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March - 2014



2014 Apartment Industry Outlook

Leasing Kickoff April 10th



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Published by the Northeast Ohio Apartment Association

The Northeast Ohio Apartment Association is a non-profit organization committed to furthering professionalism in the multi housing industry. NOAA serves sixteen Ohio counties through specially designed education, networking and legislative programs.

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Message from the EVP



Dear NOAA Members,

I've heard it said that this is the coldest winter in decades. So too have I heard, more than once, that this winter is reminiscent of winters of our youth. Those were the days. Building snow forts to accommodate snowball fights, then stay outside until you were red as a beet, only to come in when Mom called, "Soups on!" or "Get your butt in the door!"

Those were the winters of our content, as these are the winters of our discontent; driving to work in blinding snow flurries, only to reach an office that struggles to top 55 degrees for over a month. Slipping and falling on slick ice (ouch, that really hurts), taking the dogs out in wind chills of -20 degrees, both morning and night.

So why do we do it?

Because it is home and home is where the heart is. Right?

I guess that's right. But more so we do it because that is what we do. There are nearby places that have received more hard knocks. West Virginia, for example, home to an epidemic of coal mine disasters, has had to deal with the fact that the state's river and ground waters have been highly contaminated by a company now trying to claim bankruptcy to hide from responsibility.

Citizens were unable to bathe or drink in their running water for weeks. The polluter caused enough damage to make the citizens of Cincinnati fear their water from the downriver effects of the same spill.

Of course, Cincinnati's rivers and streams full of raw sewage and PCBs for so long that a government official had to tell citizens the Ohio River was suitable for human contact – unless it rains – and not to eat more than one fish per month

from the Ohio. And that was before the West Virginia spill trickled down the river.

And don't get me started on Columbus.

So, boo hoo, it's cold out. Grab a pick, bore a hole and go ice fishing on Lake Erie. Eat all the walleye you like, but first I'd advise you to check out the Ohio EPA web site for further information. As for me, I'll curl up by the fire and watch HBO and ESPN, occasionally taking the dogs out, slipping and sometimes falling. But there's no place like home.

Warmly,

Ralph McGreevy
Executive Vice President

Notes from around my desk:

Sadly the obituaries of two apartment insiders are in this issue. Jerry Spevack and Lee Cohen will be missed by many.

Tri-C will be presenting our Certified Managers of Apartments class at Tri-C Corporate College. Please call for details.

Based on the success of our Maintenance Series taught by Associated Builders and Contractors, we will be offering another round of education. Stay tuned for more information.

And finally, Thank You for all your continued support!



Build & Better the basics

Windows on the River
April 10th 2014
9AM - NOON

Leasing Kick Off
Amy Kosnikowski Dilisio
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F: 216-755-1300
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Associate

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...IN CLOSING, ONE MORE THING...

Jerome Spevack (1932 - 2013)

NOAA Life Trustee and former President Jerry Spevack passed away in December. Jerry was executive vice president of Associated Estates Realty Corp. until his retirement in 2004.

We recognize Jerry, not only for his involvement in NOAA and his legacy for mentoring many individuals who continue to be active in the apartment industry, but also for being a man larger than life. There were few people in the industry and his community whose lives he had not touched. He was loved and respected by many people. The subsequent success of many of the people Jerry trained and mentored is a credit to him.

Jerry Spevack was instrumental in assuring that NOAA succeeded and for giving direction to the organization

during its growth years. He served as NOAA's president from 1979 to 1981 and as president of the Cleveland chapter of the Institute of Real Estate Management from 1984 to 1986. He was the first member of NOAA's Real Estate Hall of Fame in 1990, along with his good friend Sanford Block, and, in 2003, was installed in the Glenville High School Hall of Fame.

Jerry served on many community boards of directors, including those of Israel Bonds, the Jewish Federations of Cleveland and South Palm Beach, Fla., Israel Children Centers, Montefiore Jewish Homes, the Jewish National Fund and as president of Temple Emanu El from 1989 to 1991.

Just as he was active in his personal community, he set the bar high for the

care and concern for the residents of Associated Estates' apartment communities. Many will remember Jerry's "Back to the Basics" talks, which emphasized "curb appeal" and the thought that "clean is free." Those who had the opportunity to hear Jerry speak will know the significance of the opening of this remembrance – he always had many one more thing to end with.

Jerry is survived by his wife of 60 years, Barbara, two children, five grandchildren, a brother and a sister, and a sister-in-law. We wish them comfort in their loss.

...In closing, one more thing, Rest in Peace, Jerry Spevack... 🕯





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What is this antique tool?



Maverick Restoration challenged NOAA trade show attendees to guess what the above antique tool was used for.

The winner, chosen at random from all of the correct guesses, won a \$50 gift card to Ken Stewart's Lodge in Bath, OH.

Congratulations to
Alex Pacheco - Leasing Professional at Clearbrooke Apartments - Burton Carol Management

Most outrageous incorrect guess:
Fingernail Puller

Answer: Curling Iron

Calendar of Events

MARCH

S	M	T	W	T	F	S
23	24	25	26	27	28	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24/31	25	26	27	28	29

- | 4 **Associates Council**
9:00 am - NOAA Office
1468 West 9th Street
Cleveland, OH 44113
- | 4 **Electrical Maint. Techniques**
1-5pm \$125 - ABC Facility
9255 Market Place West
Broadview Heights, OH 44147
- 28 **Troubleshooting HVAC Problems (ABC)**
1-4 pm \$115 - ABC Facility
9255 Market Place West
Broadview Heights, OH 44147

APRIL

S	M	T	W	T	F	S
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3

- 8-9 **Certified Leasing Professional**
9 am - 3 pm NOAA Office
1468 West 9th Street
Cleveland, OH 44113
- 10 **Leasing Kickoff**
Amy Kosnikowski
9:00 am
Windows on the River
2000 Sycamore St
Cleveland, OH 44113
- 11 **Associates Council**
9:00 am - NOAA Office
1468 West 9th Street
Cleveland, OH 44113

Certified Manager of Apartments
(CMA) class coming this **Spring!**

We have partnered with Corporate College, a division of Cuyahoga Community College, to develop design and deliver a certification program to enhance the knowledge and skills of apartment managers in Northeast Ohio.

ABC Maintenance workshops are back!
For more details on these workshops see page 12 or visit noaamembers.com/calendar

|| **Install & Repair Doors / Drywall**
1-5 pm \$125 - ABC Facility
9255 Market Place West
Broadview Heights, OH 44147

Subscribe to our calendar for automatic updates! Click the *Subscribe* button below the calendar (www.noaamembers.com/calendar) to link our calendar feed to your personal calendar. Changes we make will automatically update your calendar.

