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Next Meeting

**Tuesday, June 16, 2009**

5:30 p.m. **Ewert Park, 7th & Murphy Blvd., Joplin**

**Rep. Marilyn Ruestman & Bryan Stephenson**

**Recent Legislation**

Our next meeting will be this coming Tuesday, June 16, 2009. We will have our picnic at 5:30 p.m. with our program to start at approximately 6:15 p.m. Cost of the meal is \$10 per person. Reservations are not required and guests are always welcome.

Speakers this month will be Rep. Marilyn Ruestman and Bryan Stephenson. We've asked them to discuss recent legislation that has been proposed and/or passed concerning landlord/tenants.

**IN CASE OF RAIN—CHECK THE WEB SITE FOR ALTERNATE PLANS AND INSTRUCTIONS!!!!**

## Reasons to Reject an Applicant

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Many landlords believe that they cannot reject any applicant for any reason, that they have to accept the first one to come along with the money or risk the grief of a lawsuit or Fair Housing complaint. Not so. There are numerous legitimate, businesslike reasons to reject a prospective tenant because of past or present behavior.

1. **Unsatisfactory references from landlords, employers and/or**

**personal references.** These could include reports of repeated disturbance of their neighbors' peaceful enjoyment of their homes; reports of gambling, prostitution, drug dealing or drug manufacturing; damage to the property beyond normal wear and tear; reports of violence or threats to landlords or neighbors; allowing people not listed on the lease or rental agreement to live in the property; failure to give proper notice when vacating the property; or a landlord who would not rent to them again.

rentlinx

### May Stats

22 properties listed  
81 units  
1,493 property views  
2 web-leads

### RentLinx

List your properties  
Here for on-line  
Search of available  
Housing units

**Www.RentLinx.com**

### Association Coverage Area

According to MAA, our Association covers a large area of southwest Missouri, southeast Kansas, northeast Oklahoma and northwest Arkansas. These are the counties which are in our Association's area:

- Missouri: Barton, Jasper, Newton, McDonald
- Kansas: Linn, Bourbon, Crawford, Cherokee
- Oklahoma: Craig, Mayes, Cherokee, Ottawa, Delaware, Adair
- Arkansas: Benton, Carroll

If you know someone who is a rental owner or manager or who is considering becoming an owner/manager, tell them about us and all we can do for them!

## A Note from the President

Dear Members,

With summer upon us and our lives growing busier every day, I wanted to write a note to the members reminding everyone of the importance of attending our monthly membership meetings.

The Board of Directors listened to the members when it was suggested that we continue our meetings through summer. Attendance for the summer of 2008 was poor, and in recent months the same pattern has been repeated.

As a Board we continue to work very hard to bring interesting speakers, which you have requested either personally or in surveys that have been conducted. We feel that we are representing our members by listening to your requests and will remain open to any suggestions that come our way. The Board is currently working on some exciting, new ideas and seminars that we hope you will attend. Please remember that you are always welcome and encouraged to bring guests.

The Board is always open to listening to your suggestions so that you may get the most out of being a member of the Southwest Missouri Rental Housing Association. If you have any comments, please feel free to contact me at 417-850-8049.

Respectfully,

David Enke

### Tool Lending Library

- Joplin has a tool lending library. This would be a library of home and lawn maintenance tools.
- You must be at least 18 years of age and meet income guidelines.
- The library is located at 120 N. Porter Ave., Joplin, just north of the Public Works Center. Operating hours are 2-4 pm Tuesdays and 9-11

### Associate/Preferred Vendor List

**RentGrow—Tenant Screening**

800-736-8476

**First American Title Co.**

417-623-1553

**Apartment Finder of Springfield**

**Sarah Luce Reeder & Associates**

**Creative Investments, LLC.**

Southwest Missouri Rental Housing Association  
Minutes of Regular Membership meeting  
Tuesday, May 19, 2009 Granny Shaffer's

Meeting called to order by President David Enke

Present: 15 members, 3 guests, 2 New Associate Members, and 1 speaker. Total 21.

