



We're landlords... helping landlords!
P.O. Box 812 Greenfield MA 01302
413-773-7522 • lbainc@outlook.com • lbamass.org

In this edition:

- Upcoming Events - Oct 13 meeting
- President's Message - upcoming board elections
- HSA - Tax advantaged Savings
- Section 8 rent schedule
- Legal Corner - attempts to revive eviction moratoriums
- Investor Corner - recent sales and analysis
- Politics Corner - proposed landlord bills
- Reprint from masslandlords.net - how to avoid making bad impressions

Upcoming Events:

Fall 2021 General Meeting, October 13th, Elks club, Greenfield. 6:30 networking, 7pm meeting.

We are please to be having a special guest with **Laura J. Fenn** (Assistant Clerk Magistrate of the Western Division Housing Court) and our resident legal expert **Stanley D. Komack, Esq.** (Komack Law Offices, P.C.)

Their presentation is titled:

HOW COVID IS AFFECTING LANDLORDS AND THE EVICTION PROCESS IN MA!

A review of what the current guidelines and moratoriums for evictions are on a State and Federal level, as well as a review of the current Housing Court Standing Orders on how the Court is operating at this time.

President's Message

Fellow Members of the LBA:

My name is Al Constantine. I am the Interim President of the LBA. I have been a landlord for 45 years and a LBA member for 30 years. The LBA has been and is run by volunteers. Some members who helped found the organization are still in office helping now. We need new members to step up and help.

Jim Martineau has stepped down and I have moved into the President's position on a temporary basis until the election to be held at our October 13th meeting. At that meeting, you will be asked to vote on the following slate of officers. Anyone who would like to run for any office or join our executive board, respond by calling the LBA phone number or by e-mail.

<u>Leadership</u>	<u>Executive Board</u>
President: Allen Constantine	Jeremy Towle
Vice President: Mark Zaccheo	Jim Wade
Treasurer: Sandy Stanisewski-Wade	Jim Martineau
Secretary: Marc Guillaume	Martha Jane Corcoran
	Jim David
	Les Lapointe
	Jack Dunphy

The LBA was created by a group of landlords to help each other navigate the ever changing and evermore complicated business of apartment rental.

If anyone needs any help on any aspect of apartment rental, please don't hesitate to call me or any officer, board member or our consulting attorney, Stanley Kromack, who will be happy to help you on your local matters.

I look forward to seeing you at our October 13th meeting.

Al Constantine

HSA as a tax-advantaged savings method

"Only take out the money when you have to." This is the advice I learned listening to the Bigger Pockets podcast. I do a lot of work on my own properties and podcasts are an enjoyable way to pass the time. What money were they talking about? Health Savings Accounts (HSA)

The basic gist is that an HSA takes the good parts of a Roth IRA and combines it with the good parts of a Traditional IRA - they reduce your taxable income when you invest into them as well as not having to pay taxes on the growth when the money comes out!

As Investopedia states: "An HSA's triple tax advantage, which is similar to that of a traditional 401(k) plan or IRA, makes it a top-notch way to save for retirement. HSAs are "the most tax-preferred account available," writes Michael Kitces, director of financial planning at Pinnacle Advisory Group Inc. in Columbia, Md. "Using one to save for retirement medical expenses is a better strategy than using retirement accounts."³"

There are a lot of details (and I learned that since my health insurance isn't a high deductible style, I unfortunately can't contribute to them) they seem like the 1st place a person who is saving for retirement would put their money. As Bigger Pockets suggested - put money into an HSA when you're younger but don't spend it until you have to.

Finally, as they say, talk to your accountant or tax advisor.
Marc Guillaume

Section 8 Rent Schedule

With rents varying considerably from building to building, I felt it would be beneficial to our members to publish the rent schedule for Section 8 housing.

The base monthly rent for 0- 4 bedroom apartments are as follows.

0 - \$970
1 - 1065
2 - 1365
3 - 1815
4 - 1950

From this amount there are deductions for utilities paid for and appliances provided by the tenant which vary depending on building size.