Maintenance Workshops

NOAA is pleased to continue a partnership with the Associated Builders and Contractors - Northern Ohio Chapter to provide a series of workshops designed to train building maintenance personnel. All programs feature an overview of theory, handouts and reference materials, and hands-on opportunities in the ABC electrical, plumbing, HVAC and carpentry labs.



1 **BACK BY POPULAR DEMAND (SAME MATERIAL FROM FALL 2013 WORKSHOP)** **Electrical Maint. Techniques (4 hours) \$125**

Friday - March 14th 2014 - 1pm - 5pm (*20 students*)

- Mechanical Fundamentals
 - Safe Practices
 - Wire sizes and styles
 - Solid versus stranded conductors
 - Proper stripping techniques
 - Conductor termination on various devices
- Best practices for replacement of
 - Fixtures
 - Fans
 - Switches

Limited students / workshop. Workshops may be canceled or rescheduled due to insufficient attendance, instructor illness, weather conditions or other events beyond our control.

RSVP's must be received seven days prior to each class date.

Attend all four workshops for a **savings of \$40!**
\$450 to attend all four.

2 **Troubleshooting HVAC Problems (3 hours) \$115**

Friday - March 28th 2014 - 1pm - 4pm (*20 students*)

- Overview of HVAC System Types
 - Heating
 - Ventilation
 - Air Conditioning
- Identifying the Most Common Problems
 - The Electrical System- Fuses, Thermostats, Motors
 - Heat Exchangers
 - Air Filters
 - Compressors, Condensers and Refrigerant Leaks
 - Drain lines
- Knowing when to call a Professional

Call NOAA TODAY to reserve a seat in these high demand workshops. 216-241-1635

3 **Install and Repair Doors and Drywall (4 hours) \$125**

Friday - April 11th 2014, 1pm - 5pm - (*20 students*)

- Doors & Door Hardware
 - Handling, Fitting and Finishing Doors
 - Door Hinge Types and Installation
 - Lockset Types and Installation
- Drywall Repairs
 - Identifying and Repairing Common Problems
 - Patching Drywall

ABC Training Program: The Northern Ohio Chapter of Associated Builders and Contractors, an organization of 300 construction companies and their suppliers located throughout Northern Ohio, has been providing training in the construction trades since 1974, along with continuing education, management programs and safety seminars and workshops.

In December 1999, the NOCABC completed construction of a 16,000 sq. ft. Training Center. The facility includes a 3,000 sq. ft. open lab, dedicated electrical, plumbing, and HVAC labs, and multiple classrooms, which can accommodate anywhere from 15-75 students. NOCABC shares this facility with educational institutions, businesses and government organizations who have donated time, equipment and knowledge to make this training possible. ABC is certified by the Department of Labor and Ohio State Apprenticeship Council to deliver apprenticeship training in 17 different construction trades. In addition, ABC is an Accredited NCCER Training Center.

4 **BACK BY POPULAR DEMAND (SAME MATERIAL FROM FALL 2013 WORKSHOP)** **Plumbing Fundamentals (4 hours) \$125**

Friday - May 2nd 2014 - 1pm - 5pm (*16 students*)

- Safe practices, troubleshooting and service
 - Drains
 - Fixtures and faucets
 - Dishwasher connections
- Toilets - resetting/wax ring

ABC Instructors must complete a rigorous instructor training program prior to teaching. All ABC instructors are journeymen with most actively working in their respective craft.



KELLY BAMM | AMISH EXTERIORS

Overlay Verses New Roof

Plummeting temperatures wreak havoc on roofs. As the weather begins to warm and the spring rainy season arrives, many apartment owners will discover some of their properties' roofs need replacing.

As a cost-conscious owner, it's important to understand your options, from adding a layer of roofing over existing shingles — known as “overlaying” — to replacing one. Amish Exteriors recommends the following:

From a cost perspective, overlaying a new roof might seem like the better choice. However, several conditions must be met:

1. The building code must allow for another layer.
2. The existing roof must be in good condition.
3. The current roof must lay flat with no bumps or rolls.
4. There can't be any problems with the roof deck.
5. There are no sidewalls where flashing is needed.

Even if all these conditions are met, it is important to understand the drawbacks of not taking the roof down to the sheathing for a complete tear off.

By not tearing the roof all the way down to the sheathing, the decking can't be examined. If there's a leak, not examining the extent of the damage could end up costing more long-term. A leak may indicate a problem with the existing underlayment, flashings, sheathing rot, ice and water damage or mold.

When a second layer is installed, the existing roof must lay flat with no bumps or curling. Any bump or curl can make the overlay shingles look uneven or bumpy. Also, the flashings around pipe vents, chimneys, etc., can be compromised by the difficulty of installing a second layer.

Another consideration is the building's age and structure. Remember, a second layer will add weight that could create a bigger problem. Cracking in the structure

or drywall as the building settles under the new weight load could occur, especially during the winter with the addition weight of snow.

So, while weighing whether to overlay or replace a roof, consider the cost benefits of tearing off the existing roof to inspect the sheathing, flashings and ice and water barrier. 🛠️

For more information on roofing and siding, contact Kelly Bamm with Amish Exteriors, kbamm@icloud.com or 855-401-4565.

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Schill has converted more than 41 percent of its mowers to propane, with plans to convert the entire fleet by 2015.

ROBERTA HUDY | SCHILL GROUNDS MANAGEMENT

Does it make sense to Go Green?

As more consumers seek out environmentally friendly products and services, going “green” is an increasingly attractive business strategy. So what can property owners do to achieve this goal by partnering with a grounds management company? Sustainable grounds management practices include:

Replacing gasoline-powered equipment with environmentally friendly propane-powered equipment. Propane is among the cleanest burning fossil fuels available. Converting mowers to propane and sourcing propane locally will support jobs and reduce dependence on foreign fuels.

Using bio-nutritional fertilizers. Hybrid fertilization uses a probiotic plant health product that naturally suppresses harmful insects, grubs and plant diseases, enabling you to cut the use of synthetic pesticides and insecticides in half. This approach produces lush, weed-free and green lawns all season. Bio-nutritional fertilizers also naturally balance pH — eliminating the need for lime applications — conserving water and improving tolerance to drought.

Significantly reducing the chemical toxicity of ice-melting products. Your grounds management company should use innovative liquid deicer in snow removal and pre-treat bulk material. The result is a safer, faster snow and ice removal process. Treated road surfaces require fewer chemicals and need fewer applications, saving time and fuel.

Recycling. Organic materials should be recycled on site, including mulching grass clippings, leaves and other

materials when possible. Yard waste that can’t be naturally recycled and reintroduced into the landscape on site can be sent back to facilities for processing into reusable natural materials, such as mulch, topsoil and compost. The grounds company can also provide suggestions on choosing plants that need less trimming and create less waste.

Protecting and conserving water. Reducing the use of synthetic fertilizers significantly reduces storm sewer runoff, protecting creeks, streams, rivers and Lake Erie from phosphates that create toxic algae blooms.

