growth metros.
  - The average U.S. asking rent decreased \$1 in August to \$1,718, marking the first month since June 2020 without significant growth. Year-over-year growth decelerated by 170 basis points to 10.9 percent. Nationally, asking rents are up 6.6 percent year-to-date. The U.S. occupancy rate was steady at 96.0 percent.
  - The single-family sector continues to mirror the activity in multifamily. The average single-family asking rent decreased by \$2 in August to \$2,090, while year-over-year growth dropped by 170 basis points to 9.5 percent.
- Traditional seasonality is present in the rental rates, but also the factors of a slowing economy and slowing migration.

# Seattle Rents Up Sharply Over Past Month



RENTAL HOUSING JOURNAL

Seattle rents have increased 0.7 percent over the past month in August, and have increased significantly by 5.8 percent in comparison to the same time last year, according to the September report from Apartment List.

Now median rents in Seattle are \$1,720 for a one-bedroom apartment and \$2,079 for a two-bedroom.

This is the seventh straight month that the city has seen rent increases after a decline in January. Seattle's year-over-year rent growth lags the state average of 8.6 percent, as well as the national average of 10.0 percent.

## RENTS RISING ACROSS THE SEATTLE METRO

Throughout the past year, rent increases have been occurring not just in the city of  
*See 'Rents' on Page 14*

KAY

PROPERTIES & INVESTMENTS LLC

Sign up today for **FREE** 1031 property listings delivered to your inbox!

DELAWARE STATUTORY TRUST PROPERTIES

AN INTRODUCTION TO DST PROPERTIES FOR 1031 EXCHANGE INVESTORS

DST, TIC, and NNN PROPERTY LISTINGS.  
You will also get a free book on 1031 Exchanges!

Sign Up for Free at **WWW.KPI1031.COM**  
Or Call **(855)899-4597**

FREE LISTINGS

OF 1031 EXCHANGE PROPERTIES

HUNDREDS OF NNN, DST AND TIC OPPORTUNITIES FOR YOUR 1031 EXCHANGE!





Find Out Why  
Investors Choose  
**DST Properties**  
For Their 1031 Exchange

**KAY** PROPERTIES & INVESTMENTS LLC

Find Out How You Can Avoid Capital Gains Taxes, **and More!**

- ✓ Monthly Income Potential
- ✓ Cash Out Refinance - Defer Your Taxes & Receive Liquidity Potential
- ✓ Management Free - No More Tenants, Toilets And Trash!
- ✓ All-Cash/Debt-Free Offerings
- ✓ Tenants include Amazon, FedEx, Dollar General, Walgreens, CVS, Fresenius & More
- ✓ Close Your 1031 Exchange In 2-3 Days

Get Your  
**FREE** DST 1031  
Exchange  
Tool Kit

- 1031 Exchange Property Listings
- All-New 1031 DST Digest Magazine
- Introductory DST Book for Investors



Register at  
**www.kayrhj.com**



or call  
**1.855.875.2781**



*"We feel comfortable working with both of you and would not hesitate for a minute to invest again with Kay Properties and recommend you."* **Maritza F. | Hialeah, FL**

*"...We would invest again with Kay Properties"*  
**Wendy I. | Topanga, CA**

Call Today to Also Learn About  
a Real Estate Fund With:

**9.25%** Annualized Distribution  
Potential\*

*These testimonials may not be representative of the experience of other clients. Past performance does not guarantee or indicate the likelihood of future results. These clients were not compensated for their testimonials. Please speak with your attorney and CPA before considering an investment. \*The Debentures will bear non-compounded interest at the annual rate of 9.25% per annum (365-day year basis) on the outstanding principal, payable monthly on between the twentieth and twenty fifth 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. This material does not constitute an offer to sell nor a solicitation of an offer to buy any security. Such offers can be made only by the confidential Private Placement Memorandum (the "Memorandum"). Please read the entire Memorandum paying special attention to the risk section prior 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. This material is not to be construed as tax or legal advice. 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 FNEX Capital.*



Sponsored Content

# Can I 1031-Exchange Out of a Delaware Statutory Trust?

By DWIGHT KAY, CEO AND FOUNDER OF KAY PROPERTIES AND INVESTMENTS, LLC

Many investors that have participated in or are considering a DST 1031 exchange with Kay Properties will oftentimes ask us, Is it possible to 1031 exchange out of a Delaware Statutory Trust? If you're looking for a clear and concise answer to this question, here it is: Yes, you can 1031 exchange out of a DST.

But let's dig a little deeper into this subject.

## FIRST THINGS FIRST: WHAT IS A DST?

Let's first look at exactly what is a Delaware Statutory Trust (DST)? DSTs are vehicles for passive real estate ownership that allow investors to remove themselves from day-to-day headaches of property management as well as the opportunity to diversify\* their equity in an effort to potentially reduce risk. Each individual investor possesses his or her own share - sometimes referred to as a "beneficial interest", including potential income, tax benefits, and appreciation of the DST property. A longer and more detailed article of exactly what a Delaware Statutory Trust is and why so many real estate investors are attracted to them can be found here.

## EXCHANGING OUT OF A DST FOLLOWING FULL-CYCLE INVESTMENT

Now the question of "Can I 1031 exchange out of a DST?" can be addressed from two different perspectives. The first perspective involves when a DST property itself goes "full cycle". The term "Full-Cycle" is used to describe a Delaware Statutory Trust asset that has been purchased and then sold on behalf of a group of accredited investors after a period of time. Once the DST sponsor has sold the asset per the DST's business plan each individual investor then has the same options as they had when they first exchanged into the DST: They must use a Qualified Intermediary, identify the up leg within 45 days of the closing of the relinquished property and close on the up leg within 180 days of the closing of the relinquished property. If they choose to "cash out" following the full-cycle investment, they are required to pay their taxes.

A good example of a Kay Properties DST investment that went full-cycle is the Alexander Pointe Multifamily DST in Orange Park, FL.