For example, a 2 bedroom apartment in a 4 apartment house that the tenant pays for all utilities and the heat, hot water and cooking is natural gas and all appliances were supplied by the landlord and would have the following utility allowances:

Base rent	\$1365
Natural gas, minus	100
Electrical, minus	37
Rent paid by Section 8	\$1228

There are some variables concerning the tenant's income that come into play, otherwise this is the amount Section 8 will pay for the apartment.

Hopefully this information will help you in setting your rents. For more information on Section 8, go to

<https://www.greenfieldhousing.org/leasedhousing.html>

Al Constantine:

J.J. Stanisewski and Sons Inc. OrganicDealing.com

Tri-State Truck'n Trailer



Factory Authorized Distributor

BRI-MAR **MacStar** **DownEnter**

Trailers, Spreaders & Dump Bodies
Holliston / Northampton, MA

413-774-0014 413-584-4266 413-584-6303

Aubuchon Hardware Benjamin Moore Paints

HOME TEAM PRO DISCOUNTS FOR LANDLORDS • 15% Off Paint

- 10% Off Paint Sundries
- 10% Off non-sale items in entire store
- 2% Credit at years-end (see store for details)
- Premium Service

Call 413-773-3500 ask for paint specialist Rich. Make Us Your Paint Store!



The Legal Corner

Komack Law Offices, P.C.
STANLEY D. KOMACK
734 Bliss Road, Suite 4
Longmeadow, MA 01106



ATTENTION ALL LANDLORDS – A CALL TO ARMS

Enclosed below, is an excerpt from the article “Lawmakers Attempt to Revive Nationwide Eviction Moratorium” that was written by Michael Casey of the Associated Press and published on September 21, 2021

“Several progressive lawmakers on Tuesday introduced a bill that would reimpose a nationwide eviction moratorium at a time when deaths from COVID-19 are running at their highest levels since early March.

Sen. Elizabeth Warren, D-Mass., and Rep. Cori Bush, D-Mo., said the bill would direct the secretary of Health and Human Services to implement a ban on evictions in response to the COVID pandemic. It would also amend a section of the Public Health Service Act to grant permanent authority to Health and Human Services to implement an eviction moratorium to address public health crises.

The Supreme Court’s conservative majority at the end of August allowed evictions to resume across the United States, blocking the Biden administration from enforcing a temporary ban that was put in place because of the coronavirus pandemic.

‘This pandemic isn’t over, and we have to do everything we can to protect renters from the harm and trauma of needless eviction, which upends the lives of those

struggling to get back on their feet,” Warren said in a statement. “Pushing hundreds of thousands of people out of their homes will only exacerbate this public health crisis, and cause economic harm to families, their communities, and our overall recovery.”

The article further states that, “The prospects for the bill remain unclear but housing advocates said a moratorium was the best way to ensure more people are not forced from their homes.”

PLEASE CONTACT YOUR FEDERAL CONGRESSIONAL REPRESENTATIVES IMMEDIATELY, ESPECIALLY SENATOR ELIZABETH WARREN (D-MASS.), TO LET THEM KNOW YOUR OPPOSITION TO ANOTHER FEDERAL EVICTION MORATORIUM. YOUR VOICE ALSO MATTERS AND YOU SHOULD MAKE SURE IT IS HEARD!

For a link to the full article, please see

<https://www.usnews.com/news/politics/articles/2021-09-21/lawmakers-attempt-to-revive-nationwide-eviction-moratorium>.

The above is intended to provide general guidance for legal issues. No attorney-client relationship is established. For answers relating to your specific facts, circumstances and questions, please feel free to call me.

STANLEY D. KOMACK, ESQ.
(413) 785-1851

Editors Note: We will have pre-addressed envelopes at the October 13th meeting for sending letters to Senator Warren to express your thoughts about the eviction moratorium.

Investor Corner: from the office of Mark D. Abramson, CCIM, CBR, GREEN

A buy past few months in the real estate market. One way of analyzing a deal is the price per unit. While some towns had very few sales, the per-unit price is still an instructive piece of info when deciding on the fair market value of a property. Thanks as always to the office of Mark Abramson for getting this data together!