Partnering with a grounds management company with these initiatives allows property owners to incorporate sustainable practices in their businesses. Reducing your carbon footprint, using less fuel, conserving water and creating less waste is something to market to your residents and community. 🌱

For more information on incorporating these “green” business strategies contact Roberta Hudy with Schill Grounds Management, NOAA President’s Circle Member, roberta.hudy@schilllandscaping.com or (440) 327 – 3030.

Professional, Mentor, Friend

Lee Cohen (1933 - 2014)

In 1989, I walked into Associated Estates Corp. as a property manager — and Lee Cohen walked into my life.

As director of operations, Lee taught us many things: You can't win or succeed without being part of a team; one person is not more important than another. He taught us the meaning of integrity and respect. To play hard with your vendors, but be fair. To follow company policies, but take off the blinders when needed — there is always an exception. And to think outside the box, because there are unique circumstances to all situations.

Lee had the ability to create committed, loyal teams of property managers, maintenance staff, leasing specialists, general laborers and housekeeping, and he respected and listened to each of their ideas and opinions. He was the true definition of “team leader” and “mentor.” He always had our backs.

Lee had various rules to live by: Integrity and respect are just not one-sided; if you want respect, give respect. If you can't look forward to getting up in the morning and going to work, get another job; you have to have fun at work. If you're good at what you do, you don't have to brag, it's there for all to see. Nurture and train your staff, let them grow and fly on to other opportunities. It is a testament to you that someone has advanced. Most of all, have fun. And if “Plan A” fails, always, always have a “Plan B.”

For Lee's birthday one year, I wanted to do something special. After all, “you have to have fun at work.” So all the property managers chipped in to get him an Eastern Onion Policewoman Stripper. The “police officer” arrived at our corporate office and asked to see Lee Cohen. Unfortunately, Lee happened to be in an executive meeting. The meeting was interrupted when Lee had to excuse himself because a law officer requested his presence.

All of us were hysterical, because it was not apparent, at first, to Lee that this was indeed a gag. What we didn't know was that Lee had just run a stop sign that morning while

rushing to his meeting. Who can forget the looks on Lee and AEC executives Jerry Spevack's and Jeff Friedman's faces as the officer read Lee his rights. After the humiliation, Lee whispered to me, “Payback's a _ _ _ _ _.”

When Lee left AEC, we had a retirement party for him. Over 100 past and present employees came from all over to pay tribute to this exceptional man. We had a photo taken with Lee, framed with the inscription: “A picture's worth 1,000 words.” And so, my friend, Lee, when I think of you and that photo, it will always remind me of the many lives you've touched.

All the king's horses and all the king's men, couldn't put Humpty together again. There wasn't a cure for Lee's cancer, but it couldn't conquer his spirit, sense of humor, his infectious laugh and love of family and friends. I will so miss him.

How ironic that the two visionary men of Associated Estates, Lee Cohen and Jerry Spevack, died within weeks of each other. Rest in peace, gentlemen. 🕊



2014 Apartment Industry Outlook

Ask Trevor Hunt, a neighborhood planner with the Cuyahoga County Planning Commission, for a list of major apartment projects launched or proposed within the last year and he rattles them off as if scanning the flavors at a Baskin-Robbins.

“Well,” he says, “there’s the Shoreway Lofts on West 76th Street, the Breakwater Bluffs near the lakefront, the Templin-Bradley Lofts on West 57th, the West 25th Street Lofts, The Residences at Hanna in Playhouse Square, the Worthington Building in the Warehouse District...”

And the list doesn’t end there.

Unofficially, that’s nearly 1,500 new units to come on line within the last year, due to open or are in the very early stages of development. And that’s just downtown and in Ohio City, Tremont and Detroit-Shoreway, trendy neighborhoods on Cleveland’s near west and south sides.

“The development activity should come for the next several years,” Hunt says, “if not longer.”

Now, long-time Northeast Ohioans — and even short-timers with a sense of the city’s economic history — realize the region is no economic boomtown and hasn’t been for more than 50 years. The recent disclosure that United Airlines is “un-hubbing” itself from Cleveland Hopkins International Airport attests to that.

So, then, that poses the question: Does the slew of new product set up 2014 as a year where apartment owners, managers and investors will may start to notice rents softening and occupancy rising from overbuilding?

“Absolutely there’s a fear of overbuilding. I think there’s a

saturation point, for sure,” says George Goudreau Jr., CEO of the Parma-based Goudreau Cos., whose perspective on the local apartment market covers nearly five decades.

“However,” he quickly adds, “I’m not looking for softness in 2014.”

In fact, Goudreau’s firm is also riding the wave of development, with plans to add — as demand dictates — upwards of 370 units on 24 undeveloped acres adjoining the company’s 270-unit Ranch Village in Parma Heights. Construction could begin by late this summer on the first of several “neighborhood-style” designs, as he described them.

That optimistic view is shared by many local and national observers, who point to overriding demographics, consumer tastes and the financial fallout from homeownership that continue to drive strong demand for apartment living.

Nationally

Of course, every region of the country is a sub-market, with its own unique advantages and flaws. And within every sub-market, there are still more factors that make a suburb or section of a city more appealing to potential renters than others. So one size does not fit all in economic forecasting.

But projecting 2014 and beyond naturally stems from a national perspective, which can indicate expectations for the U.S. economy and federal lending policies that affect

the local market and your business. Several NOAA members develop, own and manage properties nationally, while others are continuously weighing opportunities to expand beyond Northeast Ohio.

Within that context, expectations are generally positive for 2014, barring a catastrophic gut-punch to the economy. The title of the show might be something like, “More of the Same.” As dull as that sounds, that’s good news for NOAA members.

In the National Multi Housing Council’s quarterly survey of apartment market conditions released in January, Mark Obrinsky, NMHC’s senior vice president for research and chief economist, noted that new supply was finally starting to catch up to demand. The survey was based on feedback from 157 CEOs and other senior executives of apartment-related firms nationally.

“In a few markets,” Obrinsky said, “we are seeing completions a little higher than absorptions, but this is likely to be short term in nature. Fundamentally, demand for apartment homes should be strong for the rest of the decade (and beyond) — provided only that the economy remains on track.”

And the New York-based real-estate research firm Reis Inc., in its recent analysis of fourth-quarter 2013 and what lies ahead, reported that demand for apartments “remains strong,” and was unaffected by seasonal weakness normally seen in fourth-quarter data.

Nationally, according to Reis, nearly 42,000 units were completed in the fourth quarter — the most since the fourth quarter of 2003 — and about 127,000 for all of 2013. Reis also predicts completions should total more than 160,000 apartments in 2014, which could bump up the national vacancy rate slightly for the first time in five years.

