

How to Avoid Housing
Discrimination Based on Age

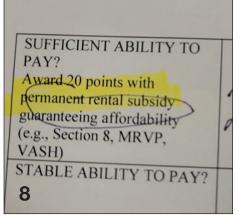
How to Avoid Housing Discrimination Based on Family Status The Bellus Lawsuits: Denying Leases for the Wrong Reasons Can Send Landlords to Court

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- REGIONAL













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LETTER FROM THE EXECUTIVE DIRECTOR

Goals for 2022

In December, we conducted our annual elections for director, filed a petition against the Department of Housing and Community Development (DHCD) and set our goals for 2022.



Our warmest appreciation is owed to Allyson Gray, Sanjeev

Reejhsinghani and Patrick Sullivan, who were all public-spirited enough to stand for election on our statewide Board of Directors. The winner of this election was Patrick Sullivan, with a total of 696 votes and average score of "4 - Support" out of five. Patrick will be signed in as one of our five directors.

Remember that MassLandlords democratic governance takes place every day as members vote in our ongoing Policy Priorities Survey.

It is clear from this survey and from speaking with members that we have policy work to do. The theme of 2022 may turn out to be "follow the money." For example, the <u>security deposit law</u> has been called by one judge "one of the most poorly drafted statutes in the commonwealth." It has remained this way for decades, likely in part because litigation remains profitable (think triple damages plus attorney's fees) for renter advocates.

The question of what pays for whom looms large as we petition the attorney general for compliance with the security deposit law, as the Covid Eviction Legal Help Project quietly winds down (despite our request to the Massachusetts Legal Assistance Corporation for records), and as the state continues to reject over a third of applications for rental assistance.

On this last point, we have now escalated our inquiries. Since the summer, we have asked several times in several ways to see DHCD's processes for affirmatively furthering fair housing, dealing with timeouts and holding the regionals accountable as agencies. We were denied each time. We have filed a petition in Suffolk Superior Court to examine where rental assistance is being awarded or withheld.

We cannot predict what 2022 will bring. But we can set a couple of goals.

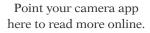
First, we will aim to double our economic value to landlords in Massachusetts. We will develop MassLandlords.net so that business members under the "price per unit" dues schedule can grant their entire team access to benefits. And we will advertise the Certified Massachusetts Landlord™ to renters.

Second, we will aim to assert ourselves as a housing watchdog. We are getting very good at public records requests. I will remind you of an oldie but a goodie: In 2017 we wrote <u>Public Records Reveal [Boston Mayor Marty] Walsh Lied about Jim Brooks Act</u>. Our goal is to realign at least one public resource (e.g.,

rental assistance) toward greater transparency.

So that's where we're headed, Covid willing. Remember we offer an impressive array of services showcased on our new join page. Thank you for supporting our mission to create better rental housing.

Stay safe, **Douglas Quattrochi** Executive Director, MassLandlords, Inc.





The Bellus Lawsuits: Denying Leases for the Wrong Reasons Can Send Landlords to Court

By Kimberly Rau, MassLandlords

A spate of discrimination lawsuits from Bellus Real Estate indicates landlord actions are under the microscope when screening tenants.

Bellus Real Estate is bringing landlords throughout the state to court, alleging that certain housing providers are unlawfully denying tenancies to addicts in recovery.

Earlier this year, attorney Rich Herbert alerted MassLandlords to civil suits filed by Bellus, at least one of them against one of his clients. The complaint we were provided included emails between a prospective tenant and a landlord who seemed disinclined to allow a rooming house situation on his property. Neither Bellus nor Herbert returned our requests to speak further on the issue.

Regardless, this situation shows how landlords must be cautious when vetting clients, even when you may be within your rights to deny a tenancy. Here's what we know about the situation.

THE COMPLAINT

In 2020, emails went out to housing providers who had units available for



A street view of the physical address of Bellus Real Estate, per their website. Bellus initiated multiple discrimination lawsuits over the course of 2020 and 2021 for unknown reasons. Image Source: Zillow

rent, asking them to consider renting to a group of individuals who would use the rental as sober housing. When landlords either declined to continue the tenant screening process, or did not respond to the email, Bellus brought lawsuits against them on the grounds of discrimination, according to attorneys familiar with the cases.

The first emails we saw featured either a young professional or a caseworker reaching out to a landlord to ask about housing they saw advertised on Craigslist. In most of the emails, there was also a reference to some sort of "program," implying this tenancy might be less straightforward than other rental situations.

"Specifically, the home would be occupied by a group of former drug addicts who would live in the home full-time while they work on their recovery from addiction (typically involving intensive outpatient treatment programs, or IOPS as they are called). Accommodating these handicapped residents would not require any modifications to the property. They would simply live as if they were a family related to one another," the email read. "How can we move forward?"

One email was signed "Alex." Another, with nearly identical verbiage, was signed, "Tony."

Both emails went to the same landlord about different properties.

The landlord received Alex's email in March 2020, and initially responded favorably. He stated that for the property in question, he would likely cap the lease at four occupants, and that each adult would need to be on

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the lease. The landlord asked the name of the program and information on the tenants to begin conducting standard background checks for tenant screening. He received the paragraph above in response. The landlord again asked for background information. When he did not receive it, said he could not move forward without it and wished Alex luck.

In April, the same landlord received an email from "Tony S.," who claimed to be someone working in human services who was moving to the area for a "professional opportunity." Tony asked for more information about the property, which the landlord provided. However, when the landlord received a paragraph nearly identical to the one quoted above, he responded with "that is not something I am interested in, thank you."

These emails were attached in one of the complaints in a resultant lawsuit.

WHO IS BELLUS, AND WHY DO THEY CARE?

Bellus Real Estate is a Worcester-based development company owned by Hunter Foote. (In the interest of full disclosure, David Foote, Hunter's father, is the past president of MassLandlords' affiliate group, the <u>Southern Worcester</u> <u>County Landlord Association</u>. Otherwise MassLandlords has no connection with Bellus or Hunter Foote.)

Foote also owns <u>Vanderburgh House</u>, a company that states its mission is to "build sober living communities where our residents are supported in their recovery journeys." And while the suit is not being brought on behalf of Vanderburgh, the initial email to the landlord makes it sound as though the potential tenant is looking to set up a housing model similar to what Vanderburgh does.

In fact-checking this story, we learned that Bellus has had at least three attorneys through the duration of these cases, some of which are still open, others of which are closed.

CASES DISMISSED, SETTLED

By conducting a public records search of court cases, we found that in 2020 and 2021 Bellus filed six cases as the plaintiff in various housing courts across the state, specifically the Eastern Housing Court (four cases) and the Northeastern and Western housing courts (one case each). Attorneys familiar with the case informed us that they were based on housing discrimination claims.

Of those six, three were voluntarily dismissed and one was dismissed by "court order." A fifth has had a motion for dismissal filed as of publication. One of the attorneys who had previously worked on the case said that some of the Bellus cases had been voluntarily dismissed by the plaintiffs because the landlords did not have many assets or the cases were instances in which the landlord simply had not replied to the email listing the specifics of the arrangement. Other cases had been settled. We were not able to obtain more specifics than that.

At least two of the defendants were pro se, that is, they represented themselves in court.

QUESTIONS REMAIN

Here at MassLandlords, we are left with many questions. We had a Zoom interview set up with the executive director of Vanderburgh and Bellus, Hunter Foote, for 10 a.m. on a Saturday. Though he had agreed to the meeting, he ultimately did not attend. Follow-up emails to reschedule went unanswered.

We were also not able to get a response from Atty. Herbert, who had initially brought the lawsuits to our attention.

Without people willing to speak on record, the reasons why Bellus might be interested in filing these lawsuits remain unknown. To suggest any motive in particular would be speculation. We know that Bellus and Vanderburgh have a connection. However, in looking at its "<u>Become an Operator</u>" page, Vanderburgh seems to prefer that people who own homes become operators, rather than encouraging subletting or long-term rental situations. This is somewhat different from the situation described in the emails.

WHAT YOU SHOULD DO IN A SIMILAR SITUATION

Landlords should remember that Massachusetts has very strict anti-discrimination laws for housing that are more encompassing than current federal protections. This includes protections for those recovering from drug addiction.