Visitors Present: Dana Calef, Keith Coggins, and Patty Lawrence.

New Members Present: Tyler Swift and Vanessa Ellis, We Buy Ugly House's.

Treasurer's Report: None available.

Membership Report as of May 5, 2009: Total-to-Date; 50/888 & 4 Associates.

Upcoming Speakers: Bryan Stevenson and/or Jonathon, Marilyn Ruestman's Asst.

Tonight's speaker was: Mark Rohr, Joplin City Manager.

Tonight we collected \$33.00 for the 50/50 raffle.

Reminders:

Next Board meeting will be June 2, at Keller Williams office at 6:00 p.m.

Next membership meeting will be June 16, at Ewert Park Pavilion 7<sup>th</sup> & Illinois. Catered by Undercliff, cost is \$10.00 per person

Meeting adjourned 7:15 pm.

Lyn Enke, Secretary

This publication is designed to provide informative material of interest to its readers. It is distributed with the understanding that it does not constitute legal, accounting, or other professional advertising. Although the published material is intended to be accurate, neither we nor any other party will assume liability for loss or damage as a result of reliance on this material. Appropriate legal or accounting advice or other expert assistance should be sought from a competent professional.

Any advice you may receive from any Director or Officer of the Association is simply our experience or willingness to help and is not to be construed as legal advice. Our intent is to network and to share our experiences with other members. We are not responsible for the legal content of any forms we provide our membership.

**2. Evictions.**

**3. Frequent moves.** You have to decide what constitutes frequent moves and apply the same criteria to every applicant.

**4. Bad credit report.** If a report shows they are not current with any bill, have been turned over to a collection agency, have been sued for a debt, or have a judgment for a debt, that is grounds to reject. These do not have to be debts connected in any way with housing.

**5. Too short a time on the job.** As with frequent moves, you have to decide what too short a time is and apply the same criteria to every applicant.

**6. Too new to the area.** There is nothing to say you have to rent to people who have just moved to town. Be careful, though, many times these would be excellent tenants and the time and long distance call expense of checking them out could pay big dividends.

**7. No verifiable source of income.**

**8. Too many vehicles.** Lots of cars can be a real source of irritation to neighbors and make the entire neighborhood look bad. Chances are, if they have more than one vehicle for every adult, they spend a lot of time broken and being fixed. That means they could be in pieces in the front yard.

**9. Too many people for the property.** Be extremely careful with this. Before the familial status protection clause of the Fair Housing Act, you could discriminate on this basis without fear of any problems. Not any more. Now the same criteria must be applied without regard to the age of the inhabitant. Be sure it is applied equally to all applicants.

**10. Drug users.** They must be current drug users. If they are in a drug treatment program and no longer use drugs, the Federal Government considers them handicapped and protected by the Fair Housing Act.

**11. Pets.**

**12. Any evidence of illegal activity.** You must be able to come up with some kind of satisfactory evidence. I don't know what they would be, every case would be different. Certainly a letter from the police department warning a previous landlord of their illegal activity and threatening to close the property is considered sufficient evidence.

**13. History of late rental payments.**

**14. Insufficient income.** You must set up objective criteria applied equally to each applicant. Insufficient income could reasonably be if the scheduled rent exceeded 35% of their gross monthly income.

For example, if the rent is \$500, their gross monthly income must be at least \$1,714.29. The formula is:

$$\text{Acceptable income} = \frac{\text{scheduled rent}}{\text{Income ratio}}$$

You can require proof of all income. Be careful, though, if you are willing to accept only one member of a married couple to supply the total dollar income, you must be willing to accept the same of unmarried, co-tenants that share the housing. Under Fair Housing law, you cannot require that unmarried people meet different income requirements than married people.