Further, the CoStar Group, a Washington, D.C.-based real-estate research firm, predicts new-apartment supply nationally will peak this year at 220,000 units, but the nation's 54 largest markets will see a combined 350,000 more units in 2015 and 2016, according to a recent Wall Street Journal report.

“Good deals, smart deals are being financed,” says Brian Koch, vice president of Crescendo Commercial Realty, a multifamily brokerage, property management and asset-consulting firm in Middleburg Heights. “Deals that are marginal are still tough to finance. The banks have not lost their minds again, which is great for our economy.”

Locally

While not among the nation's hottest markets, the Cleveland-Akron region is trending much the same way.

The Cleveland apartment market consists of roughly 113,300 units in 13 geographic concentrations, ranging from the 12,800-unit Lakewood/Linndale/Brooklyn submarket to 4,800 units in the downtown submarket, according to Reis.

Since the fourth quarter of 2003, the downtown market has experienced the

greatest influx of new inventory, about 1,400 units. That represents about 40 percent of all new units added to the market over the last 10 years.

“Downtown is a very hot place to live, occupancy is 96 percent. It's very much in demand,” says Cheri Ashcraft, director of corporate outreach for the K&D Group, perhaps the most active downtown apartment developer for the last several years.

To Stonebridge in the Flats, Reserve Square on East 12th Street and The Residences at 668 on Euclid Avenue near Public Square, K&D added the 103-unit Residences at Hanna in Playhouse Square last July. The Hanna was 70 percent pre-leased and now has a waiting list.

Next up, the conversion of the 21-story former East Ohio Gas headquarters on East 9th Street and Superior Avenue as The Residences of 1717. The first floor of will open sometime in July and continue as demand dictates up the tower from there. One- and two-bedroom units will rent for \$950 to \$2,100.

K&D has been very aggressive and expects that to continue. Out-of-town developers are increasingly investing in, or taking a closer look, at opportunities in Cleveland. But how long will the wave last?

“That's hard to say, you're kind of looking into a crystal ball,” Ashcraft says. “But

were certainly hoping it's long-term.”

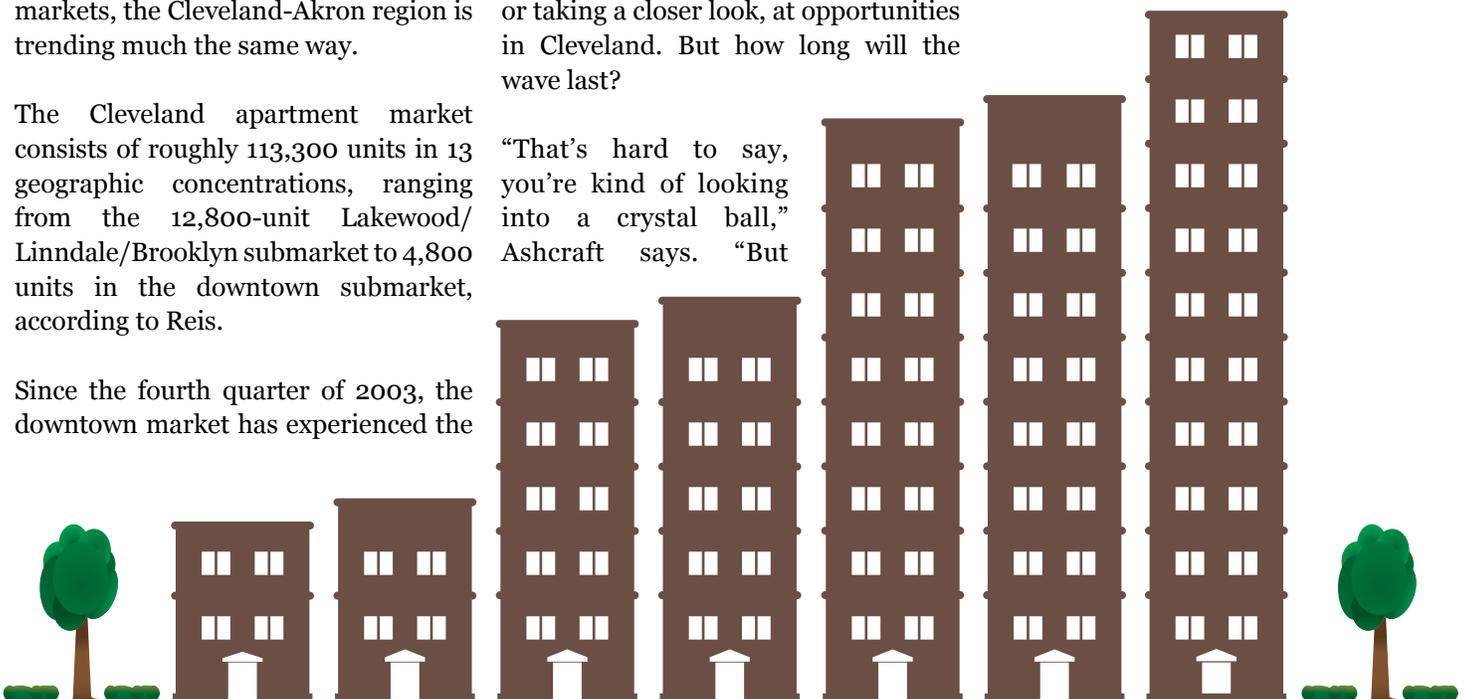
Recent data supports such development, at least in the near term.

According to Reis, the average asking rents regionally inched upward in 2013 and are expected to continue. Meanwhile, the average vacancy rate of 3.2 percent was down 10 basis points from the same quarter the year before and the tightest vacancy since year-end 1993. The prediction for 2014 is for the vacancy rate to hold steady at 3.2.

Reis's data shows the submarket with the highest vacancy rate is Euclid, with 11,213 units in 46 buildings with a vacancy rate of 5.5 percent. The submarket with the lowest vacancy is Strongsville/Berea, with 8,345 units in 31 buildings and a vacancy rate of 1.6 percent.

The submarket with the highest asking rent is downtown, with 4,780 units in 31 buildings and an asking rent of \$1,209 per month. The submarket with the lowest asking rent is Euclid, at \$650 per month.

“We're hearing,” says Koch, “from (real estate) investors who are looking for properties in those neighborhoods that are coming back to the forefront, like



Ohio City and Tremont, which may not have a lot of product available.”

Apartment developers and managers say the solid market is being driven by several demographical trends:

- Aging Baby Boomers shedding the maintenance and hands-on responsibilities of traditional homeownership for the flexibility of apartment living.
- And consumers hurt by the recession that financially are in no position to buy a home.
- Millennials (25- to 35-year-olds) who prefer to live nearer the central city, close to entertainment, the lakefront and the excitement

that suburbia can't offer.

On paper, those three segments couldn't be more different. Yet they share a similar view of what apartment living should offer — and developers are paying attention.