However, setups like Vanderburgh housing may be short-term. Vanderburgh participants are renting a room on a weekly or monthly basis. Though the emails MassLandlords saw did not specifically mention Vanderburgh, it's not a leap to assume that there could be a connection.

As a landlord, you do not have to allow subletting (and your municipality may consider sober housing a type of rooming house, so you may need to meet special parameters to operate as such). You are under no obligation to do so, but you must tread carefully.

If you were to receive an email like the ones the defendants received, do not ignore it. This is grounds for a discrimination suit (though we learned that cases where the defendants simply did not reply ended up being voluntarily dismissed by Bellus). Instead, ask for more information. If the situation sounds like a subletting or rooming house situation, your best bet is to state your lease requirements (such as, "anyone living in the house or renting a room must have their name on the lease; we do not allow subletting").

If the response is, "Great! We have four men who want to live as roommates and are happy to sign a one-year lease," then proceed with the application process to ensure they are qualified tenants (and remember, the fact that they are in recovery is something you may not and should not judge them for).

If the reply details something like the Vanderburgh model, fall back on your lease requirements if you do not or cannot operate your rental to those specifications.

And as always, consult with your attorney if you have any questions.

CONCLUSION

This is not an article against Bellus, or the landlords who found themselves in court over some inquiry emails. Bellus had every right to bring lawsuits against landlords who refused to rent to people in recovery. However, it's not clear that that's why the landlords were refusing. Some just didn't answer the email outlining the living arrangements. The responding email we saw from one landlord simply said he wasn't interested, and didn't specify why. Perhaps he wasn't interesting in a subletting situation.

Whatever the reason, it's important that you operate within the bounds of the law and provide equal housing opportunities to everyone. That does not mean you need to change how you operate your rentals, but be explicitly clear that that's why you are uninterested in continuing the rental process.

This is a cautionary tale. Even a dismissed lawsuit can be costly. Rather than hiring an attorney to play defense, make sure your offense (that is, your rental practices) are above-board and on the right side of the law.

The protected housing classes in Massachusetts are <u>race</u>, color, <u>national</u> <u>origin</u>, religion, <u>gender</u>, <u>gender</u> identity, <u>sexual orientation</u>, disability, ancestry, <u>genetic information</u>, marital status, <u>veteran/active military status</u>, age, <u>familial status</u> and <u>source of income</u>. The links in that list will take you to our articles on discrimination (and will be updated as we have more content). It's worth a read to make sure you don't wind up accidentally caught in a lawsuit.

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How to Properly Consider Applicants with Permanent Rental Assistance Using an Applicant Qualifier

By Eric Weld, MassLandlords, Inc.

How to screen applicants receiving Section 8, MRVP or other rental assistance carefully and thoroughly for your best interest.

The Massachusetts law is clear: it is illegal to refuse to rent to an applicant because they receive rental subsidies through state or federal government permanent housing assistance programs. Participants in programs known as Section 8, MRVP, AHVP or HUD-VASH are protected from any discrimination based on their receiving rental assistance.

If you are asked by an applicant, "Do you accept (Section 8, MRVP, AHVP, HUD-VASH)?" There is only one correct answer: "Yes, I do."

But what does this mean in practice? Are you required to approve tenancies because they participate in rental assistance programs? (No.) Do you have to alter your screening process specifically for such applicants? (Again, no.)

We include a detailed description of each of these rental assistance programs at the end of this article.

A DIFFERENCE BETWEEN PERMANENT AND TEMPORARY RENTAL ASSISTANCE PROGRAMS

For the purpose of this article, we are referring to permanent housing assistance or subsidy programs, as distinct from temporary or short-term rental assistance, such as HomeBASE, <u>RAFT</u>, ERMA, ERAP and others.

There is a clear distinction between these temporary programs and permanent assistance programs, and requirements differ as well. We will specify these distinctions when pertinent.

WHAT DOES 'YES' MEAN?

To be clear, answering "yes" when asked if you accept Section 8 and other permanent rental assistance programs does not commit you to accepting that particular applicant at that time. It only verifies that you do not turn away applicants because of their participation in such a rental subsidy program. That is the law.

But landlords are certainly free to reject applicants who do not qualify for other reasons, such as inability to pay a security deposit, a criminal or sex offense record, eviction history, smoking or owning a disallowed pet. Read an overview on <u>avoiding discrimination</u> based on public assistance.

How does this legal protection bear on the screening process? And how can you most effectively screen applicants receiving rent subsidies while steering far clear of any discrimination snags?

EXTRA POINTS FOR RECEIVING RENTAL ASSISTANCE

MassLandlords provides an <u>applicant</u> <u>qualifier form</u>, included with membership, that applies a point scoring system for screening prospective tenants. This form removes the guesswork from the screening process by providing a by-the-numbers approach to applicant approval or rejection.

Our applicant qualifier is suitable for and takes into account applicants who receive permanent rental subsidies. In fact, given the government-backed dependability of these assistance programs, our system awards 20 points to any applicant receiving Section 8, MRVP, AHVP or HUD-VASH.

These programs guarantee that your tenant will receive a government payment covering the majority of their rent. Section 8 and MRVP recipients pay between 30% and 40% of their income toward rent, with subsidies covering the remainder. AHVP recipients pay 25% to 30% of their income toward rent and receive a subsidy for the remaining rent. For HUD-VASH participants, 30% of their income goes to rent; the remaining amount is covered by the program.

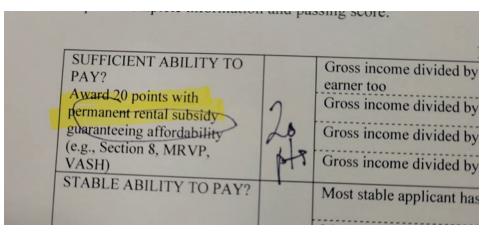
POINTS AWARDED, POINTS SUBTRACTED

Aside from an applicant's ability to pay rent, you should apply the remaining sections of the MassLandlords applicant qualifier, or other screening systems, to those receiving rental assistance the same as you do with other applicants.

For example, a tenant who receives a permanent rent subsidy (+20 points) but who habitually paid their share of rent a week or more late in the past will get docked 10 points based on that history. Someone participating in MRVP (+20 points) but whose current landlord says they would not rent to them again gets 20 points subtracted from their score, offsetting the gain from their rental subsidy.

If you have an applicant receiving Section 8, but who claimed bankruptcy in the past two years, they would lose 15 points off their score to compensate for the risk posed by their financial history.

To qualify as a renter, your applicant needs a score of 90 total points, or 80 points with a cosigner. An applicant



Recipients of permanent rental subsides, such as Section 8, MRVP, AHVP or HUD-VASH, should be awarded a full 20 points for "ability to pay" on the applicant qualifier. Image: CC BY-SA 4.0

who does not reach a score of at least 80 points should be either rejected or counseled on ways to raise their score.

AUTOMATIC DISQUALIFICATIONS

We also recommend several automatic applicant disqualifiers. Giving false information on the application automatically disqualifies a rental candidate in our screening process. Also disqualifying: if they fail to sign necessary paperwork, or have been evicted in the past two years for cause or nonpayment.

A past conviction record for violent crimes or sex offenses (levels 2 or 3) could be grounds for disqualification.

Other disqualifiers include past convictions for manufacturing and/or distributing illegal drugs. Be careful around this issue, however. You are within your legal rights to refuse to rent to a prospect with a past conviction for the illegal manufacture and distribution of a controlled substance. But a conviction for possession of drugs is a gray area and may not be a sound legal reason for disqualifying an applicant, especially if it was determined to be only for personal use.

Also, importantly, be certain to apply this qualifier/disqualifier to all applicants equally, without regard for national origin, race or other protected classes. And if you do disqualify someone based on criminal record, be sure it's specifically for the manufacture or distribution of a controlled substance. A criminal record in general, for other offenses (such as a level 1 sex offense, for example), may not be considered a nondiscriminatory reason for disqualification, depending on the crimes.

WHAT NOT TO SAY TO YOUR APPLICANTS

When communicating with an applicant in a rental subsidy program, take care to be very clear on your reasons for approving or denying their application.

Whether approving or denying, there is no reason to mention their rental assistance at all, so you're better off steering clear of the subject. "That Section 8 seems like a good deal," or "How long have you been receiving MRVP assistance?" are both examples of very risky commentary. Even asking a HUD-VASH recipient anything seemingly innocuous about their military service is best avoided. Too many off-hand comments can be misinterpreted in ways that could land you in court.