Town	# Units that changed hands July-Aug 2021	Average price per unit paid
Buckland	5	\$103,000
Deerfield	4	\$144,000
Greenfield	26	\$113,000
Montague	15	\$96,000

Orange	15	\$45,000
Shutesbury	4	\$181,000



<u>ADDRESS</u>	<u>TOWN</u>	<u>DESCRIPTION</u>	<u>DOM</u>	<u>SALE DATE</u>	<u>LIST PRICE</u>	<u>SALE PRICE</u>
41 Clement Street	Buckland	3-Family	74	8/20/2021	\$262,600	\$255,100
67 Prospect Street	Buckland	2-Family	30	09/02/2021	\$249,900	\$258,000
11 Church Street	Colrain	2-Family	23	07/09/2021	\$229,900	\$238,000
797 River Road	Deerfield	2-Family	55	08/11/2021	\$239,000	\$229,000
27 N. Hillside Road	Deerfield	2-Family	21	08/31/2021	\$349,900	\$349,900
19-21 Haywood Street	Greenfield	4-Family	22	07/15/2021	\$349,000	\$349,000
21 Harrison Avenue	Greenfield	2-Family	42	07/30/2021	\$299,000	\$298,000
6-8 Beech Street	Greenfield	2-Family	9	08/06/2021	\$245,000	\$275,000
94 River Street	Greenfield	2-Family	23	08/11/2021	\$217,900	\$228,900
18 Pleasant Street	Greenfield	3-Family	24	08/11/2021	\$275,000	\$277,000
28 Revere Circle	Greenfield	2-Family	23	08/18/2021	\$239,000	\$267,000
22 Woodleigh Avenue	Greenfield	3-Family	26	08/31/2021	\$95,000	\$80,000
167 Conway Street	Greenfield	2-Family	14	09/07/2021	\$255,000	\$255,000
118 High Street	Greenfield	2-Family	63	09/10/2021	\$279,000	\$301,500
135 Silver Street	Greenfield	2-Family	10	09/15/2021	\$175,000	\$155,000
19 Church Street	Greenfield	2-Family	101	09/15/2021	\$489,900	\$473,500
100 3rd Street	Montague	3-Family	42	07/06/2021	\$189,000	\$175,000
16 W. Main Street	Montague	2-Family	249	07/06/2021	\$189,000	\$183,000
86-88 Fourth Street	Montague	5-Family	27	07/23/2021	\$430,000	\$415,000
10 Broadview Heights	Montague	2-Family	17	08/19/2021	\$375,000	\$370,000
2 South Street	Montague	3-Family	19	08/20/2021	\$285,000	\$299,000
39 Highland Avenue	Northfield	5-Family	149	08/06/2021	\$350,000	\$330,000
552-554 E. Main Street	Orange	2-Family	13	07/22/2021	\$119,000	\$100,000
179 Holtshire Road	Orange	4-Family	544	08/04/2021	\$150,000	\$150,000
46-48 Kelton Street	Orange	2-Family	45	08/05/2021	\$232,000	\$215,400
117 Hayden Street	Orange	2-Family	71	8/24/2021	\$199,900	\$180,000
136 Brookside	Orange	5-Family	226	09/01/2021	\$135,900	\$135,900
481-483 Montague Rd.	Shutesbury	2-Family	43	07/27/2021	\$325,000	\$310,000

21-23 Wilson Road	Shutesbury	2-Family	5	8/20/2021	\$410,000	\$415,000
336 Haydenville Road	Whately	3-Family	21	07/14/2021	\$399,000	\$399,000

<u>Multi Family Listing</u>	<u>Average Days On Market</u>	<u>Average List Price</u>	<u>Average Sale Price</u>
30	67.7	\$267,963	\$265,573

Multi Family Sales in Franklin County Mark D. Abramson, CCIM, CBR, GREEN Office 413 203 6254