Prospective renters are very aware of a property's amenities: A commercial-grade fitness center tops the list. Then maybe an indoor swimming pool. (K&D is renovating its Reserve Square feature to a salt-water pool.) Customers want a menu of activities, such as Zumba and yoga classes and walking clubs. They expect a substantial business center, preferably with a conference room, for telecommuting and client meetings.

“They're looking for a more resort-style community center,” says Goudreau, “some as large as 11,000 square feet, with maybe a cyber café in it. They want 1,600- to 2,000-square-foot fitness centers. They want outdoor seating and fire pits. They want to be outside and they want to be able to relax together.”

Those who meet such expectations and fill up their buildings quickly may find that “More of the Same,” the title for the 2014 apartment industry outlook, is pretty exciting after all. 📺

Nothing feeds the perception of a thriving downtown apartment market more than residents walking their dogs and a full-service grocery store.

Downtown Cleveland has its share of dog-walkers. The grocer is on the way.

The recent revelation that Heinen's Fine Foods, an 85-year-old local chain of high-quality suburban supermarkets, plans to open a store in the historic Cleveland Trust bank building rotunda at East 9th Street and Euclid Avenue in the heart of downtown sent a promising message to the growing number of apartment dwellers and developers alike.

At this point, though, the project may be more symbolic than grounded in sound business fundamentals — which is fine with Jeff Heinen, who directs the third-generation family business with his twin brother, Tom.

“There are clearly not enough people today to support it,” he says. “This is a little bit on a hope and a prayer that downtown residential growth continues.”

Yet downtown apartment owners and developers are giddy over such a show of faith. The addition of a familiar, well-run grocer with staying power and the will to weather Cleveland's fickle economy is a marketer's dream — one more (huge) selling point to slip into the property brochure.

Economics aside, the trick now, says Heinen, is carving out a store from such nontraditional space that still functions well and serves customers as the company has been accustomed to since his grandfather opened the doors of his neighborhood butcher shop in 1929. The design has been a bit of a riddle.



Construction of the Cleveland Trust bank building rotunda. (1905)

“This was an opportunity to go into a space that is iconic. It's been more challenging than probably what we expected,” he says. “We're hoping (to open) for the fall, but as the days tick by, I don't know if that's realistic.”

When the downtown Heinen's does open, it will hardly be out on an island. The rotunda remake will be a visible corner anchor of the Geis Cos.' massive redevelopment of the former Ameritrust bank headquarters. When done, the project will feature luxury apartments, a hotel, theater, restaurant, rooftop bar and the Cuyahoga County government's main offices.

That's a load of potential residents, dog-walkers and grocery shoppers — even if it takes several years to see it through.

“As a private company, we can afford to look long term,” Heinen says. “There's a lot (of downtown development) going on, as you know. If it continues, we'll be fine (there). If it doesn't, we won't.”

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Customers Who Don't Pay

When you saw this article written by a Roto-Rooter guy, you figured here's some helpful hints on how to prevent a drain back up or fix a leaky faucet, or even how to replace a main sewer line without digging it up. Not this time.

Plumbing problems cause inconvenience, or can even shut down an operation temporarily. But as bad as they might be, they are not likely to completely cripple a business. But there is a much larger problem we all face.

Bad debt accounts are putting small companies out of business at an alarming rate. Even larger businesses are drastically affected by the increasing trend of "bad customers." There is a growing culture of people who know that it is too expensive for companies to pursue them for money they owe. Service and product providers are seeing bad debt growth every year. Property owners are seeing an increase in tenants who know they can live "rent free" for a fairly long time before they can be legally

removed from a rental property. Roto-Rooter is in the same boat with everyone reading this article. Traditionally, we have spent large amounts of time and money chasing account receivables. Phone calls, demand letter, liens, collection agencies and legal action all cost money. Some cost more money to implement than the debtors owe, and that "bad customer" knows it — and knew it when he hired you.

But I have found an excellent alternative that is used *before* a product or service is delivered or a lease is signed. There are plenty of places on the Internet for customers to write and read reviews about companies before choosing to do business with them. And now there is a resource for companies to check out

customers before doing business with them: knowyourcustomers.com.

Knowyourcustomers.com is a site that allows companies to find whether a customer has a history of not paying providers. It's not a credit check, but a business community-driven database where businesses post information on customers who have failed to pay. With this knowledge, a company can better control whom to do business with and can adjust its terms accordingly. 📄

Knowyourcustomers.com is also an associate member of NOAA. Check it out for yourself.

Reminiscences of a Landlord Attorney

Representing landlords for more than half-a-century has been challenging, rewarding, frustrating, satisfying but never boring. It has called into play all my legal training and more.

I have met great people and cads. I have dealt with outstanding judges and charlatans. I have represented landlords who were brilliant, and idiots. I will miss the good times and be glad to be rid of the bad.

Where has the time gone? I never envisioned doing this for 51 years, yet it happened. Hopefully, I gave wise, competent, aggressive and honorable representation to all my landlord clients.

Can I summarize 51 years of representing landlords in one article? Definitely not, but here are some highlights and miscellaneous thoughts I hope offer helpful insight, information and even a little education about the complex legal issues of apartment ownership and management.

Getting Started

My first landlord client, in 1962, was the Scolof twins, Alan and Ivan, who subsequently formed Emmco Management. Alan, who tragically died as a young man, and I attended law school together. He and Ivan had inherited some rental property on Euclid Heights Boulevard in Cleveland Heights. They retained me for evictions and collections. And so my career began.

First Big Break

The first professional real estate management company in Greater Cleveland was Metropolitan Management. The firm retained me in about 1964 to handle evictions

and collections for its portfolio. Metropolitan's largest account was the property owned by Carl Milstein. Milstein was a prominent real estate developer and owner. He built and operated many well known high rise apartment complexes. When Milstein formed Associated Estates in the mid-1960's, he discharged Metropolitan, and Associated managed his portfolio. I followed Associated as its attorney.

Initially, Milstein was a very hands-on guy. He used to have meetings at his house at 5 a.m. Attending these was never fun—particularly when I had a court appearance at 9 and had to wear a suit and tie to the 5 a.m. meeting.

Milstein divested himself from Associated Estates management. His son-in-law, Jeff Friedman, took control and worked side by side with Jerry Spevack to direct management operations. Jerry, who recently passed away, was one of my all-time favorite people in real estate management. My relationship with him lasted until his retirement several years ago. He was the most loyal client I ever represented.

Subsequent Growth

From that beginning, I ultimately represented, at least for a time, most major landlords or management companies in Northern Ohio. The reality of this business is that, regardless of the dedication to a client and the quality of the representation provided, retention of every client's business is impossible. Younger lawyers, relatives, cronies, etc. constantly under-bid the work. Client



Victor Javitch

loyalty is fleeting. I learned early on not to personalize representing landlords. With some exceptions (notably Jerry Spevack of Associated Estates), clients come and go. The moral is do your best, be knowledgeable of the law, be organized and diligent and, hopefully, that will suffice in retaining the clients—but not always.