And discrimination lawsuits can be very costly.

In 2020, several real estate agents in Boston's South Shore <u>agreed to pay</u> up to \$110,000 and go through fair housing training just in order to settle allegations of discrimination against prospective tenants based on their Section 8 assistance.

Or consider the well-documented case of Linder v. Boston Fair Housing Commission, in which Paul Linder, a Boston rental agent, <u>was originally fined</u> more than \$60,000, including court costs, for asking a prospective tenant, Gladys Stokel, "Gladys, where are you from?" (She answered, "Venezuela."). Stokel and her husband were denied a rental based on Gladys Stokel's lack of a credit record. Linder was charged even though it was determined by the BFHC that their application denial had nothing to do with Linder's question, but rather was legitimately based on the lack of a credit record.

A FEW APPLICANT QUALIFIER 'DON'TS'

There are benefits to renting to Section 8 and other permanent rental subsidy program participants, foremost the stability of a government payment for the bulk of the rent. However, landlords should be aware that the initial lease up can take some time, even up to two months. Regional Administering Agencies (RAAs), which coordinate local rental assistance programs, are often busy and sometimes backed up. They may take a few days to respond to queries and to finalize paperwork. Whenever possible, build in extra time to lease up with rental assistance tenants to allow for bureaucratic lag.

Meanwhile, here are a few "don'ts" to keep in mind when using the MassLandlords applicant qualifier:

DON'T APPLY AN INCOME-TO-RENT RATIO

Rental subsidy recipients are participating in assistance programs because their income is significantly below AMI, so their income will not be close to the standard 3:1 or 4:1 income-to-rent ratio. Instead, landlords receive a guaranteed government payment for the amount of rent not paid by the tenant. Therefore, the income-to-rent ratio qualification is inapplicable and should not be used for applicants receiving permanent rent vouchers.

Note this does not apply for recipients of <u>temporary rental assistance</u> such as RAFT, ERAP, ERMA and HomeBASE. In those cases, income-to-rent ratios may be applied, and you should consider applicants' income when their assistance payments expire. Do you own highly appreciated investment real estate? Tired of being a landlord but worried about taxes if you sell? If so, visit our site below to learn more about Tax-Advantaged Solutions

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DON'T DOCK POINTS FOR INCOME IN GENERAL; AWARD FULL POINTS

Given the stability of permanent rental assistance payments, you should award full points to participants in these programs for the qualifier that measures ability to pay once you have verified their program voucher. Participants in permanent rental assistance will not pay more than one-third of their income toward rent.

Again, in the case of <u>temporary</u> rental assistance, awarding full points is NOT required.

DON'T REFUSE RENTAL ASSISTANCE APPLICANTS BASED ON THEIR UNWILLINGNESS TO ACCEPT YOUR LEASE DURATION

Some RAAs require rental subsidy recipients to procure agreements with a minimum lease duration, such as two years. This requirement is due to the disproportionate amount of bureaucratic administrative labor it takes to get a rental assistance participant squared away in a dwelling.

Applicants who are receiving this aid will be required to accept the RAA terms, so you should not refuse their application because they are unable to accept a different lease duration from the RAA requirement.

For this reason, our applicant qualifier does not include unwillingness to accept rental agreement terms as a disqualifier for rental assistance program participants.

Further, recipients of temporary rental assistance may also be subject to required lease terms, especially if you are reinstating their tenancy. Read an article detailing <u>how to screen tenants with</u> temporary income sources.

DON'T DECLINE INSPECTIONS OR SAY, "THIS APARTMENT IS NOT APPROVED FOR SECTION 8"

If a tenant receiving rental assistance qualifies to rent from you and you approve their tenancy, you are required to allow an inspection by an RAA agent. These inspections are not optional. If your unit fails the inspection, you must make repairs and undergo a follow-up inspection. There is no other approval process.

DON'T DECLINE TO WORK WITH A SPECIFIC ADMINISTRATOR

Once you've approved a participating Section 8 tenant, they will contact their RAA and a case worker will be assigned for the completion of paperwork and a required inspection of your rental unit. You will be working with this case worker, too, especially at the beginning of a tenancy.

Getting to know the case worker is in your best interest. Having a contact and knowing whom to call when issues arise with a rental subsidy tenant can be invaluable and may save hours of phone time, not to mention headaches.

DO KEEP RECORDS ON FILE

You are perfectly within your rights to inform an applicant why you have rejected their application, and you should. But there is no need to discuss their rental assistance program. You should also make a copy of the applicant qualifier for them to demonstrate that you awarded points for rental assistance, even though they did not qualify for other reasons.

Be absolutely certain to keep the completed applicant qualifier on file in case of any potential court litigation. If you use digital records, keep it indefinitely. If you use paper, keep it on file for at least three years, the statute of limitations period for discrimination lawsuits.

LEGALLY NOT ALLOWED

Of course, it is up to you and your judgment as to whom you decide to contract with as renters. If smoking, having a waterbed or pets are allowed in your rental, then you may ignore those automatic disqualifications on the qualifier.

You, as owner or manager, are free to decide which positive and negative points to award and penalize for your applicants as long as you don't discriminate against a protected class.

That means that treating an applicant differently because of their participation in a rental subsidy program like Section 8, MRVP, AHVP or HUD-VASH is a legal breach, and could result in a substantial fine, or worse.

RENTAL SUBSIDY PROGRAMS

Below we describe the federal and state rental subsidy programs in Massachusetts. Some cities may offer local rental assistance programs specifically for their residents.

SECTION 8, AKA HCVP

Section 8, also known as the Housing Choice Voucher (HCV) program, is named after the section of the federal Housing Act of 1937 that authorized government rental payments to private landlords on behalf of low-income renters. Section 8 participants receive a permanent subsidy (unless their income increases over the eligibility threshold or they violate program rules), paid directly to landlords. Program vouchers typically cover between 60% and 70% of participants' fair market value rent. Most Section 8 participants earn income equal to or less than 30% of area median income.

Section 8 participants are free to seek and procure their own residences, without any requirements except that the rental be priced at or below fair market value, determined and published by the Department of Housing and Urban Development (HUD). Nationally, this HUD program serves more than 2.2 million families.

Landlords who accept a Section 8 applicant must agree to abide by program requirements, including allowing an inspection by program officials to make sure the unit meets sanitary code requirements.

Section 8 does not pay participants' security deposits. If an applicant cannot procure funds to pay the security deposit, a landlord has grounds for declining their application.

Read this <u>MassLandlords article</u> for a dive into the details of Section 8.

MRVP AND AVHP

The <u>Massachusetts Rental Voucher</u> <u>Program (MRVP)</u> operates largely like Section 8 except program funding is administered by the state government, Department of Housing and Community Development (DHCD). Like Section 8, MRVP provides a tenant-based rent supplement, known as a mobile voucher, to landlords on behalf of low-income renters. MRVP also issues project-based vouchers for specific housing developments and units.

MRVP participants are free to apply for tenancy at any rental unit as long as it meets state sanitary code requirements.

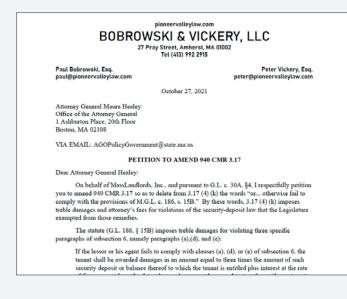
In response to the COVID-19 pandemic, the DHCD <u>waived some regulations</u> for MRVP compliance. Proof of a rental unit inspection was one of the waived regulations still in effect as of November 2021. Though proof of successful inspection is waived temporarily, any MRVP housing unit is still legally required to be in compliance with the state building and sanitary codes.

<u>AHVP</u>, the Alternative Housing Voucher Program, is similar to MRVP except it is specifically for people under age 60 who qualify to live in elderly and/or disabled state-assisted public housing. Participants in AHVP typically pay between 25% and 30% of their income toward rent, the remainder covered by program vouchers.

HUD-VASH

The Veterans Affairs Supportive Housing (VASH) program is a collaboration between federal government agencies HUD and the Veterans Administration (VA). HUD-VASH combines housing vouchers from HUD with supportive services from the VA to help find and procure permanent housing for homeless veterans and their families. Point your camera app here to read more online.