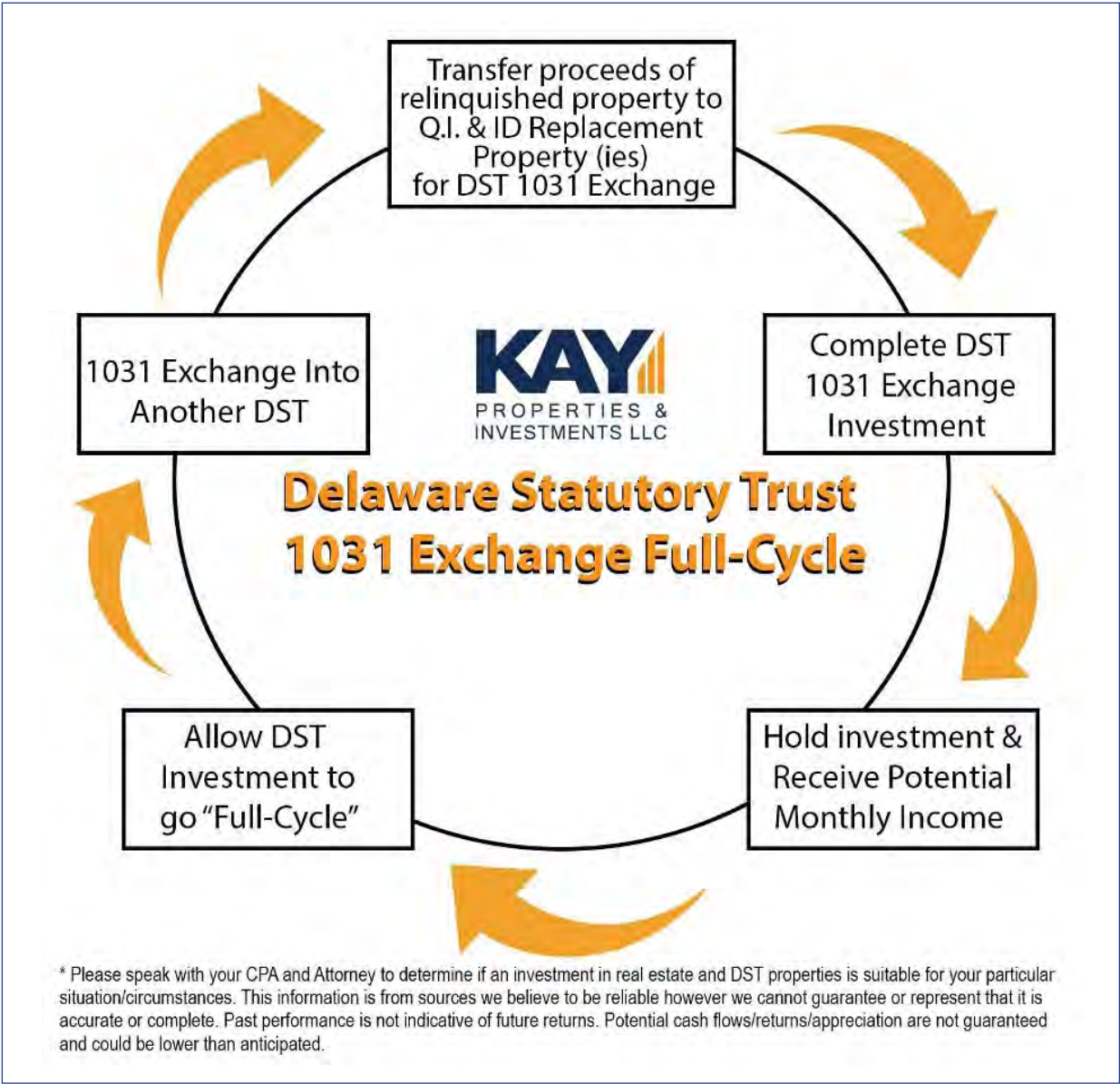
## EXCHANGING OUT OF A DST PRIOR TO THE INVESTMENT GOES FULL-CYCLE

Exchanging out of a DST before the investment goes full-cycle is a bit more detailed. Because DSTs are real estate-based investments, they are considered illiquid. There is no stock market exchange that allows you to log online and sell your DST investment quickly. Therefore, investors should only purchase a DST via a 1031 exchange if they are willing to hold for the full life of the investment which could be 5-10 plus years.

However, it may be possible to sell your share of a DST and either cash out or pursue another 1031 exchange. While DST interests can be sold and transferred to an accredited

### KEY TAKEAWAYS:

- Investors can 1031 exchange out of their DST Investments
- What does it mean to have a DST 1031 exchange go Full-Cycle?
- Investors must conform to all of the 1031 rules when a DST goes Full-Cycle
- What is the Kay Properties DST Secondary Market?



investor, the most obvious purchasers of DST interests are other investors either in the same DST or outside investors who wish to acquire interest in the particular DST.

Please note that exchanging out of a DST prior to the investment going full cycle means that the investor must follow all the same rules as any traditional 1031 exchange. That is, investors must use a Qualified Intermediary, they must identify their up leg within 45 days of the closing of their relinquished property and they must close on their up leg within 180 days of the closing of your relinquished property.

## KAY PROPERTIES SECONDARY MARKET

Because Kay Properties understands investors might need to exit a DST prematurely, they created a DST Secondary Market where investors who want to sell early have a potential

market available to buy their interest in the DST investment. The Kay DST Secondary Market is made possible due to the fact that Kay Properties works with many DST buyers on a daily basis. Kay Properties helped clients purchase approximately \$30 billion of DST investments since its founding. This volume allows us to be a resource for those wanting to sell a DST investment early as we are working with many, many DST buyers nationwide. Again, there is no guarantee that you will be able to sell your DST investment on the Kay DST Secondary Market however it may be a potential option.

For a list of 1031 DST properties please visit [www.kpi1031.com](http://www.kpi1031.com), where you also will find more helpful articles and resources as you are considering 1031 exchange DST properties.

## 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 150 years of real estate experience, are licensed in all 50 states, and have participated in over \$30 Billion of DST 1031 investments.

This material does not constitute an offer to sell nor a solicitation of an offer to buy any security. Such offers can be made only by the confidential Private Placement Memorandum (the "Memorandum"). Please read the entire Memorandum paying special attention to the risk section prior 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.

Nothing contained on this website constitutes tax, legal, insurance or investment advice, nor does it constitute a solicitation or an offer to buy or sell any security or other financial instrument. Securities offered through FNEC Capital, member FINRA, SIPC.