My Least Favorite Clients

Unquestionably, the clients I most disliked representing were slum landlords. When I was getting started, I had a stable of these. They are less common today. The thing that most annoyed me was that these slum landlords were often the pillars of their personal communities and exceptionally charitable—this despite their mistreatment of tenants.

A close second in the least favorite category were clients who did not pay their legal bills on time. I would normally advance court costs for a client. When the client did not promptly pay, I was fighting not only to get my fee, but also to recover my out-of-pocket costs.



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Settling Cases

I learned the hard way that an attorney should never settle a case without the client's specific advanced approval. I had a client who verbally told me I had authority to settle his cases using my discretion. This worked fine until the client refused to accept a settlement I made in a large commercial litigation. The settlement was made in open court and was, therefore, binding on the client. He would not honor the settlement, so I ponied up the difference between what he claimed he needed and the settlement proposal. This was a painful lesson and a mistake I never made again.

Contested Cases and Cases with Legal Aid

The toughest cases were those where the tenant was represented by the Legal Aid Society. Most lawyers look for a pretrial solution to contested cases. Not so with Legal Aid. Establishing a legal

principle often was more important to Legal Aid than seeking a compromise. I had a residential eviction case with Legal Aid that went all the way to the Ohio Supreme Court (which I won). My best strategy was to fight fire with fire. Stand up to the litigation, and seek an edge in the facts or the law and then bargain from strength, or, if necessary, go to trial. I have found that taking a difficult lawyer to trial often revealed a lack of trial skills. As I developed a reputation as a good litigator, I found it easier to resolve difficult cases.

Delay as a Defense

Is it legitimate for a tenant to seek legal representation to delay the effects of being evicted? This occurs primarily in commercial cases where the tenant needs to salvage his business, arrange to relocate, sell off inventory, benefit from seasonal business, etc. I believe that a tenant seeking to delay being evicted has a legitimate basis for hiring

a lawyer to accomplish this. However, in a case where I represented a tenant in an ice cream store, which wanted to delay being evicted until the end of the summer, my successful legal maneuvers to delay the move out accordingly resulted in my being chastised by the court for this tactic. I am not an expert in legal ethics, but doing this appears to be a close call.

Dispute Between Tenants

I never liked cases where the landlord has to choose between two squabbling tenants. Clearly, in some cases where one tenant has a valid complaint against the other tenant (drug use, excessive noise, criminal activity, illegal tenants) the landlord's duty is to support the abused tenant. The problem is the complaining tenant is a necessary witness to make the case. This requires transporting the tenant to court and carefully preparing him to testify. If the tenant changes his mind or gets cold

feet mid-stream, the landlord's case goes up in smoke.

Acceptance of Rent During the Eviction Process

The general rule of law is that the acceptance of any rent after the eviction notice is served cancels the basis for eviction. Historically, one of the tenant's best defenses to an eviction for nonpayment of rent is that the landlord did accept a partial tender of rent after serving the notice. The standard instruction to the landlord is to hold the rent and not deposit it. Bring the tendered rent to court in the exact form as tendered and request the court to allow the landlord to accept the rent without prejudice to the eviction.

The above sounds easy enough, but over the years, I have encountered many problems with this concept. Many clients set up a payment procedure for rent to be paid to a lock box at the landlord's bank. The landlord never handled the rent. So when the tenant made a partial payment to the lock box after receiving an eviction notice, the landlord would write his own check back to the tenant to avoid having accepted the partial payment.

The problem with this procedure was that many courts held that, once the tender was accepted, it could not be returned in a different form. So after a long and arduous series of cases, the landlord had to change procedure to avoid the partial acceptance defense. In some cases, the bank would agree to monitor payments in pending eviction cases. Or, if not, the landlord had to change altogether the payment arrangements with all tenants and have the rent paid directly to the landlord.

Receiverships

With the prevalence of foreclosures against defaulting landlords, a bank



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would usually request receiver be appointed by the court to take control of the property, pending a completion of the foreclosure process.

The process of appointing a receiver is a precarious one. The plaintiff bank can recommend a receiver to the court. This may or may not work. I had one judge tell the plaintiff, who wanted me to be the receiver, that she would never appoint the person recommended by the plaintiff. Some judges have a list of people they use as receivers. This is usually dictated by friendship or political expediency rather than qualifications.

As an item of business, being a receiver is generally lucrative. Receivers can be paid either hourly or by a percentage of the rent collected. The court must approve the fee, but the receiver is in control of the rent so he can pay himself as soon as the court approves the fee.

I have had some great receiverships. One lasted four years, and I did it full-time with a staff of four. Another lasted two years and was such a complex undertaking (a 751-unit apartment project) that I hired professional management to handle the project under my supervision.

Variables in the Judges and Magistrates

No two courts handle evictions exactly the same. Once you learn the peculiarities of a particular judge or magistrate, you can prepare accordingly. The variables between courts can be shocking. Some judges ask all the questions and the attorney just watches. Some judges treat an eviction as a full-blown trial and expect a formal presentation pursuant to the rules of procedure and evidence. When in doubt, be prepared to properly present a case as a formal trial.

Defending the Landlord

Landlords do get sued by tenants. A dangerous form of these cases is when the tenant represents himself pro se. Courts seem to bend over backward to assist a pro-se party. The result can be quite unfair to the landlord who may, in fact, be entitled to relief.

The most difficult cases I handled were when multiple tenants banded together to sue for a common grievance. Once, I defended a class action where all the tenants in a 70-unit building joined to sue for common issues—particularly the lack of adequate heat. I was very fearful of going to trial on these matters, and the courts were also reluctant to try a case that would last indefinitely. With the court's help, I did manage to settle

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these cases, but not cheaply. To lose at trial would raise the issue of paying the tenants' attorney fees, which was another motivating factor in achieving a settlement.

I never tried to coddle a landlord client who I believed was wrong. When the tenant's claim was meritorious, I counseled my client to negotiate the best deal and pay,

**Recession Issues
Renegotiating Leases**

A common occurrence during the recent recession was a tenant's attempt to renegotiate his lease mid-term. This is a concept that, 20 years ago, rarely, if ever, occurred.

A landlord's strategy in dealing with a tenant seeking relief from existing lease terms has been all over the board, from refusing to negotiate to accepting the tenant's demands. In between, I have seen various strategies, including the

following:

1. Reduce rent but defer lease amount to balloon payment due at end of lease.
2. Extend lease in consideration of reduces rent.
3. Additional guarantees required.
4. Additional collateral required.
5. Reduce rent for a short period but then rent returns to original amount.