7/1/2021 thru 9/28/2021 from MLS mark@cbumr.com Cell: 413 772 9390

 <p>Modern Facility - Easy Access - Various Sizes Digital Surveillance - Padlocks - Supplies</p> <p>Reasonable Rates & On-Site Management 78 Woodard Road, Greenfield MA 413-774-7700</p>	 <p>Edward J. Terault 413-223-5494 www.reilclean.com</p> <p>Complete Custodial Services: Bonded and Insured Cleaning Franklin & Hampshire Counties since 1972</p>
---	--

Politics Corner:

A recent email from the Housing is a Human Right group in Greenfield mentions state bill **S.890**. Called the TOPA (Tenants Opportunity to Purchase Act) this bill would allow tenants the right of first refusal if their landlord is selling their building. A bill like this already exists for mobile home parks in Massachusetts. (interest podcast about this - NPR's Planet Money, August 6th edition, "Mobile Home Parked.")

If you have an opinion about giving tenants the 1st shot at buying your building (including up to 160 days for them to get financing) you might like to write to a state rep. The committee chairs and cochairs who will be considering this legislation on **October 12th** are Senator John Keenan, Senator Patricia Jehlen, Rep. James Arciero and Rep. John Rogers.

How to Avoid Making a Bad Impression on Your Tenants



Image credit: Zach Kirby for Unsplash

If your vehicle costs more than your entire rental unit, don't drive it when you go to raise the rent.

By Kimberly Rau, MassLandlords

Unlike harassment or discrimination, it's not against the law to brag about how much money you have or show off a fancy new car. And there's nothing wrong with being proud of something you worked hard to get...as long as it's in front of the right audience. Showing off your flashy new vehicle or classic car restoration to friends who enjoy the same things is practically expected. But you probably wouldn't go out of your way to visit

your neighbor's house and rub it in when you know that his 12-year-old car is back in the shop. Likewise, displaying your wealth, even passively, around your tenants is going to be seen as pretentious and could lead to future strained interactions.

Perception is Reality

There are a lot of myths out there about landlords, including the old chestnut that all landlords are greedy millionaires hoarding their gold and stealing bread directly from the mouths of hungry children. Statistically, though, many landlords are “mom and pop” or “small” landlords, with only a few rental units. A [Forbes article](#) states that 77 percent of small building units are owned by just such landlords.

But [public perception](#) is another story. If your tenants are already coming into the situation with negative misconceptions about rental property owners, you may be able to provide a different perspective. Or, you could end up reinforcing their stereotypes. Optics are important.

Watch Your Watch (and suit, and tie, and car...)

Designer gear is a lot more attainable now than it was even 20 years ago, making it an inaccurate way to assess whether someone has money.

That said, there are certain things that are ostentatious enough to give the impression that you are flaunting your good fortune. That may be fine at your high school reunion, but when your relationship to someone is landlord-tenant, it's just a show of superiority or dominance. Neither you nor they need that.

Rolling up in a new, fully loaded luxury car to respond to a call about a leaking faucet (and parking right in front of the building, and being really obvious about locking it from afar so they notice the insignia on the key fob) might make your tenants feel like you're trying to rub something in. So will other obvious displays of your financial state.

Consider this scenario: it's approaching the second week of the month and your tenant has not paid rent, so you call them up to ask about it. The tenant reveals that their

employer messed up with the paycheck, and they plan to pay you by the end of the week. They then mention that their car has a big repair coming up, and it's been stressful waiting for the payroll error at work to get fixed.

You, in an attempt to be relatable, state that you understand, because your renovations on your vacation home are going to cost \$60,000, and, thanks to some unforeseen necessary work on the foundation, you may have to skip the hot tub installation your spouse was looking forward to.

In your head, you've commiserated with your tenant about money woes and budgeting. In your tenant's mind, you've just stated that upgrades to your vacation home (when your tenant hasn't been on vacation in two years) are going to cost more than he makes in a year. Your intent was good, but your tenant is going to have a hard time seeing past the display of wealth.