# Testers Look for Accessibility Violators

By The Fair Housing Institute

You look out of your office window and see a car slowly driving by.

They stop for a quick second and seem to be taking pictures.

Who is this? A potential resident, or perhaps a drive-by accessibility tester?

## Drive-By Accessibility Testing

Drive-by accessibility testing is becoming more commonplace. This is an easy way for testers to find properties that are violating accessibility laws without ever having to set foot out of their vehicle.

Accessibility testers can come from multiple different sources. For example, they could be hired by an advocacy group or a state agency. Or they could be operating individually with the help of a lawyer. Regardless of whom they work for, they are out there ready to act if they stumble across any accessibility violations.

Once a violation is found, a claim can be filed, and so begins a very expensive and troublesome situation for any property management company to deal with. Keep in mind that once a lawsuit is filed, it is not limited to the specific violation already found; your entire property is put under the microscope, with each additional violation added on.

## Is Your Property Truly Accessible?

Most landlords and property management companies are aware of common accessibility touchpoints, such as having accessible parking spots, adequate signage, and a clear path to the main entrance. In addition, there are many other laws and different requirements when it comes to accessibility, either federal, state, or sometimes municipal, and some of them may overlap.

For example, the Americans with Disabilities Act (ADA) law states that for every 25 parking spaces, you must have one accessible space, regardless of the age of the building. However, the Fair Housing Act also comes into play with its rules as far as accessibility for buildings that were built after March 1991. Knowing which laws are applicable to you



IS YOUR  
PROPERTY  
Accessible?



can get tricky, and it can become difficult to ensure that your property is truly accessible.

## Get the Help You Need

One way to combat this is by hiring an accessibility consultant or attorney to do a walk-through of your property to identify any potential violations. If you are hesitant due to the cost, keep in mind what the cost will be if a lawsuit happens. Lawyer fees, court costs, and potential fines or damage compensation are all on top of what will have to be paid out for any needed repairs or renovations. So, in the long run, it's more than cost-effective; it can also potentially save you thousands of dollars.

If accessibility problems have been identified, it's best to avoid the flawed thinking that you can just slap some paint on a few spots or put up a few more signs and call it a day. Create a list with the most visible issues being at the top and

immediately create a plan to tackle them in an appropriate and lawful manner. By repairing or modifying the most visible or outside problems first, you are not giving the drive-by testers any reason to stop and investigate further. Once those repairs are completed, you can move on to any indoor maintenance that needs to be addressed to fully ensure that your property is compliant, inside and out.

By taking a proactive approach, you can avoid many costly and time-consuming problems. Keeping up to date on fair housing laws and training will aid in this. If your property meets its accessibility criteria, then you can have peace of mind that the person who was snapping pictures just might want to live there.

*In 2005, The Fair Housing Institute was founded as a company with one goal: to provide educational and entertaining fair-housing compliance training at an affordable price at the click of a button.*



# Full-Service Evictions

We help clients resolve landlord-tenant cases involving evictions, litigation, fair housing complaints, leases, and other tenant disputes.

- Training on new landlord-tenant laws
- Avoiding and resolving housing complaints
- Tenants in bankruptcy
- Revising leases and forms

Evictions | Notices | Lease Reviews

Loeffler Law Group PLLC	We represent commercial and residential property managers, landlords, and owners throughout Western Washington.	
T (206) 443 - 8678	www.loefflerlaw.com	





# New Windows are a **GREAT** Investment!

- ✓ Energy-efficient windows will give you the competitive edge to improve occupancy rates.
- ✓ Beautiful new windows from Milgard windows will increase tenant satisfaction by lowering their utility bills, increasing their comfort and reducing outside noise.
- ✓ Milgard windows are virtually maintenance-free to save you time and money.
- ✓ If you have an electrically-heated 5+ unit building in Tacoma Power or Seattle City Light's service area, be sure to ask us about new window rebates!



## New Energy-Efficient Windows Attract New Tenants!



*"We were very pleased with their work and would definitely use them again."*  
– Ed and Sharon Bezy via Angies List



# SRC WINDOWS

A SOLID ROCK COMPANY

Call or  
E-MAIL  
TODAY

FOR A FREE, NO OBLIGATION ESTIMATE  
**253-565-2488**  
[srcwindows@msn.com](mailto:srcwindows@msn.com)

Call or  
E-MAIL  
TODAY

LICENSED, BONDED, INSURED • REGISTERED UTILITIES CONTRACTOR • MEMBER: RHA, MBA, BBB  
WA Contractors Lic. #SRC••981KM



# Go Smoke-Free

## How Thirdhand Smoke Affects Your Properties

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
TOBACCO PREVENTION AND CONTROL

The dangers of smoking and exposure to secondhand smoke are well-known. Inhaling nicotine and other toxic chemicals from cigarette smoke can cause illnesses such as heart diseases, stroke and cancer.

What isn't as well-known are the effects of thirdhand smoke.

Thirdhand smoke (THS) is the chemical residue that lingers after secondhand smoke has disappeared from the air. While secondhand smoke is a combination of the smoke coming off a cigarette and the smoke exhaled by smokers, thirdhand smoke is the mixture of smoke and toxic chemicals that stick to surfaces and become embedded in household materials. These materials include carpets, walls, furniture, and all surface areas that make up your residents' homes.

Thirdhand smoke lowers the value of your properties by contaminating the carpet, furniture and walls. In fact, a news report from [realtor.com](#) revealed that smoking in a home and the resulting damage of thirdhand smoke can reduce property value by 29 percent.

Creating a smoke-free policy protects your tenants, and your investments, from the costly effects of thirdhand smoke.

Does THS pose a danger to tenants once the home has been deep cleaned?

The short answer: Yes. Thirdhand smoke can linger indoors for years. Despite deep cleaning and renovating, thirdhand smoke can be reemitted through dust and becomes embedded in carpets, furniture, fabric and building materials. Residents, including pets and children, can be exposed to this toxicity by just breathing within the same apartment that a previous smoking tenant occupied and through touching surfaces in past smokers' homes.