The Cleveland Housing Court

The Cleveland Housing Court has been proactive during the recession and thereafter. Judge Ray Pianka has been brutal to parties who bought property at foreclosure or for a negligible amount and attempted to flip the property or rent it with little, if any, maintenance and upkeep. He has used the court's criminal sanctions to fine these parties for code violations, and where the party ignores the fine, would impose sanctions of up to \$1,000 a day. I was retained to collect these sanction amounts, which I have found to be nearly impossible. Try

to collect a judgment where an owner has been fined, for example, for not cutting his grass, ignores the fine and is fined an additional \$1,000 a day, resulting in a catastrophic judgment amount of sometimes six figures. It is a near impossible task to collect these judgments, although I do have some notable exceptions.

While impossible to summarize a 51-year real estate law career in one story, I hope some of what I learned along the way will help you along yours. 📧

Victor M. Javitch is a founding member of Javitch, Block and Rathbone, L.L.C. He recently retired from a practice where he specialized in creditors' rights and landlord-tenant and business litigation. He can be reached at vjavitch@jbandr.com or 216-244-4521.



JAMIE CHABRA | COINMACH LAUNDRY

Smart Technology Laundry Systems

Three decades ago, you didn't see someone in line at McDonald's whip out a MasterCard to pay for his Big Mac and fries. Credit cards were generally used for big-ticket purchases — and debit cards didn't even exist.

But today, plastic is the currency of choice. Lightning-fast databases and processing centers have made credit, debit and prepaid cards the go-to payment method for everything from a family vacation to a pack of gum — and, now, even a load of laundry. The days of scrounging for quarters and waiting for a machine to open up on laundry day may be coming to an end.

Not only are more apartment owners outfitting their community laundry rooms with eco-friendly Energy Star washers and dryers that use less water, have faster spin cycles and shorter drying times, they are installing machines that accept credit, debit and re-loadable smart cards. One simple swipe is all it takes to start a wash or dry cycle. Residents enjoy the flexibility and convenience that added payment options provide, and property owners appreciate the ability to finesse pricing and protect profit margins.

What's more, the same smart technology that allows property managers to monitor fluctuations in the delicate cost-versus-pricing equation also provides a new level of convenience. Time-crunched residents don't want to hang out in their community laundry center waiting for a machine. Now they don't have to. Web-based monitoring systems allow them to check the availability of washers and dryers on their computers or mobile devices with real-time status updates by email or text.

And should they happen to encounter a washer or dryer that is out of order, new smartphone apps are making it easy for residents to request a service call on the spot. With the simple scan of the machine's barcode, residents can choose from a list of service options to automatically create a service request.

Property managers benefit, too. User-friendly Web-based tools, such as Virtual View, make it possible to monitor their property's laundry facilities from virtually anywhere by computer. They can view and download comprehensive reports that track collection and commission payments for one or more communities. Custom search features allow users to quickly access data by a specific day or timeframe. They can review the complete service history for any property, and even submit a service request when necessary.

Of course, speed and convenience are two of the most valuable, highly sought-after commodities in our daily lives — even for routine chores like laundry. Fortunately, smart user-centric technologies are delivering new levels of both for property owners and their residents. 📱

For more information on smart technology laundry systems contact Jamie Chabra with Coinmach Laundry, NOAA President's Circle Member, jchabra@coinmachcorp.com or (330) 467-2298 x 57015

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Essential Tips For Business Texting

You use your iPhone or Android for everything else. Your spouse even texts you to grab some milk at the store or to tell you they'll be gone when you get home. It's quick, easy and gets the job done. Why not in business too?

If you're going to text for business purposes, follow these seven texting tips to keep it professional:

1. Consider if your message is urgent. Your text may interrupt your recipient...be sure there's a good reason for that interruption.
2. Is e-mail better? Most people prefer business communications via e-mail as it better respects their time and ability to respond appropriately. Text messages are also easily lost if sent at a bad time.
3. Do they only e-mail you? If yes, respond to them in the same way. If they e-mail, send an e-mail. If they call, call them back.
4. DON'T TYPE IN ALL CAPS. Don't you feel like someone is yelling at you when they type in all caps?

5. Proofread your message. Ever hear of "Auto-Correct" in text messages? Some can be downright embarrassing. If you're taking the time to write the message, take the extra seconds to proofread.
6. No abbreviations! Your recipient shouldn't have to decipher your text message with a decoder ring. Be as clear as you can with proper grammar and pronunciation. No sense in risking losing a customer who gets fed up with your messages.
7. Include your name in the message. Not everyone knows who you are simply by your cellphone number. Assume that the person doesn't know who the message is coming from.

If you do text in a business environment, especially with a customer or prospect, follow these seven tips to ensure that you are perceived as the true business professional that you are! 📱

For Business Technology questions, contact Michael Mandato at 440-925-4005 x133 or mmandato@systemcareinc.com. Visit www.systemcareinc.com to find out more information.

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Well-Maintained, On-Site Fitness Adds Priceless Value to Your Community

Location is still king, but today's multifamily market is also about amenities, amenities, amenities. "Wellness" and "community" are more than buzz words of the moment — they're important selling points.

On-site fitness facilities satisfy both resident needs, and are a means of attracting the highly-sought market of millennials and baby boomers.

How does a property benefit from a well-managed fitness amenity?

Clubhouses, fitness rooms and commons spaces, so-called "second spaces," also promote social interaction that helps tip the scale when leasing decisions are made.

According to Multi-Housing News, 81 percent of renters seeks a property with on-site fitness space. Convenient workout options attract residents who want to save time and money by not running across the city to a local gym with expensive monthly fees. A fitness amenity on site represents a perk that makes life easier for those who choose apartment living for exactly that reason — an easier, maintenance-free lifestyle. More than ever, our culture seeks a work-life balance.

How a management team treats common areas reflects how tenants are treated. Is the room clean, organized and

maintained? If so, potential residents will assume that attention to detail and care extends to all aspects of the property. If not, they might wonder what other customer service issues are handled poorly or being ignored altogether. A fitness area with machines that are broken or dirty is unacceptable.

A decade ago, two treadmills and a television were considered standard for an apartment fitness area. Now, tenants expect a variety of current circuit and cardio equipment options, along with entertainment systems, in a clean, bright and inviting room. It doesn't need to be complicated, but people want to feel like they are in a "health club," even if they live down the hall.

When planning a new fitness center, renovating an existing one or adding a piece of equipment, focus on what will make your property stand out from the competition. A well-equipped fitness center is a significant investment, but also a selling point — one that a skilled leasing professional can use to his or her advantage when showing the property. 📌

For more information on fitness amenities contact Chuck Sherman with Specialty Fitness Equipment, chuckherman@specialtyfitnessequipment.com or 216-282-5880.

Legislative Update

Outlined below are bills followed for the Ohio Apartment Association in the 130th General Assembly.