**15. Too many debts.** Even if their gross income is sufficient, they

may have so many other debts that they would be hard pressed to make all the payments. A rule of thumb might be that all contracted debts, including rent, cannot exceed 50% of their gross income. Contracted debts would be such things as credit car payments, car payments, loans, etc. Those would not be cable TV, water and garbage, telephone, or other utilities.

**16. Conviction of a crime which was a threat to property in the past five years.** Included in this could be drunk driving convictions, burglary convictions, robbery convictions, and other such misbehaviors.

**17. Conviction for the manufacture or distribution of a controlled substance in the past five years.**

The best way to proceed is to post a list of the acceptable rental criteria and hand it to each applicant. You can use the list above, but under no circumstances is it intended to be legal advice. Check with an attorney who is familiar with the Landlord/Tenant Law before posting or handing out anything like a list of acceptable criteria for applicants.

Laws change constantly, and who you don't know can and will hurt you.

*"Robert Cain is a nationally-recognized speaker and writer on property management and real estate issues. For a free sample copy of the Rental Property Reporter call 800-654-5456 or visit their web site at [www.rentalprop.com](http://www.rentalprop.com)."*

**SOUTHWEST  
MISSOURI RENTAL  
HOUSING  
ASSOCIATION**

P O Box 1801  
Joplin, MO 64802-1801

Phone: 417-781-3337  
E-mail: info@swmorental.com



**'NO CALL' LIST**

You may sign up for the Missouri Attorney General's "No Call" List. Call toll-free 1-866-NOCALL1 or log on to:

[www.moago.org](http://www.moago.org).

**06/02/09**  
**Current Membership**  
**Count:**  
**50 Members Managing**  
**888 Properties**  
**5 Associate Members**

**Each member of this Association shall:**

- Strive continually to promote the education and fraternity of the membership and to promote the progress and dignity of the apartment/rental housing industry.
- Maintain and operate our apartment/rental housing projects in accordance with fair practices and in compliance with the By-Laws of the Association.
- Promote and maintain a high standard of integrity in the performance of all rental obligations and services in the operation of our apartment/rental housing projects.
- Establish high ethical standard of conduct with suppliers and other doing business with the apartment/rental housing industry.
- Endeavor to expose all schemes to misleads or defraud the apartment/rental housing residing public and to aid in the exposure of those responsible.
- Seek to provide better values in apartment/rental housing.

**Purpose**

- The purpose of this Association shall be:
- To advance the general welfare of the rental housing industry.
- To participate for the purpose of mutual benefit in an interchange of information and experience with all state and local affiliated associations of the National Apartment Association.
- To encourage within the apartment/rental housing industry a high appreciation of the objectives and responsibilities of apartment/rental housing owners and operators in providing adequate privately owned housing.
- To promote the enactment and enforcement of local, state and federal laws beneficial to the apartment/rental housing industry and free enterprise.
- To disseminate useful information to all members and inspire them to further educate themselves in the practical features of their apartment/rental housing operations.
- To advocate a code of ethics to maintain high professional standards and sound business methods among its members for the best interests of the industry and the public.

**Upcoming Events and Dates to Remember**

**June 16** regular membership meeting 5:30 p.m. at Ewert Park, 7th & Murphy Blvd., Joplin.

**August 4** Board of Directors meeting at Keller/Williams Realty, 7th & Florida, Joplin, 6:00 p.m.

**September 15** regular membership meeting 5:30 p.m. at Granny Schaffer's Restaurant.

**July 7** Board of Directors meeting at Keller/Williams Realty, 7th & Florida, Joplin 6:00 p.m.

**August 18** regular membership meeting 5:30 p.m. at Granny Schaffer's Restaurant.

**October 6** Board of Directors meeting at Keller/Williams Realty, 7th & Florida, Joplin, 6:00 p.m.

**July 21** regular membership meeting 5:30 p.m. at Granny Schaffer's Restaurant.

**September 1** Board of Directors meeting at Keller/Williams Realty, 7th & Florida, Joplin, 6:00 p.m.

**October 20** regular membership meeting 5:30 p.m. at Granny Schaffer's Restaurant.