New research shows that thirdhand smoke carries a unique chemical compound called 1-(N-methyl-N-nitrosamino)-1-(3-pyridinyl)-4-butanal (NNA). NNA is one of the many tobacco-specific nitrosamines – a group of cancer-causing



compounds found in tobacco products. Tenants are exposed to NNA by touching surfaces polluted by thirdhand smoke or by inhaling dust contaminated with smoke residue.

The U.S. Surgeon General has concluded that there is no safe level of exposure to tobacco smoke, including thirdhand smoke. The greatest line of defense to protect your residents and your properties is to enact a smoke-free policy.

Comprehensive smoking bans are essential for protecting everyone.

Thirdhand smoke is toxic to residents and other people

entering your properties. It puts renters and their families at risk for a decision they did not choose to make. The benefits of going smoke-free not only support the health and well-being of your residents, but also support the longevity of your properties.

*Find out what steps to take to ensure you are creating a healthy place for all to live and work. For more information on smoke-free housing, visit [tobaccofreeutah.org](#). For free resources to help you quit, visit [waytoquit.org](#).*

# Lending on multifamily real estate.

For income property purchase or refinance transactions, offering you:

- Efficient application process
- Hybrid and adjustable rate programs
- Flexible loan structure and pricing
- Zero loan fee options
- Loan amounts up to \$25,000,000

Builders and developers, talk to us about construction **financing** too.

Apartments | Condominiums | Small Lot Subdivisions | Spec Homes

Maximum 75% LTC and 70% LTV • Quick, In-House Draw Processing • Loan Amounts from \$1M-\$15M • 12-30 Month Terms



### INCOME PROPERTY LENDING



**Tiana Jackson**  
Income Property  
Loan Officer  
425.739.0023  
[tjackson@lbsavings.com](mailto:tjackson@lbsavings.com)



**Seth Hallock**  
Income Property  
Loan Officer  
425.440.2099  
[shallock@lbsavings.com](mailto:shallock@lbsavings.com)

### CONSTRUCTION LENDING



**James Kim**  
Construction Loan Officer  
NMLS# 1073870  
310.606.8822  
[jkim@lbsavings.com](mailto:jkim@lbsavings.com)



**Proudly serving  
Washington multifamily  
owners, managers,  
and developers  
for 60 years.**

*Come celebrate with us  
at these upcoming WMFHA events:*

- Jockeys & Juleps
- EdCon



[afbfloors.com](https://afbfloors.com)  
(425) 255-3893  
[info@afbfloors.com](mailto:info@afbfloors.com)



Sponsored Content

# Communicate More Effectively With Tenants

Do you wish there was an easier way to communicate with tenants? Do you wish you could see a communication history instead of looking through old emails?

SimplifyEm Property Management Software makes it easier to communicate with tenants and helps you establish great relationships with them. SimplifyEm has the ability to mass print, email, text and publish notices to the tenant portal while simultaneously saving all of the communication for each tenant in their respective tenant file. The communication history is very detailed in letting you know what type of notice was sent, how it was sent and when it was sent. Templates are already pre-built in the system for rent receipts, lease renewals, rent reminders and late-rent notices, so you don't have to start from scratch. The system automatically populates the notice with the correct tenant information, so there is no need to manually edit each one. Customized letters or messages can also be sent in the event of an emergency such as a water shut off.

Tenants may not check their email every day, so SimplifyEm has a texting feature built in where you can mass-text message all of your tenants directly to their mobile phones. Tenants can respond via text message and it will automatically appear in your SimplifyEm account, where you can respond back. A full text-message history is also saved on the tenant file for future reference. Texting is a great option to contact tenants faster and easier.

Tenant portals are a great way for tenants to do many things online without having to contact a property manager directly. The SimplifyEm tenant portal provides online payments, a view of the communication history, and the ability to submit maintenance requests. The communication history in the tenant portal is the exactly the same as it appears in the property manager's account. This eliminates confusion and everyone is on the same page.

Instead of manually sending notices, SimplifyEm



can automate them. You can automate rent receipts, late-rent notices, and rent reminders, and, if you're managing for other owners, owner statements. SimplifyEm automatically emails the notices for you on the day of your choice and this allows you to focus on more important tasks in the business.

SimplifyEm solves all tenant communication issues. No more looking for old emails or wondering if the tenant received the notice or not. Know that all of your messages are seen and know that everyone is up to date regardless of the matter. Avoid the back and forth with tenants and streamline your communication with SimplifyEm.

SimplifyEm has more features to help manage your properties including tracking income and

expenses, rental advertising, tenant screening, e-sign for rental applications and leases, vendor management and more than 20 reports, including Schedule E and 1099s. SimplifyEm has free live phone, email and text-message support and free training for all customers. Call 510-790-9066 today to schedule a free demo!



— S i n c e 1 9 7 8 —

(888) 9SWEEPS  
(206) 782-0151 - Seattle  
(253) 862-1522 - Sumner  
(253) 475-0399 - Tacoma  
(253) 833-0144 - Auburn  
(253) 845-3441 - Puyallup

**VOLUME DISCOUNTING!  
WORK GUARANTEED!**

**www.thechimneyspecialists.com**

Your LEADER in Multifamily Chimney and Dryer Vent Service

Licensed  
Bonded  
Insured

WA#  
CHIMNSI041JN

BBB  
CERTIFIED  
SWEEP  
NATIONAL  
CHIMNEY  
SAFE

To advertise in Rental Housing Journal, call Vice President/Sales Terry Hokenson at 480-720-4385 or email Terry@rentalhousingjournal.com





38TH ANNUAL  
PNW PROPERTY &  
INNOVATIONS  
TRENDS CONFERENCE

**Register today!**

Purchase tickets at  
[www.trendstradeshow.com](http://www.trendstradeshow.com)

**November 29th**

**Washington State  
Convention Center**



600 SW 39th Street, Suite 220  
Renton, WA 98057  
Ph. 425-656-9077  
Fax. 425-656-9087  
admin@wmfha.org

Board President – Natasha Amira, CAPS  
Vice President – Tali Reiner  
Treasurer – Ron Burkhardt  
Secretary – Amy Curtis  
Immediate Past President – Shar Eller, CAM  
V.P. Supplier Council – Jennifer Firth



# Love Your Neighbor

In a post-pandemic world where everyone is trying to recover and regroup, it is easy to keep your eyes down and keep plugging away. Everyone in every industry is short-staffed and trying desperately to keep our businesses going and our overworked teams happy. It is NOT a time where it is easy to say “yes” to more work, extra responsibility, or additional expense. However, it is a time when our neighbors may need us more than ever.