ARTICLE YOU MAY HAVE MISSED

MassLandlords to Attorney General: Amend Landlord-Tenant Security Deposit Regulations Verbiage

In October 2021, MassLandlords sent a formal petition to Attorney General Maura Healey, asking for an amendment to the verbiage in 940 CMR 3.17, the state's general regulations for landlord-tenant relationships.

The full article can be found at: MassLandlords.net/blog



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Incentive offers vary by service territory. These programs are funded by the energy-efficiency charge on all customers' gas and electric bills, in New York and Massachusetts per state regulatory guidance and in accordance with Rhode Island law.



How to Avoid Housing Discrimination Based on Age

By Kimberly Rau, MassLandlords

Discriminating against renters because landlords feel they are too young or too old can put housing providers in violation of the Fair Housing Act.

When you think of age-based housing discrimination, you may think of a housing provider who doesn't want kids in the building, or a landlord who hesitates to rent to the elderly. And while both of those examples would be violations of the Fair Housing Act ("family status" is a protected class on its own), there are other things you need to be aware of that also fall under the umbrella of age discrimination.

EXAMINE YOUR STEREOTYPES SURROUNDING AGE

"College students are too rowdy." "Older people are just going to retire and move to Florida."

"Are you sure you're able to handle a third-floor walk-up?"

The first two examples in that list are long-overused generalizations about two ends of the age spectrum: the young (often first-time renters and/ or students) and the elderly. But like all stereotypes, they are opinions, not facts. A college-age tenant may throw loud parties, but they're just as likely to be so immersed in studying that they barely have time for a social life. The reality is probably somewhere in the middle for most students. And if an elderly person is looking to move someplace far away, they probably aren't planning to do so in the immediate future if they're apartment hunting.

But what about that third example? Isn't it common courtesy to ask someone if they're going to be able to handle living in your rental? Maybe there's a steep driveway or a lot of stairs. Perhaps the garage door sticks sometimes and requires physical strength to close.

It's up to the tenant to decide if they can handle those challenges, and it may insult them if you question their abilities. There are 70-year-olds in better shape than some 30-year-olds. Let them see the place and opt to move forward as they see fit (meanwhile, fix your garage door).

You also shouldn't make assumptions about families with children ("kids always wreck the place"), or fall back on negative



This version of a popular optical illusion, titled "My Wife, My Mother-in-Law" was first published in 1915. Do you see a young lady, or an old woman? Regardless, if she applied for your rental and was otherwise qualified, your feelings about her age would be irrelevant...and denying her tenancy based on that would be age discrimination. License: CC by SA 4.0 MassLandlords (optical illusion art: public domain)

age-related stereotypes ("I prefer to rent to young professionals because retirees complain a lot more").

WATCH YOUR WORDING IN RENTAL HOUSING ADS

Maybe your studio apartment is in a hip metro area or near a college. Perhaps it's located outside the city, in a quiet suburb, or near a retirement community. Those are areas that may attract different age demographics (then again, they may not). Either way, be careful how you advertise your vacant units.

"Ideal for young professionals" may be off-putting to the older executive who wants to shorten her commute by living closer to the city center. For the suburban property, something like "older, mature tenants preferred" is blatant discrimination, but it also immediately discounts the possibility that a young family, couple or work-from-home individual may be interested in living outside the metro area.

Discriminatory wording in housing ads is illegal, but it also pigeonholes your property and tells large groups of people not to bother applying (even if that young couple knows that legally they have every right to apply for your property an hour outside Boston, if they think you're going to be a difficult landlord because they don't fit your age preferences, they may look elsewhere). Why would you want to miss out on the opportunity to get the best tenants possible because of misguided stereotypes?

KEEP SECURITY DEPOSITS EQUAL ACROSS THE BOARD REGARDLESS OF AGE

You cannot charge a higher security deposit for younger tenants under the

assumption that they will damage the property more. You also can't charge a higher security deposit because you're worried your tenant's grandchildren will wreck the place, or because you're concerned the tenant will die in the unit.

The opposite also holds true: if you waive the security deposit for the nice, older couple, but don't waive it for anyone else, you could end up in trouble (and defending a discrimination lawsuit is likely going to cost you a lot more than that security deposit).

RESPOND TO MAINTENANCE CALLS CONSISTENTLY FOR ALL TENANTS

Don't ignore maintenance calls because you think your elderly tenant complains too much and "he's just going to call about something else next week, I'll just wait and get everything done at once." Conversely, don't put your tenants with kids on the back burner because "those kids are just going to be destructive anyway, why do I need to rush to fix things?"

Besides, going in for regular maintenance is a great way to keep tabs on what's going on with your property outside of regular inspections.

AVOID AGE-BASED STEERING

Trust your tenants to know where they want to live. You may think that your rental in another neighborhood would be better suited to your applicants, but suggesting they tour that one instead may suggest you don't want them in this neighborhood, or this unit.

"We have mostly retirees around here. There are a lot of young families on Smith Street, would you like to see that house instead?"

"You're retiring? Congratulations! Do you want to see the units I have in the other building? We have a lot of retirees there."

You may think you're being helpful, but your applicants may think you're being discriminatory. Avoid steering people to one unit or another; it's unlawful.

WHAT ABOUT AGED HOUSING?

Aged housing refers to housing provided under a state or federal program that is intended to assist the elderly; housing strictly for residents age 65 or older; and housing where at least 80% of the population is age 55 or older. According to the Department of Housing and Urban Development (HUD), the age 55 or older exemption is the most common <u>aged</u> housing of the three.

To qualify for the 55 and older exemption, housing providers must demonstrate that 80 percent of the housing community in question is over the age of 55. The housing complex must also publish rules stating its intention to operate as a 55 and older community and adhere to those rules, including complying with HUD's requirements for age verification. These housing communities are the exception rather than the rule, so simply having a preference to rent to those nearing or past retirement age won't cut it.

CONCLUSION

Trying to keep people of a certain age out of your units (or focusing on renting to one age demographic above others) is both unlawful and bad for business. Don't paint yourself into a corner and miss out on a larger applicant pool by dismissing otherwise qualified tenants based on their age. Don't discriminate: keep yourself out of court, and your units rented.

Point your camera app here to read more online.





MassLandlords Annual Election Results 2021: Sullivan

The 2021 election results include Patrick Sullivan on the Board of Directors. This article covers who won the 2021 election, who ran, and how you can get involved for next time.

In December, MassLandlords members voted in our <u>annual</u> <u>business meeting</u> on the next director to succeed Russell Sabadosa on our five-member volunteer board. We met our quorum target of 484 responses, with 486 members participating online including abstentions.

WHO RAN IN THE 2021 ELECTION?

The nominees were Allyson Gray, Sanjiv Reejhsinghani and Patrick Sullivan, all long-time members and strong supporters.

Please join us in thanking both Allyson and Sanjiv for their willingness to serve. In an organization of over 2,400 members, every bit of public spirit and volunteering adds up to an increasingly impressive state-wide organization, and a positive force for the creation of better rental housing in Massachusetts.

HOW WAS THE 2021 ELECTION CARRIED OUT?

We haven't had in-person meetings in a while, so all voting was electronic. Members were asked to rate candidates on a score of 0 to 5 using a score voting ballot.

Allyson Gray's total score was 626, average 3.8. Sanjiv Reejhsinghani's total score was 651, average 3.9. Patrick Sullivan's score was 696, average 4.0. It was a very close election and clearly any of the three would have well represented the membership.

WHO WON THE 2021 ELECTION?

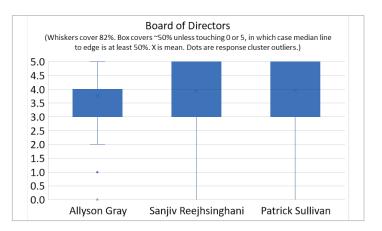
Patrick Sullivan has been elected to the board. This is based on receiving the highest total score out of all scores assigned.

HOW CAN I GET INVOLVED IN 2022?

There are volunteer roles at the state and local level available at MassLandlords.net/volunteer.



Patrick Sullivan of Obtainable Sobriety is our next of five active directors.



The distribution of scores shows that no candidate was divisive.

Point your camera app here to read more online.