You're going to have a pretty good idea about what your tenant's household income is (at least, you'd better have verified that they can afford the place before agreeing to rent it). If you know your tenant is probably on a tight budget, don't wear your \$6,000 suit to the lease signing. Leave your Rolex at home (even if you inherited it from your great-uncle and aren't exactly rolling in cash). Don't talk about fancy vacations. In fact, don't talk about anything personal with your tenants; that's not why you're a part of their lives, and it's not why they're part of yours.

In that same vein, don't talk about how well your retirement is going when your tenant is working two jobs.

The University of No One Cares

Massachusetts is ranked #8 among U.S. states with the most public and private universities and colleges. This means there's a good chance that college (or education in general) may come up when you are showing the property, especially if the property is located near major universities. A family with a senior in high school may tell you they are moving closer to their son's college of choice. Perhaps your apartment building is

located in Boston and is attractive to professors or international students. Maybe the private elementary school in your town is so good, people move there just to get their kids a spot.

If your tenants (or potential tenants) bring up education, this is your opportunity to discuss the rich educational landscape that exists in the Bay State. This is not your chance to name-drop your Ivy League alma mater. The one caveat is if they mention that they or their child attended or are attending there. Then, go ahead and tell them you matriculated from the same place (but don't be the person who asks how they managed to get in or if they're going on a scholarship).

Rent Raises and City Life Protests

You might ask, why should I care? If I have something nice, why should I hide it? No one is suggesting you do. However, if your tenant gets the sense that you are trying to show off, it's going to make it difficult for them to see you as relatable. And while your tenants are not your friends, you want them to be able to humanize you, just as you should be humanizing them.

When does this matter? Not when you're showing the apartment, but when it's time to [raise the rent](#). You might be relying on your triple-decker to make ends meet, but if all your tenants see is a flashy car or expensive suit, they're going to begrudge you that extra money every month. If they think you're exploiting them, they may move out, and it costs more money to get a new tenant than to keep your current one happy. If the entire reason they're moving out is that they think you're raising the rent just to gouge them when you don't need to, then it costs you \$0 to not give that impression in the first place.

On a small scale, this might amount to a tenant here or there getting angry and leaving. However, if you are a larger-scale landlord, rent hikes that seem greedy or unnecessary may leave you in the crosshairs of some very visible pushback, such as this [2019 protest](#) in Malden, when United Properties reportedly raised rents as much as 50 percent.

Conclusion

All of this really means that it's important to use your discretion. You want a good, working relationship (not friendship) with your tenants, and that's going to be difficult if they think you're constantly flaunting your wealth. A little common sense and sensitivity can go a long way toward a good, professional rapport with your renters.



In service to the members
of the LBA
Stanley D. Komack, Esq.
Komack Law Offices, P.C.
734 Bliss Road, Suite 4
Longmeadow MA 01106
413-785-1851

For Members Only

Initial phone consultation at No Charge

Business Card Size Ad \$120/annual
to advertise in our newsletter - email Marc:
lbanew413@gmail.com

The LBA offers this newsletter for the benefit of its
members.

Any views and/or advertising appearing herein are not
necessarily endorsed by nor the opinion of the LBA. The
LBA does not engage in legal, accounting or other
professional services. The information in this newsletter is
not intended to be constructed as legal, accounting or
other professional advice. If legal advice and/or other
expert assistance is required, the services of a competent
professional person should be sought. The Landlord's
Business Association disclaims any and all liability for the
action or inaction taken as a result of communication from
or to its members, officers, directors, and/or employees.

New address? New email? New phone #? Please email your new contact information:

lbainc@outlook.com

Interesting in being part of the discussion?

The Franklin County Landlord Open Email group is a great place to ask your landlording questions and get answers back from local landlords! Interested in

joining? Just email "join" to solarmarc@gmail.com and I'll add you to the group list!



Save today! Members receive an additional 4-5% discount on personal auto policies

159 Avenue A, Turners Falls
413.863.4373 ahrist.com

FRANKLIN COUNTY'S FAVORITE FUEL



413-772-2121 • 400 CHAPMAN STREET • WWW.SANDRI.COM