On a hot July day, members of Washington Multi-Family Housing association did just that. We said YES! Yes, we will give a little more, donate a LOT more and say “we see you” to the neighbors in our community. In partnership with Rebuilding Together Seattle, WMFHA members, friends and families came together to make needed repairs and updates on two Seattle homeowners’ homes.

The scope of the work included more than \$30,000 in repairs, equipment, and labor. The team of more than 30 volunteers replaced flooring, painted walls, rebuilt unsafe decks and railings, replaced appliances, repaired plumbing and electrical, overhauled landscaping, pressure-washed and repaired roofs, replaced windows, and more. All of this was done so that two deserving veterans could experience the safe enjoyment of their homes.

The project was organized and led by WMFHA Director of Events Tricia Johnson and volunteer project managers James Ohrn of Avenue5 Residential and Terry Spivey of Thrive Communities, who facilitated the skilled and unskilled labor of the volunteers. More than 20 companies donated goods, services, money and labor to make these necessary repairs and updates happen.

The two very deserving homeowners were James Boyd



and Robert Stephens Jr. Mr. Boyd is a veteran who attended the United State Air Force Academy and served in the military during the Vietnam War. He also comes from a military background; his father was a veteran as well. Robert Stephens Jr. is also a veteran and enjoys looking after and cooking for his grandchildren at his home. Robert’s home has been in his family since the ‘50s, so he is especially grateful to have the necessary repairs so he can remain living there.

The Washington Multi-Family Housing Association has partnered with Rebuilding Together Seattle since 2015 and has completed nine home projects. Rebuilding Together Seattle serves low-income homeowners who are elderly, living with a disability, families with children, or veterans in need. They also serve nonprofit organizations in need of facility repairs.

WMFHA thanks the many volunteers who gave their time and talents and especially the following companies, who donated the goods and services necessary to complete the projects:

- IUP Floors
- AFB Floors



- Apartment Advantage Staffing
- Clean Exteriors
- Commercial Fire Protection
- HD Supply
- Lowe’s Pro Supply
- Malone’s Landscaping
- The Plumbing and Drain Company
- Sherwin Williams
- TAM Residential

October 22, 2022 is National Make a Difference Day. We encourage you to find something – big or small – that you can do to love your neighbor!

*WMFHA supports the rental-housing industry by providing quality educational opportunities, coordinating networking events for personal growth, and advocating for legislation equitable to our industry and the broader community. To learn more about membership, simply call us at 425-656-9077 or visit our website at [www.wmfha.org](http://www.wmfha.org). Follow us on Facebook and our other social channels for up-to-date information on association activities.*

# The go-to periodical for property management professionals and multifamily investors doing business in Seattle and Washington



Sponsored Content

# Fannie Mae to Include Rent Payments in Mortgage Approval Process

Datalinx clients have always known that reporting consistently on-time rent payments to the credit bureaus can have an incredibly positive impact on a consumer’s borrowing power. Now it seems that Fannie Mae — the nation’s leading source of mortgage financing — has also realized the power of rent-payment reporting, and it could be a game-changer for first-time homebuyers.

**INTRODUCING “POSITIVE RENT-PAYMENT HISTORY”**

In September 2021, Fannie Mae announced that it would be adding a new “positive rent-payment history” feature to its Desktop Underwriter® (DU®) software. The feature allows the program to use verification-of-asset (VOA) reports to identify and factor in recurring rent payments when assessing a borrower’s credit.

Rent payments traditionally will not appear on consumer credit reports without a third-party reporting service like Datalinx — and Fannie Mae’s new feature won’t change that. However, through



VOA reports (like bank statements), potential borrowers can prove to a mortgage lender that they have made their recurring rent payments on time and consistently. Fannie Mae’s DU software will also automatically identify rent payments in an applicant’s bank statement data, but only with the applicant’s permission.

Like the major credit bureaus’ recent addition

of buy now, pay later (BNPL) loans to their credit reporting data, Fannie Mae’s new program was created to promote a more inclusive credit evaluation.

“This is one step in a series of efforts Fannie Mae is exploring to help expand sustainable homeownership opportunities for underserved populations and support a more equitable housing finance system,” the Fannie Mae website reads.

Your renters could already be benefiting from their positive rent payment histories with your firm if you were a Datalinx data furnisher! Reach out to us today to get started.

You can contact us at (425) 780-4530 or [sales@datalinxllc.com](mailto:sales@datalinxllc.com).



# Free in-unit smart thermostats for properties built before 1986



Energy efficient upgrades that result in happy residents and added value for your multifamily property.

Get started today  
[pse.com/multifamily](https://pse.com/multifamily)  
1-866-997-9767

 **PUGET SOUND ENERGY**

A free assessment is required to determine eligibility. See website for additional details.

**WASHINGTON MULTI-FAMILY HOUSING ASSOCIATION PRESENTS**

# CHILI COOK-OFF



**A Charity Event Benefitting the Domestic Abuse Women's Network**

**SATURDAY OCT 29**  
11:30 AM - 3:00 PM

- Trick-Or-Treating
- Chili Tasting
- Charitable Donations
- Kids Zone with Food & Games



**Get your tickets at [www.wmfha.org/events/](https://www.wmfha.org/events/)**



# FTC Sues Roomster Over Fake Reviews, Listings

# RENTAL HOUSING JOURNAL

The Federal Trade Commission (FTC) and six states filed a lawsuit against rental-listing platform Roomster Corp. and its owners John Shriber and Roman Zaks for allegedly duping consumers seeking affordable housing by paying for fake reviews and then charging for access to phony listings, according to a release.

The complaint alleges that Roomster and its owners have taken tens of millions of dollars from largely low-income and student prospective renters who need reliable housing the most and can least afford to lose money.

Separately, the FTC and the states filed a proposed order against Jonathan Martinez—who allegedly sold Roomster tens of thousands of fake reviews—requiring him to pay \$100,000 and cooperate in the FTC’s case against Roomster.