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LANDLORD INCENTIVE PROGRAM

The City has launched a program to support landlords who rent to Boston households moving out of homelessness.

The program provides landlords with signing bonuses, holding fees, and other incentives. It also offers access to prospective tenants – with rental subsidies and a dedicated housing support provider – who are ready to sign leases.

Contact New Lease for Homeless Families to gain access to this opportunity.



(857) 323-6303

info@newleasehousing.org





NEIGHBORHOOD DEVELOPMENT

How to Avoid Housing Discrimination Based on Family Status

By Kimberly Rau, MassLandlords

Don't like kids in the building? Saying so and denying a tenancy to someone with children could land you in court.

The federal Fair Housing Act protects individuals against housing discrimination based on family status. This includes protections for families with minor children (parents or guardians), pregnant people and those in the process of or intending to adopt or otherwise gain custody over minor children.

This means that, except in very specific circumstances, you cannot deny tenancy to people based on the fact that they have or plan to have children in their home. MGL Ch. 151b S4 specifically prohibits saying "no children" (or prohibiting any other protected class) when advertising available housing.

WHAT ARE THE EXCEPTIONS TO THE FAMILIAL STATUS DISCRIMINATION LAW?

There are only two ways that you may decline to rent to someone with children. In Massachusetts, owner-occupied buildings with two or fewer units are exempt from some of the fair housing protections. This is called the "<u>Mrs.</u> <u>Murphy</u>" exemption, and while we don't recommend you utilize it, it does afford landlords in that specific situation the ability to refuse certain tenancies.

The Mrs. Murphy exception does not allow landlords to discriminate based on race or color, and there are still criteria to meet in order to stay on the right side of the law when invoking it. For instance, you cannot in any way advertise that you will not rent to families with children. Check with an attorney before making any decisions if you are in doubt.

The federal Fair Housing Act also allows certain properties to restrict residency to anyone over the age of 55 or 62. Such "<u>age-restricted</u>" <u>housing complexes</u> must meet three standards to qualify:

- At least 80 percent of the units must have at least one occupant who is 55 years of age or older; and
- The housing community must publish and follow rules that show its intent to operate as age-restricted; and
- The housing community must comply with federal regulations for age verification of all residents.

This exception does not permit discrimination based on race, color, religion or any other protected class.

CAN I SAY "NO CHILDREN" IF MY APARTMENT HAS LEAD PAINT?

Many properties constructed prior to 1978 may still have lead paint. Studies have shown that lead paint can be harmful to children; therefore, landlords must <u>delead</u> <u>their properties</u> if children under age 6 will be living in them. If a tenant is pregnant, you also must delead the property (and not when the baby arrives, but as soon as you learn of the pregnancy). This is why we say that the best time to delead your property was during your last vacancy. Deleading an occupied residence is more challenging than deleading when the place is empty.

If you do not delead, you will find yourself liable for any injuries suffered from lead poisoning, even though lead can certainly be found other places than residences. Without a certificate of deleading, you as landlord are always



Children need good, safe places to call home, just like everyone else. Federal and state housing laws work to protect those who are most vulnerable to discrimination, which is why you cannot refuse to rent to people with children. Photo license: CC by SA 4 MassLandlords

going to be held responsible for damages. With a certificate of deleading, the injured party must prove their injuries were from lead on your property.

Deleading can be very expensive and time-consuming, but having a rental unit with lead paint is not an excuse to say "no children." You must delead your property.

CAN I ASK HOW OLD THE TENANT'S CHILDREN ARE?

For the purposes of the rental application, you should ask how many people over 18 years old will be living in the house. Get a complete application from each occupant 18 or over.

For the purposes of ensuring you are in compliance with the lead laws, ask for the names and ages of any minors who will be living in the rental after you agree to rent to the tenant. Ideally, you will do this at the lease signing. (If you ask at the application stage, you could appear to have discriminatory intent.)

WHAT IF MY RENTAL DOESN'T HAVE ENOUGH BEDROOMS FOR ALL OF AN APPLICANT'S CHILDREN?

As long as the rooms meet the proper space requirements as outlined in the <u>state sanitary code</u>, that's your tenant's decision, not yours. Children of the opposite sex may share a bedroom as well, at the discretion of their parent or guardian. The idea that boys and girls cannot share bedrooms is an urban legend. Housing vouchers will allow for separate bedrooms for opposite-sex children, but a parent is not required to rent a place with separate bedrooms.

TO PROTECT MY PROPERTY, CAN I INSPECT MY RENTALS WITH CHILDREN MORE FREQUENTLY?

No, this would be considered discriminatory. If all of your other rentals get a once-a-year inspection (recommended at minimum), that's what the rentals with children should get, too. Don't go in twice (or more) unless you are going into everyone's unit and performing two or more inspections a year.

You also cannot charge a higher security deposit than you normally would just because a tenant has children.

WHAT SHOULD I DO ABOUT NOISE?

This is a good time to point out that children are also entitled to live in the place they call home. This means you cannot tell parents that their children must be silent or not make noise with toys, play in the yard or ride their bikes in permitted areas. Excessive noise is still excessive noise, but you handle those complaints as you would anyone else, on a case by case basis.

To deal with potential noise issues, your first steps should be preventative. Insulate with rock wool between floors and consider drop ceilings with acoustic tile to help muffle overhead noises. <u>Underlay your</u> <u>floors with a layer of cork to lessen how</u> much sound will move between floors. As a bonus for your tenants, this will also help muffle the acoustics within the room itself.

Tired of being a landlord? SELL US YOUR MULTIFAMILY!



508-799-7655

HamptonPropertiesLLC.com We specialize in short sales! All information will be kept confidential. If another tenant complains about noise, investigate the cause before deciding the parents are not doing enough to control their children. Certain ages are noisier than others. Even the most mellow baby will sometimes cry at night; babies with medical conditions or colic may cry a lot more. Even the gentlest toddler will have a screaming meltdown at some point or decide the kitchen floor is a great spot for a pot-and-pan drum solo. Some of these things may be within the parents' control, others are not. Remember: this too shall pass.

If you feel that the level of noise coming from the children in your rentals is excessive, and your other tenants are upset, consider <u>community mediation</u>. Not just for landlords and tenants who are trying to avoid eviction, community mediation can be used to try and fix many kinds of disputes. Through it, your tenants may be able to come up with workable compromises, or the mediator may be able to connect the parents with services for their child if necessary.

ONE OF MY RENTALS IS IN A NICER SCHOOL DISTRICT. SHOULD I SUGGEST THAT ONE INSTEAD?

No, this could be considered "steering," that is, leading a prospective tenant away from the unit they are interested in in favor of a different unit (in the building, a different neighborhood or town, or a rental managed by someone else).

If a prospective tenant asks about the school district, answer honestly, but let them do their own research and make their own decisions about where they want to live. They may intend to send their child to a private school, homeschool them or have reasons they want their children to attend that school.

Other examples of steering would be mentioning the cranky neighbors who dislike children, talking about how it's a "rough" neighborhood for kids or other comments that make it seem like your rental is not a good fit for children.

I PREFER TO KEEP ALL OF MY TENANTS WITH KIDS ON THE FIRST FLOOR. IS THAT OKAY IF ALL OF THE UNITS ARE IDENTICAL?

No, keeping all of your tenants with children restricted to one area of the building would also be discriminatory. If a unit is available for rent, it has to be available to everyone equally.

WHAT IF MY BUILDING HAS A SEX OFFENDER IN IT? SHOULD I WARN TENANTS ABOUT THIS?

Where registered sex offenders live is a hot-button issue. There are three levels of sex offenders, categorized by the danger the individual poses to the public as well as their likelihood to reoffend. A level-one sex offender is considered to have a low risk of re-offending and poses a low degree of danger to the public. Members of the public cannot access information about level-one offenders.

Level-two offenders have a "moderate" risk of re-offending and pose a moderate degree of danger to the public. Levelthree offenders have a high risk of re-offending and pose a high degree of danger to the public. Information on level-three offenders and level-two offenders classified after July 2013 is available to the public.

You do not have to agree to <u>rent to sex</u> <u>offenders</u>, though broad <u>citywide ordi-</u> <u>nances banning sex offenders</u> from living within certain parameters have been struck down by the state. We recommend screening using our <u>applicant qualifier</u>, which has level-two and -three sex offender status as immediate disqualifiers. If you apply this rule evenly and screen everyone, you are behaving legally.