“Roomster polluted the online marketplace with fake reviews and phony listings, making it even harder for people to find affordable rental housing,” said Samuel Levine, director of the FTC’s Bureau of Consumer Protection, in the release. “Along with our state partners, we aim to hold Roomster and its top executives accountable and return money to hardworking renters.”

“There is a term for lying and deceiving your customers to grow your business: Fraud. Roomster used illegal and unacceptable practices to grow its business at the expense of low-income renters and students,” said New York Attorney General Letitia James in the release. “Unlike Roomster’s unverified listings and fake reviews, their deceptive business practices will not go unchecked. I am proud to lead this effort with the FTC to protect low-income renters and students defrauded by Roomster.”

Rental listings company New York-based Roomster operates a website and mobile apps where users can pay a fee to access living arrangement listings, including rental

properties, room rentals, sublets, and roommate requests. The company claims to offer “authentic” and “verified” listings. However, in a complaint filed in federal court along with the attorneys general of New York, California, Colorado, Florida, Illinois, and Massachusetts, the FTC and its state partners allege that Roomster, along with Shriber and Zaks, used fake reviews and other misrepresentations to lure consumers to its platform and pay for access to listings that often turned out to be fake. The complaint also alleges that Martinez, doing business as AppWinn, deceptively promoted the Roomster platform by providing tens of thousands of fake four- and five-star reviews.

The complaint alleges that the deceptive tactics of Roomster, Shriber, Zaks, and Martinez violated the FTC Act and state laws. Many consumers rely on reviews when deciding whether to purchase a product or service. Fake reviews distort the marketplace and make it difficult for consumers to make informed decisions. The deceptive tactics alleged in the complaint include:

- **Posting fake positive reviews:** Roomster’s operators, with the help of Martinez, have saturated the internet with tens of thousands of four- and five-star fake reviews, which dilute negative reviews posted by real consumers, some of whom warn that many of Roomster’s listings are fake. The complaint alleges that Roomster’s operators told Martinez to take steps to make the reviews look real. For example, Shriber urged Martinez to spread out the reviews so they were “constant and random.”
- **Claiming to offer verified and authentic listings:** Roomster misrepresents that it offers millions of “verified listings” when in fact the company does not verify listings or ensure they are legitimate and authentic. For example, the FTC’s investigation found that the company immediately accepted and published a fake listing for a fictional apartment at the same

address as a U.S. Post Office commercial facility.


- **Using phony listings to attract paid users:** Roomster has advertised on internet sites like Craigslist using phony listings that drive consumers to Roomster's platform. Once on the site, consumers paid fees to obtain information necessary to secure the listings, only to discover that the listings didn't even exist. In addition, after signing up for Roomster's service, consumers complain they are often bombarded by fraudsters with more fake listings.

This action is part of the FTC's efforts to crack down on fake and deceptive reviews. Earlier this year, online retailer Fashion Nova paid \$4.2 million to settle allegations that the company blocked negative reviews of its products from being posted to its website. In 2021, the FTC put hundreds of firms on notice that they could face significant financial penalties if they use fake reviews or other deceptive endorsements to promote their products or services.

According to the complaint, Roomster and its owners were assisted by Martinez in their efforts to deceive consumers by posting fake reviews to the app stores. In addition to cooperating with the FTC in its ongoing case against Roomster, Martinez, as part of the proposed stipulated final order with the FTC and the states, is also required to:

- **Notify the app stores:** He must notify the Apple and Google app stores that Roomster paid him for posting reviews on each platform and must identify the fake reviews and approximate times they were posted;
- **Stop selling reviews:** Martinez will be permanently banned from selling or misrepresenting consumer reviews or endorsements;
- **Pay \$100,000:** Martinez must pay a total of \$100,000 to the FTC's six state partners: New York, California, Colorado, Florida, Illinois, and Massachusetts.

*To advertise in Rental Housing Journal, call Vice President/Sales Terry Hokenson at 480-720-4385 or email him at [Terry@rentalhousingjournal.com](mailto:Terry@rentalhousingjournal.com)*




**DOES YOUR  
LAUNDRY SERVICE  
PARTNER TREAT  
YOU LIKE **FAMILY?****

**WE DO.**

**We've got the laundry covered.**

Call **800-526-0955** today to get started.

[hainsworthlaundry.com](http://hainsworthlaundry.com)

 **HAINSWORTH**  
LAUNDRY COMPANY



**WASHINGTON  
LANDLORD  
ASSOCIATION**

**We have updated  
Rental Notices  
based on the  
Recent  
Changes to the  
Statewide  
Landlord - Tenant  
Laws!**

**JOIN THE OLDEST & LARGEST  
Landlord Association in Washington!**

**[www.walandlord.org](http://www.walandlord.org)**

**What WLA Offers:**

- A Limited Free Attorney Helpline
- Vetted Landlord Forms
- Monthly Educational Meetings
- Newsletters
- Strong Lobby Presence
- Tenant Screening
- Four offices to answer your landlord-related questions. *See locations below.*

*Lowest  
Membership  
Dues!*

**WLA Office Locations: Everett, Olympia, Bremerton & Tacoma**

**2302 Rucker Ave. #4, Everett, WA 98201**

**P: 425-353-6929 | [everett@walandlord.com](mailto:everett@walandlord.com)**

**123 Fir Street, Olympia, WA 98506**

**P: 360-350-0753 | [olympiaoffice@walandlord.com](mailto:olympiaoffice@walandlord.com)**

**645 4th St. #204, Bremerton, WA 98337**

**P: 360-479-1683 | [bremerton@walandlord.com](mailto:bremerton@walandlord.com)**

**4301 Pine Street, Suite 90, Tacoma, WA 98409**

**P: 253-314-5241 | [tacoma@walandlord.com](mailto:tacoma@walandlord.com)**



# Tenant Kills Constable, Property Manager During Eviction Attempt in Arizona

RENTAL HOUSING JOURNAL

A tenant shot and killed the new property manager of an apartment complex, a constable and another tenant before turning the gun on himself during an eviction in Tucson, Ariz., according to reports.

The tenant had been threatening others with a gun in the apartment complex for months, according to KGUN9.com, and the apartment complex was attempting to evict him for that reason, according to court documents filed in the eviction case.

Gavin Lee Stansell, 24, killed Angela Fox-Heath, 28, who was a new property manager at the Lind Commons Apartments; Pima County Constable Deborah Martinez-Garibay, 43, who was a 16-year Army veteran who served in Afghanistan before becoming a constable; and Elijah Miranda, 25, a tenant who lived next door. The shooting happened about 11 a.m. on August 25.

A SWAT team went into Stansell's apartment and found the wounded Martinez-Garibay, police said. She died at the scene.

Investigators don't yet know why the constable entered the apartment or whether Stansell had tried to reject the eviction notice.

They found Stansell, 24, dead from a self-inflicted gunshot wound. Tucson police said a search of the apartment also found Stansell had entered or broken into the apartment next door and fatally shot Miranda.

The Associated Press reported an eviction complaint filed on Aug. 15 by a landlord in

Pima County Consolidated Justice Court indicated that Stansell had previously threatened violence.

The complaint said he or his guest had threatened and intimidated neighbors with a gun on July 27.

Stansell failed to appear at a hearing in the eviction case, court records said.

According to the records, a judge ruled that Stansell had breached his lease agreement, writing: "The evidence shows that defendant threatened another resident with a firearm and has otherwise disturbed the peace."

Arizona Gov. Doug Ducey ordered flags at half-staff at state office buildings due to the lives lost in the Tucson shooting.

"The loss of Constable Deborah Martinez is felt across our state," Ducey said in a press release. "Whether it was serving in the U.S. Army or carrying out her duties as a constable for Pima County, she dedicated her life to helping others and her community."

The Pima County Constables Office said staff were devastated by the killing of Martinez-Garibay. She gave her life in service to the people of Arizona, the office said.

"We all know that the job of an Arizona constable comes with risk, but we go about our business with caution and professionalism and treat all with whom we come in contact with respect and dignity," the office said in a statement.



GENERAL CONTRACTOR SINCE 1968

COMMERCIAL, RESIDENTIAL, INDUSTRIAL & MUNICIPAL

Site Development • Underground Utilities

Asphalt Grinding & Removal • Grading

Petromat • Asphalt repairs • Subdivisions

Parking lots • Roadways

LAKERIDGE@LAKEPAV.COM • (253) 631-8290

CALL FOR A FREE ESTIMATE!



**The go-to periodical for property management professionals and multifamily investors doing business in Seattle and Washington**

**Call Vice President/Sales Terry Hokenson at 480-720-4385 or email Terry@rentalhousingjournal.com**



**5 REASONS TO USE RENTTEGRATION**

**1. Access** - Rentegration.com is a web based, multi-user software offering customers 24/7 access to forms generation, archives, property management data-base, basic accounting, vendor ordering and other services.

**2. Rental and Lease Forms** - Unlimited use of a full line of state specific rental and lease forms. All Rentegration.com forms are created by attorneys and/or local rental housing associations.

**3. Simplified Accounting** - Owners and managers can track income and expense for each unit, property and company. Perfect for mid and small size property managers and independent rental owners, who neither have the need or budget for larger, more expensive software.

**4. Management Database** - Rentegration.com is an easy to use, database driven software. Most form fields are auto populated from the database. The modules are all integrated and work together. For example, a customer can use the rent-roll function to identify all delinquencies, apply fees, and create eviction forms with a few simple clicks of the mouse.

**5. Value** - Large property management companies that use Rentegration.com for only forms generation will save time and money over other methods. Mid and small size property managers and independent rental owners can manage their entire business at a fraction of the cost of other software and forms.

Exclusive Industry Partner of



**State specific rental and lease forms available in:**  
AK, AZ, CA, CO, DC, DE, FL, GA, IL, IN, KS, KY, MA, NC, NJ, NV, NY, OH, OR, PA, TX, UT, VA, WA & WV.

**rentegration.com 503.933.6437 sales@rentegration.com**



# Landlords: Does Your ‘No Smoking’ Policy Stink?

By SCOT AUBREY

“What’s that smell?” might be one of the worst questions a potential tenant can ask you as a landlord.

In my experience, the showing of a property almost always goes downhill from there. Odors play a major role in our lives, with many of our most important memories tied to a specific smell, whether good or bad. Who doesn’t love the smell of bacon, fresh baked bread (my mouth just started watering) or a campfire? Those smells instantly transport us to a time or place; that’s the power they have over us. Knowing how powerful odors are should cause landlords to take a deep breath, preferably through the nose, and examine what their policy is regarding smells and obnoxious odors on their properties.

If you are like many landlords, this is probably something you have either overlooked or inadequately addressed with your current and future tenants.

While most of us are familiar with no-smoking policies for our properties, with the invention of new types of inhalants and other innovations, it is time to take a deeper look at the three major things to consider as you develop a policy around scents and odors in and on your property.

## 1. CREATE A RENTAL CRITERIA

If you don’t already have one, now is the perfect time to start creating a criteria regarding scents and obnoxious odors.

You likely have a rule about smoking in the property, but how about even *on* the property?

If you’ve ever been in a public place that allows smoking, you are already familiar with how far and powerfully the smell associated with smoking can travel. Does your criteria include a no-vaping in or on the property component? How about smoking of marijuana? Although you would expect that a no-smoking policy would cover all types of smoking, you are better off being very thorough and including specifics such as cigarettes, cigars, pipes, vaping and smoking or manufacturing of legal or illegal drugs.



Don’t stop there though, as other odor-causing items such as spices, incense, sprays and even candles can cause long-term damage to a property. The more specific you are in your criteria, the better protected your property will be.

## 2. ADVERTISE YOUR CRITERIA

Now that you have taken the time to develop a criteria, put it to work.

In your property advertisements, point out that the property has specific rules regarding scents and obnoxious odors.

Then again at the time of showing, reemphasize to your potential tenant that you have specific rules for your property and go over them in detail.

Lastly, always have a clause in your lease that addresses your rules. Failure to do so can result in the property being damaged by your tenant, creating excessive expenses for you

when you have to turn the property. At a minimum you have to repaint, tear out the carpet and pad, clean out ductwork and perform a deep cleaning on all hard surfaces. Eliminate the “I didn’t know” excuse by being specific and thorough in explaining and adhering to your property specific rules.

## 3. KNOW YOUR NEIGHBORS

As mentioned before, obnoxious odors travel well, including into your rental property’s neighbors’ homes and yards.