But suppose you have a tenant who is a sex offender. There are many different crimes that can get someone <u>classified as</u> <u>a sex offender</u>, not all of which are against children. Registered sex offenders may have different constraints as to where they may live depending on what crime they were convicted of.

As a landlord, you are not a judge or a police officer. A registered sex offender must adhere to whatever parameters are placed on them. If a child moves into the building and the other tenant is not allowed to live so close to children, they may have to move, but that is not your job to enforce. They will need to report this to whoever is supervising their release and proceed accordingly.

On the other hand, a parent may not want their child to live in the same building as any level-two or -three sex offender, regardless of their offense. Since it is a matter of public record, you could disclose the fact that a level-two or -three offender lives in the building and let them know where they can access the public <u>sex offender database</u> to get more



information. The choice to rent or not is then up to them.

Remember that level-one sex offender information is not available to the public, so if you happen to have this information about one of your tenants, you should not disclose it without that individual's permission.

As always, consult with an attorney if you have questions about your specific situation.

I CAN'T CHARGE A HIGHER SECURITY DEPOSIT, BUT WHAT COUNTS AS "REASONABLE WEAR AND TEAR" WITH CHILDREN?

When you are inspecting your unit after your tenants move out, there are certain things that are considered "reasonable wear and tear." These issues are the expected maintenance concerns that come with people living in the unit, and typically you cannot withhold a security deposit for them.

Some examples of reasonable wear and tear include a sink that is slow due to grease buildup, a dent in the plaster where the doorknob has hit one too many times or an accidental wine stain on the carpet. Excessive damage could include a carpet that has been cut, a missing ceiling fixture or holes in the wall that cannot be attributed to normal activity.

What happens when there are kids in the home? Do you have to be more lenient with what you consider reasonable wear and tear?

The answer is no, you do not have to accept large amounts of damage in the name of accommodating a family with children. Smudges on the walls or doors are normal (we recommend using paint that is easily cleaned in all your rentals); walls substantially covered in crayon or marker would not be considered "reasonable." A dent behind the kid's bedroom doorknob is normal, massive dents all over the place from toys or kicking feet are not.

In all cases, make sure you do a walkthrough and have a conditions statement signed by you and the tenants before they move in, otherwise you won't have a leg to stand on regarding the security deposit.

CONCLUSION

Just like military members, the disabled, people of all origins and those in every other protected class, children deserve a place to live. Denying a tenancy because children will be living in the home not only limits your options as a landlord, it could land you in court. Focus on keeping your rental safe and ready for all tenancies that otherwise meet your requirements.

Point your camera app here to read more online.





SIGN UP AT www.rentable.com

. MássLandlords.net	:	202	Upcoming events See details under each region			
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 SWLCA 7:00pm-8:00pm	4	5	6	7 Webinar 12:00pm-1:00pm	8
9	10	11 MWPOA 7:00pm-8:00pm	12 Virtual Meeting 5:00pm-7:00pm	13 Virtual Meeting, NWCLA 5:00-7:00pm, 7:00pm-8:00pm	14	15
16	17	18 Virtual Meeting 5:00pm-7:00pm	19	20 Webinar 12:00pm-1:00pm	21	22 Crash Course Day 1 8:30am-12:15pm
23	24	25	26	27	28	29 Crash Course Day 2 8:30am-12:15pm
30	31 Virtual Meeting 5:00pm-7:00pm					

. VássLandlords.net

2022 FEBRUARY

Upcoming events See details under each region

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2 Virtual Meeting 5:00pm-7:00pm	3	4	5
6	7 SWLCA 7:00pm-8:00pm	8 MWPOA 7:00pm-8:00pm	9 Virtual Meeting 5:00pm-7:00pm	10 Virtual Meeting, NWCLA 5:00-7:00pm, 7:00pm-8:00pm	11 Webinar 12:00pm-1:00pm	12
13	14	15 Virtual Meeting 5:00pm-7:00pm	16	17	18	19
20	21	22	23	24 Webinar 12:00pm-1:00pm	25	26
27	28 Virtual Meeting 5:00pm-7:00pm					

STATEWIDE

Webinar Jan 7: Water Submetering How-To

This presentation will teach the basics of water submetering. Why we should, what it costs, and how to bill compliantly. In particular, we will review:

- Motivating **horror stories** of tenant water usage gone bad
- Basic cost/benefit analysis and ROI
- When to install meters
- Which types of meters are available
- Upgrading or verifying low-flow fixtures
- How to get the town or city to sign off
- The legal framework for metering
- The MassLandlords **invoice** which facilitates monthly or quarterly billing
- Frequently asked questions for submetering

Attendees will leave knowing that water submetering is a good goal to work towards, and knowing the next steps to take when ready.



MassLandlords Executive Director Douglas Quattrochi



One type of water meter

This presentation will be given by **Doug Quattrochi**, Executive Director, MassLandlords, Inc. Doug was a founding member of MassLandlords in 2013. He became the association's first Executive Director under new bylaws in 2014. Since then, he has scaled the organization from a core of 160 members in Worcester to approximately 2,200 dues paying businesses from Pittsfield to the Cape, and from an all-volunteer team to approximately 20 full and part-time staff plus 50 volunteers. Doug has been instrumental in advancing democratic governance mechanisms, including score voting for policy priorities and a staggered and democratically elected Board of Directors. Doug also oversees the RentHelper spin-off, which is expanding access to electronic banking for those of us who are unbanked or underbanked. Prior to MassLandlords, Doug held leadership roles in various Massachusetts startups, two of which are still operating. Doug holds a Master of Science in Aerospace Engineering from the Massachusetts Institute of Technology.

Purchase your ticket in just a few clicks!

"No Sales Pitch" Guarantee

MassLandlords offers attendees of directly managed events a "No Sales Pitch" guarantee. If a guest speaker offers services, their presentation will not discuss pricing, promotions, or reasons why you should hire them. We do not permit speakers to pay for or sponsor events. Guest speakers are chosen for their expertise and willingness to present helpful educational content. Your purchase of an event ticket sustains our nonprofit model.

FRIDAY, JAN 7TH

Webinar Agenda

12:00pm Webinar Begins 1:00pm Webinar Ends

Participation is Easy We have two formats of online events:

- Virtual meetings include optional audience participation via video, phone, and screenshare and are not recorded.
- Webinars have limited participation options (typed questions only) and are recorded.

Our **virtual registration desk** is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email <u>hello@masslandlords.net</u> for live, real-time help signing in and using your technology.

WEBINAR DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

• You can chat questions. You will not be on video or audio.

Registrants will have **full access to the webinar**, including watching live or watching the recording any time after the webinar is posted.

Watch Live:

Password will be emailed and viewable online.

When: Jan 7, 2022 12:00 PM Eastern Time (US and Canada)

Topic: Water Submetering How-To Webinar January 7, 2022

Please click the link below to join the webinar:

https://us02web.zoom.us/j/88924426854

Webinar ID: 889 2442 6854

Passcode: Will be emailed and viewable online

International numbers available: https://us02web.zoom.us/u/kdlq7np6Sc

PRICING

Open to the public. Membership is not required!

• Public: \$9

• Members: \$3

WATCH RECORDING (THREE BUSINESS DAYS AFTER EVENT DATE):

Recording Link: This event will be recorded and uploaded

to our page Water submetering.

Click here to purchase tickets for this event

This webinar counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? Submit a speaker request.

This is part of the <u>Virtual rental real</u> estate networking and training series.

Google calendar users: add our event calendar to your own.

iPhone & iPad users: <u>add our event</u> calendar to iCal.

Outlook users: <u>add our event calendar to</u> Outlook.

Statewide Virtual Meeting Wed Jan 12: Round Table Discussion

Round Table Discussion

We'll be having a round table (really, zoom) discussion about **any rental real estate topics**. This meeting is a great opportunity for attendees to learn from each other's experiences. Bring your questions about **emotional support animals**, lead paint, security deposits, rental assistance, or anything real estate related.

Attendees are welcome to share their own experiences, warnings, pearls of wisdom, and more. Participation is not required, you're welcome to come and just listen.

This event will be moderated by volunteers and/or staff with significant and compliant rental experience.