We always recommend knowing the neighbors of your investment properties as they can serve as an extra set of eyes, ears, and in this case a nose, since they are in daily contact with your property.

No one wants the peaceful enjoyment of their property to be destroyed by the offensive odors of a neighbor. Share your contact information with the adjoining neighbors and enlist them in your efforts to maintain the value of your property. At the least they will appreciate having someone to turn to if they see/hear/smell anything and at most they serve as a first line of defense if something that may affect the value of your property is taking place.

Rent Perfect has recently created a “Scent and Obnoxious Smells Clause” that can and should be added to your property lease. This is available at no charge to you; just request it from [info@rentperfect.com](mailto:info@rentperfect.com) and we are happy to share.

By creating a rental criteria that addresses odors, advertising and emphasizing it to applicants, and engaging with the neighbors, you are taking the first critical steps to preventing damage to your property and protecting your investment. That way the next time someone enters your property and asks, “What’s that smell?” it’s for the right reasons. Smells like success to me.

*Scot Aubrey is vice-president of Rent Perfect, a private investigator, and a fellow landlord who manages short-term rentals. Subscribe to the weekly Rent Perfect podcast (available on YouTube, Spotify, and Apple) to stay up to date on the latest industry news and for expert tips on how to manage your properties.*

# Rents Rising Across the Largest Cities of Seattle Metro

*Continued from Page 1*

Seattle, but across the entire metro.

Of the largest 10 cities for which Apartment List has data in the Seattle metro, all have seen prices rise.

## METRO OVERVIEW

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

- Redmond has the most expensive rents in the Seattle metro, with a two-bedroom median of \$2,505; the city has also seen rent growth of 15.0 percent over the

past year, the fastest in the metro.

- Over the past month, Bellevue has seen the biggest rent drop in the metro, with a decline of 1.1 percent. Median two-bedrooms there cost \$2,420, while one-bedrooms go for \$2,168.
- Lakewood has the least expensive rents in the Seattle metro, with a two-bedroom median of \$1,459; rents increased 0.6 percent over the past month and 3.9 percent over the past year.

*Apartment List estimates the median rent of new leases signed in a given market and month. To capture how rents change over time, they estimate the*

*expected price change a rental unit should experience if it were to be leased today, using the Census Bureau’s American Community Survey. The data is extrapolated forward using a growth rate calculated from listing data and filtered to capture the prices at which units rent. Growth rates are calculated using a same-unit analysis similar to Case-Shiller’s approach, comparing only units for which they observe transactions in multiple time periods, to provide an accurate picture of rent growth that controls for changes in the available inventory.*

# Dryer Vent Solutions

Specializing in Condominiums and Multi-Unit Apartments

- Repairs
- Problem vents
- Bird nests
- Bird guards



425-398-5001 DRYERVENTCLEANING.COM

## THE DRYER VENT CLEANING EXPERTS

The go-to periodical for property management professionals and multifamily investors doing business in Seattle and Washington





Sponsored Content

# Gas Leak? Here's What To Do

By Phil Schaller

A gas leak at your property is an emergency that requires immediate attention and action. This article will focus on what you or your tenants should do when a gas leak is suspected.

Fortunately, it's pretty easy to know if there's a gas leak at the property. Gas companies inject a non-toxic odorant called mercaptan into the gas. This provides a rotten-egg or sulfur smell to alert the resident that there's a leak.

If you or your tenants smell gas, leave the property immediately. When you can no longer smell gas, you should be safe; if you smell it outdoors, leave that area as well. Keep your distance from the property until the issue has been resolved.

As you exit the property, leave the doors open if possible. This won't stop the leak but it'll allow some gas to escape and reduce the risk and potential damage to the property.

After you or the tenants are a safe distance away from the property and don't smell any gas, call the fire department (911) and the gas company. They'll be able to assist with shutting off the gas to the property.

Do not under any circumstances create a spark if you smell gas. Here are a few household items that can create a spark:

- A telephone, or any mobile device that has a battery



- Matches, a lighter, or another source of ignition
- Electrical switches, including lights
- Appliances
- Car ignitions/spark plugs
- Flashlights
- Garage door

Once the gas has been shut off, it's time to call in a pro to assess and repair the piping or appliance that caused the leak. Leaks are most likely caused by faulty appliances or because someone hits and/or ruptures a gas line. A RentalRiff property specialist can help with this, as can many HVAC companies.

Here is a checklist you can provide tenants on what to do if they smell gas (often we'll print cards with these instructions for our customers/tenants to put on the refrigerator):

- If you smell rotten eggs or sulfur leave the property immediately.
- Leave doors open as you exit the property.
- Once you're a safe distance away, call the fire department (911) and the gas company – they'll be able to shut off the gas.
- Call in a pro (either your RentalRiff property specialist or an HVAC company) to assess your gas pipes and make the necessary repairs.

We hope this quick guide is helpful and provides a baseline for what to do if there's a gas leak. Any questions on this topic please feel free to reach out any time - your local gas company will also be a great resource.

Happy landlording!



*RentalRiff is an alternative service to traditional property management that provides ongoing oversight and upkeep of rental properties, while serving as the main point of contact for tenants. Maintenance and repair costs are included and property specialists are licensed/insured. For more information, visit [www.RentalRiff.com](http://www.RentalRiff.com) or contact the company at 541-600-3200.*



## Haight Carpet & Interiors



# SHOP-AT-HOME

# 425-485-1354



## On-call Maintenance and Tenant Support

Maintenance • Repairs • Improvements • Main Point of Contact • Turnovers • Showings • Tenant Support



## RentalRiff

[www.rentalriff.com](http://www.rentalriff.com)  
(541) 600-3200





# Need Staffing?

Don't take chances with staffing! Our temps are tested, trained, experienced, and fully insured!



Apartment  
Advantage®



Hiring, Training, and Placing the Property Management Leaders of Tomorrow

Daily • Weekly • Monthly • Permanent

**Temporary On-Site Staff**

Managers • Leasing Agents • Maintenance • Grounds Keepers

Greater  
Seattle-Tacoma Area  
**(425) 456-3663**

Greater  
Portland-Vancouver Area  
**(503) 644-8233**



[www.apartmentadvantage.net](http://www.apartmentadvantage.net)