We'll be having a whole-room (zoom) discussion



MassLandlords Executive Director Douglas Quattrochi

This presentation will be given by **Doug Ouattrochi**, Executive Director, MassLandlords, Inc. Doug was a founding member of MassLandlords in 2013. He became the association's first Executive Director under new bylaws in 2014. Since then, he has scaled the organization from a core of 160 members in Worcester to approximately 2,200 dues paying businesses from Pittsfield to the Cape, and from an all-volunteer team to approximately 20 full and part-time staff plus 50 volunteers. Doug has been instrumental in advancing democratic governance mechanisms, including score voting for policy priorities and a staggered and democratically elected Board of Directors. Doug also oversees the RentHelper spin-off, which is expanding access to electronic banking for those of us who are unbanked or underbanked. Prior to MassLandlords, Doug held leadership roles in various Massachusetts startups, two of which are still operating. Doug holds a Master of Science in Aerospace Engineering from the Massachusetts Institute of Technology.



Patrick Sullivan of Obtainable Sobriety will moderate networking time. You can volunteer for a future event.

Networking time will be moderated by **Patrick Sullivan**. Patrick has been an avid landlord since 2007 primarily focusing on multi families in the greater Worcester area. Having worked in high level IT his whole life he looks at things from a different perspective which he applies to real estate. He became a Real Estate agent in 2015 and now primarily focuses on Sober living facilities for people recently out of drug and alcohol treatment centers.

Purchase your ticket in just a few clicks!

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WEDNESDAY, JANUARY 12TH

VIRTUAL MEETING AGENDA

5:00pm Sign-in and virtual networking: you can chit chat with others as people log in
5:40pm Business Update
6:00pm Round table
7:00pm Virtual meeting ends

Participation is Easy

We have two formats of online events:

- Virtual meetings include optional audience participation via video, phone, and screenshare and are not recorded.
- **Webinars** have limited participation options (typed questions only) and are recorded.

Our virtual registration desk is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email <u>hello@masslandlords.net</u> for live, real-time help signing in and using your technology.

If joining a virtual meeting, please use the zoom "test audio" feature. You will be allowed to talk to others if your microphone is good and there is no background noise. We reserve the right

to mute anyone for any reason. Attendees without a microphone or who don't want to be heard can type questions.

VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

• Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable online.

Topic: Round Table Virtual Meeting January 12, 2022

Time: Jan 12, 2022 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting https://us02web.zoom.us/j/85023572327

Meeting ID: 850 2357 2327

Passcode: Will be emailed and viewable <u>online</u>.

Dial by your location

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- +1 646 876 9923 US (New York)

Find your local number: https://us02web.zoom.us/u/keJeWkMQ4

PRICING

Open to the public. Membership is not required!

- Public: \$21
- Members: \$7

This event will not be recorded.

There will likely not be any slides and handouts for this event.

Click here to purchase tickets for this event

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

Want to speak at a MassLandlords meeting? Submit a speaker request.

This is part of the <u>Virtual rental real</u> estate networking and training series.

Google calendar users: add this event to your own.

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iPhone & iPad users: add our event calendar to iCal.

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Statewide Virtual Meeting Thu Jan 13: Boston Eviction Moratorium Overturned: Decision and Appeal

This presentation will cover the recent decision to overturn the Boston eviction moratorium. In particular, we will cover:

- Choice of Forum:
- Eastern Housing Court
- The plaintiffs in the case.
- The memorandum of law filed against the case.
- The court's plain language decision.
- The ongoing appeal by the City.
- To "stay" or not to "stay"....tbd

Before ending we will open up the discussion to landlord-tenant legal logistics in today's pandemic world.

Attendees will leave knowing what happened in Boston and what the implications are for eviction moratoria in other municipalities. Attendees will also have the chance to ask questions about civil procedure. **Speakers cannot give legal advice at this presentation.**



Attorney Jordana Roubicek Greenman

Part of this presentation will be given by Attorney Jordana Roubicek Greenman, a real estate lawyer and recipient of the Super Lawyers Rising Star award 2012-2020. Attorney Greenman has a solo practice with a main office in Watertown and additional office in Downtown Boston. Her practice consists of a broad range of real estate-related legal matters, including commercial and residential landlord/tenant disputes, condominium association representation, general real estate litigation and commercial and residential real estate closings. Attorney Greenman has a well-respected reputation for aggressively advocating for her clients' goals and ensuring beneficial outcomes at a reasonable cost. She was among the first attorneys to take legal action in response to the unfunded eviction moratorium and has been working as co-counsel on a pro bono basis with the recent Boston Eviction Moratorium.



Patrick Sullivan of Obtainable Sobriety will moderate networking time. You can volunteer for a future event.

Networking time will be moderated by **Patrick Sullivan**. Patrick has been an avid landlord since 2007 primarily focusing on multi families in the greater Worcester area. Having worked in high level IT his whole life he looks at things from a different perspective which he applies to real estate. He became a Real Estate agent in 2015 and now primarily focuses on Sober living facilities for people recently out of drug and alcohol treatment centers.

Purchase your ticket in just a few clicks!

"No Sales Pitch" Guarantee

MassLandlords offers attendees of directly managed events a "No Sales Pitch" guarantee. If a guest speaker offers services, their presentation will not discuss pricing, promotions, or reasons why you should hire them. We do not permit speakers to pay for or sponsor events. Guest speakers are chosen for their expertise and willingness to present helpful educational content. Your purchase of an event ticket sustains our nonprofit model.

THURSDAY, JAN 13TH

VIRTUAL MEETING AGENDA

5:00pm Sign-in and virtual networking: you can chit chat with others as people log in
5:40pm Business Update
6:00pm Boston eviction moratorium overturned
7:00pm Virtual meeting ends

Participation is Easy

We have two formats of online events:

- Virtual meetings include optional audience participation via video, phone, and screenshare and are not recorded.
- Webinars have limited participation options (typed questions only) and are recorded.

Our virtual registration desk is

open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email <u>hello@masslandlords.net</u> for live, real-time help signing in and using your technology.

If joining a virtual meeting, please use the zoom "test audio" feature. You will be allowed to talk to others if your microphone is good and there is no background noise. We reserve the right to mute anyone for any reason. Attendees without a microphone or who don't want to be heard can type questions.

VIRTUAL MEETING DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

• Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable <u>online</u>.

Topic: Boston Eviction Moratorium Virtual Meeting January 13, 2022

Time: Jan 13, 2022 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting https://us02web.zoom.us/j/88175754578

Meeting ID: 881 7575 4578

Passcode: Will be emailed and viewable <u>online</u>

- Dial by your location +1 646 876 9923 US (New York) +1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) +1 346 248 7799 US (Houston)
- +1 408 638 0968 US (San Jose)

Find your local number: https://us02web.zoom.us/u/ kbOuXVMxOP

PRICING

Open to the public. Membership is not required!

• Public: \$21

• Members: \$7

This event will not be recorded.

Slides and handouts if any will be uploaded to Boston Eviction Moratorium.

Click here to purchase tickets for this event

This virtual meeting counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

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Webinar Jan 20: Homelessness: Ways Landlords Can Help and Be Paid

This presentation will review new state and federal incentive programs to **overcome housing barriers** for those currently experiencing homelessness. We will learn about:

- Signing bonuses
- Holding fees
- Permanent subsidies

- Supportive services
- And more!

These programs do not require landlords perform charity or waive any application requirements. They intend to work within your existing application process to make applicants currently in unstable housing competitive among all applications you may receive.

Attendees will leave knowing where these programs are available, what they entail, and where to go for additional information.



Shelter is not great for a lot of reasons. Rental units and real homes are needed.

Register in just a few clicks!

"No Sales Pitch" Guarantee

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THURSDAY, JANUARY 20TH

WEBINAR AGENDA

12:00pm Webinar Begins 1:00pm Webinar Ends

Registration

Free and open to the public. Membership is not required!

Participation is Easy

We have two formats of online events:

- Virtual meetings include optional audience participation via video, phone, and screenshare and are not recorded.
- **Webinars** have limited participation options (typed questions only) and are recorded.

Our **virtual registration desk** is open for all events one hour starting 30 minutes prior to the event start time. Call 774-314-1896 or email <u>hello@masslandlords.net</u> for live, real-time help signing in and using your technology.

WEBINAR DETAILS (HOSTED BY ZOOM)

We will share our video, audio, and computer screen and slides.

• You can chat questions. You will not be on video or audio.

Registrants will have **full access to the webinar**, including watching live or watching the recording any time after the webinar is posted.

Watch Live: Register here. When: Jan 20, 2022 12:00 PM Eastern Time (US and Canada)

Topic: Homelessness Ways to Help and Be Paid Webinar

Please click the link below to join the webinar:

https://us02web.zoom.us/j/89009007734

Passcode: Will be emailed and viewable online

Webinar ID: 890 0900 7734

Passcode: Will be emailed and viewable <u>online</u>

International numbers available: https://us02web.zoom.us/u/kdDnatCno7

Watch Recording (three business days after):

This event will be recorded and uploaded to our page <u>MassLandlords.net/laws/</u>homelessness.

Click here to register for this webinar

This webinar counts for continuing education credit for Certified Massachusetts Landlord Level Three. Beep in. Leave feedback/beep out.

This event is operated by MassLandlords staff.

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Virtual Crash Course Two Days Sat Jan 22 and Jan 29: The MassLandlords Crash Course in Landlording

This comprehensive training is split over two days to reduce screen time. Learn everything you need to succeed as an owner or manager of residential rental property in Massachusetts.



This fast-paced course is strictly limited to 16 participants to allow for detailed discussion and Q&A. Course tuition includes:

- Small group session with the Executive Director, a trained presenter and experienced landlord, and the attorney.
- A comprehensive agenda, see below.
- Your choice of two books: o Every Landlord's Tax Deduction Guide by NOLO, o The Good Landlord
 - by Peter Shapiro,
 - o *Getting to Yes* by Roger Fisher, and/or o *The Housing Manual* by
 - H. John Fisher.
- A bound summary of all material presented.
- A MassLandlords ballpoint pen.
- A MassLandlords certificate of completion and permission to use "MassLandlords Crash Course graduate" on your marketing material.

You will receive a box packed with your personalized signed certificate, your choice of two books, course notes, pen, and half a dozen other pieces of literature. Materials will be mailed when the US curve flattens and we have a local team member healthy for fourteen days consecutively. Electronic course notes will be downloadable for printing at home and notetaking prior to the event.

Purchase your ticket in just a few clicks!



Instructor Douglas Quattrochi



Instructor Peter Vickery

Open to attendees statewide

You are welcome to participate in this virtual meeting no matter where you are.

Featured Testimonial



"I simply wanted to reach out and express just how happy I am to have attended the landlording crash course. The presentation and

delivery of the information was flawless and I certainly have walked away with a greater understanding of the intricacies that govern being an above average landlord/manager." – **Michael Murray**

SATURDAY, JANUARY 22ND, 2022 AND SATURDAY, JANUARY 29TH, 2022

VIRTUAL COURSE AGENDA

SATURDAY, JANUARY 22ND, 2022

- 8:30am Introduction of MassLandlords and course participants
- 8:50am Rental markets
 - o Urban, suburban, rural
 - o Luxury, college, professional, working, subsidized, rooming houses
- 9:05am Property selection
 - o Lead paint (Legal highlight)

- o Utilities
- o Bones vs surfaces
- o Amenities
- o Repairs and renovations
- o Durable vs beautiful
- o What if I'm stuck
- with what I've got?
- 9:20am Sales and marketing 101 for rental property managers
 - o Marketing rentals
 - o Sales process
 - o Staving organized
 - o Branding a small business
 - o Getting more or fewer calls
 - o Tips and tricks
- 10:05am Break
- 10:15am Applications and screening
 - o Criminal, credit, eviction
 - o Discrimination (legal highlight)

o Tenant Screening Workshop

- 11:20am If time allows,
 - start Rental Forms
 - o Lease vs Tenancy at Will
 - o iCORI
 - o Eviction notices
- 12:15pm End Day One, course resumes the following Saturday

SATURDAY, JANUARY 29TH, 2022

- 8:30am Review of Day One and follow-up questions 8:45am – If needed, finish Rental Forms o Lease vs Tenancy at Will o iCORI
 - o Eviction notices
- 9:15am Legal Matters start o Late fees o Security deposits

- o Eviction process
- o Move-and-store
- o Water and electrical submetering
- o Housing Court
- vs District Court
- o Warranty of habitability
- o Inspections
- o Subsidies
- o Rent control
- 10:05am Break
- 10:15am Legal Matters finish
- 11:00am Maintenance,
- hiring, and operations
 - o Keeping the rent roll and expenses
 - o Filing taxes
 - o To manage or not to mange
 - o Tenants as customers

MassLandlords Thanks Our Property Rights Supporters

Property Rights Supporters make monthly contributions earmarked for policy advocacy.

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One-time and bespoke donations sincerely appreciated, too numerous to list here.

To join, complete a pink sheet at any MassLandlords event or sign up online at MassLandlords.net/property.

- o Notifying tenants
- o Extermination
- o Monitoring contractors
- o Lease violations and
- conflict resolution
- o Record keeping
- 11:50am Overview of books and resources for further education
- 12:00pm Review of unanswered questions
- 12:15pm End Day Two and End Course

Please note that end time each day may vary based on questions.

Participation is Easy

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• Optional: You can share your video with everyone, talk to everyone, and type chat with everyone. Video sharing is not required. Talking is not required.

Password will be emailed and viewable <u>online</u>.

Topic: Crash Course Virtual Meeting January 22 & 29

Time: Jan 22, 2022 08:30 AM Eastern Time (US and Canada)

Every week on Sat, 2 occurrence(s) Jan 22, 2022 08:30 AM Jan 29, 2022 08:30 AM Join Zoom Meeting https://us02web.zoom.us/j/82597191430

Meeting ID: 825 9719 1430

Passcode: Will be emailed and viewable online.

Dial by your location +1 646 876 9923 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) +1 408 638 0968 US (San Jose) +1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston)

Find your local number: https://us02web.zoom.us/u/kdarvZSoXx

Please note: The above Zoom information is intended for ticket holders only (1 attendee per ticket purchased). To be admitted into the meeting your Zoom account name must correspond with the ticket purchase. If you are purchasing this ticket for someone else please email us at <u>hello@masslandlords.net</u>.

FOOD

This is a virtual course. You are free to prepare food at home and eat while you listen.

This event will not be recorded.

PRICING

Open to the public. Membership is not required, but advance registration is required!

- Online:
 - o Non-members: \$215
 - o Members: \$205 (<u>log in</u> before you register or you will see the non-member price)
- Online registration required. All ticket sales final.

Slides and handouts will be downloadable in advance at to Event Password Page.

Click here to purchase tickets for this event

The training counts for continuing education credit for Certified Massachusetts Landlord Level Three. <u>Beep in</u>. <u>Leave feedback/beep out</u>.

This event is operated by MassLandlords staff.

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BERKSHIRE COUNTY BOSTON, CAMBRIDGE, SOMERVILLE CENTRAL WORCESTER COUNTY

Wanted for Guarantee: Worcester Studios and One Bedrooms

The City of Worcester has signed an agreement to pilot a landlord-tenant guarantee fund, under which you may be eligible to receive \$10,000 of coverage for unpaid rent, property damage, and attorney's fees if you rent to one of our renters instead of a market renter.

The guarantees are being issued to Worcester landlords who choose to rent to residents currently experiencing homeless in the city. All of our residents have been awarded permanent subsidies (MRVP, VASH, or Section 8) so they can pay the rent. All of our residents also receive supportive services, so they get help with whatever caused them to experience homelessness in the first place. These residents are all individuals, so we are looking for studios or one-bedrooms near bus routes.

You will still be able to screen your renter as normal. You will have to waive screening criteria that would adversely affect an applicant with non-violent criminal history, bad credit, and/or an eviction record. All other screens can be conducted as normal (ability to pay rent, move-in monies, smoking, pets, etc.).

You will get unlimited helpline access if you participate. We can issue these guarantees because we know in over 80% of cases, you won't lose a dime, and we won't have to pay the guarantee.

For no-obligation information, call the helpline at 774-314-1896 or email hello@masslandlords.net.

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✓ Your platform
 ✓ Give back
 ✓ Free food
 ✓ Good publicity
 ✓ Well run
 ✓ Well attended

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Support better housing policy and housing journalism in Massachusetts.