Current priority bills

HB 5: MUNICIPAL CORPORATIONS INCOME TAXES

11/19/2013 - Referred to Committee Senate Finance

HB 9: RECEIVER'S POWERS

12/11/2013 - Consideration of Senate Amendments; Did Not Concur Vote 0-94

SB 16: ABANDONED LAND

12/4/2013 - Referred to Committee House Judiciary

SB 22: PROPERTY REMEDIATION-METHAMPHETAMINE LABS

3/6/2013 - Senate Medicaid, Health and Human Services, (First Hearing)

Other Issues

Steve Gladman and Leah Pappas Porner met with lobbyists for the sub-metering industry to discuss their potential legislative effort. No legislation has been introduced. There was a willingness to find a mutually acceptable solution.

New bills since 10.30.2013

HB 368: SMART METERS-PUBLIC UTILITY CUSTOMERS RIGHTS(Lynch, M)

HB 382: MOTOR VEHICLE NONCONSENSUAL TOWING PENALTIES-PROCEDURES(Duffey, Bishoff)

SB 247: INCOME TAX CREDIT-RESIDENTIAL LANDLORDS(Kearney, E)

Full Tracking List

House

HB 5: MUNICIPAL CORPORATIONS INCOME TAXES (Grossman, Henne) -

To revise the laws governing income taxes imposed by municipal corporations. Current Status: 11/19/2013 - Referred to Committee Senate Finance

HB 9: RECEIVER'S POWERS

(Stautberg, P) - To add to and clarify the powers of a receiver and to provide a procedure for a receiver's sale of real property.

Current Status: 12/11/2013 - Consideration of Senate Amendments; Did Not Concur Vote 0-94

HB 31: RESIDENTIAL FIREARM STORAGE-ACCESSIBILITY (Patmon, B)

To prohibit any person from storing or leaving a firearm in the person's residence unless the firearm is secured in safe storage or rendered inoperable by a tamper-resistant lock or other safety device if the person knows or reasonably should know that a minor is able to gain access to the firearm and to provide criminal penalties if a minor gains unauthorized access to a firearm not so stored or rendered inoperable.

Current Status: 12/10/2013 - House State and Local Government, (Third Hearing)

HB 46: SMALL CLAIMS DIVISION-TAX APPEALS BOARD (Amstutz, R)

To create a small claims division of the Ohio Board of Tax Appeals, to allow for parties to file a notice of appeal to the Board by facsimile or electronic transmission using electronic mail, to require the Board to establish a case management schedule for appeals, and to authorize the Tax Commissioner to expedite and issue a final determination for residential property value appeals with written consent of the parties.

Current Status: 02/13/2013 Referred to Ways and Means Committee

HB 59: BIENNIAL BUDGET

(Amstutz, R) - To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs.

Current Status: 6/30/2013 - SIGNED BY GOVERNOR

*SB 125 companion bill

HB 198: TAX INCREMENT

FINANCING (Butler, Jr. J, Burkley T) - To establish a procedure by which political subdivisions proposing a tax increment

financing (TIF) incentive district are required to provide notice to the record owner of each parcel within the proposed incentive district before adopting the TIF resolution, and to permit such owners to exclude their parcels from the incentive district by submitting a written response. Current Status: 06/25/2013 House State and Local Government, (First Hearing)

HB 223: RESIDENTIAL FORECLOSURE ACTIONS

(Grossman, Curtin) - To expedite the foreclosure and transfer of unoccupied, blighted parcels and certain abandoned properties and to make other changes relative to residential foreclosure actions. Current Status: 12/3/2013 - House Financial Institutions, Housing and Urban Development, (Third Hearing)

HB 289: JOINT ECONOMIC DEVELOPMENT ZONE-DISTRICT

(Schuring, K) - To require subdivisions to obtain written approval from owners and lessees of real property located within a proposed or existing joint economic development zone (JEDZ) or joint economic development district (JEDD) before approving, amending, or renewing the JEDZ or JEDD contract, to require that income tax revenue derived from a JEDZ or JEDD approved, amended, or renewed after the bill's effective date be used to carry out the JEDZ or JEDD economic development plan before being used for other purposes, and to institute contiguity requirements for which subdivisions may create a JEDZ or JEDD.

Current Status: 12/3/2013 - House State and Local Government, (Fourth Hearing)

HB 297: DOMESTIC VIOLENCE

VICTIMS(Gonzales, Driehaus) - To allow an employee who is a victim of domestic violence to take unpaid leave for purposes relating to the incident of domestic violence; to allow an employee who is a victim of domestic violence to file a civil action against that employee's employer if the employer terminates the employee's employment as a result of the employee taking unpaid leave for purposes relating to the incident of domestic violence; to allow a tenant who is a victim of domestic violence to terminate

a rental agreement or have the tenant's name removed from the rental agreement under certain circumstances; to require a landlord of a tenant who is a victim of domestic violence or menacing by stalking to change the lock to the dwelling unit where the tenant resides under certain circumstances; to require a metropolitan housing authority to transfer a tenant who is a victim of domestic violence or menacing by stalking if the tenant requests such a transfer and provides the metropolitan housing authority with certain specified information; and to prohibit a county, municipal corporation, township, or law enforcement agency of such a political subdivision from charging any victim of domestic violence a fee for assisting the victim.

Current Status: 11/13/2013 - House Judiciary, (First Hearing)

HB 299: PROPERTY VALUATION COMPLAINTS(Grossman, C) - To require counties, municipal corporations, townships, and school boards that file complaints against the valuation of property they do not own to pass a resolution approving the complaint and specifying the compensation paid to any person retained to represent the county, municipal corporation, township, or school board in the matter of the complaint.
Current Status: 10/16/2013 Referred to State and Local Government Committee

HB 333: CIVIL ACTION REQUIREMENT(Stinziano, M) - To require an alleged aggrieved party to provide a notice of an alleged accessibility law violation in advance of filing a civil action and to declare an emergency.
Current Status: 12/10/2013 - House Judiciary, (First Hearing)

HB 368: SMART METERS-PUBLIC UTILITY CUSTOMERS RIGHTS(Lynch, M) - o establish rights for public utility customers regarding smart meters installed on their premises.
Current Status: 12/04/2013 Referred to Public Utilities Committee

HB 382: MOTOR VEHICLE NONCONSENSUAL TOWING PENALTIES-PROCEDURES(Duffey, Bishoff) - To revise the procedures and penalties governing the nonconsensual towing of motor vehicles and to require the Public Utilities Commission to adopt certain rules regarding a for-hire motor carrier engaged in the towing of motor vehicles.
Current Status: 12/10/2013 Introducedw

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Senate

SB 16: ABANDONED LAND (Schiavoni, J) - To provide that a person is not criminally or civilly liable for trespassing on certain abandoned land or similar places of public amusement if the person enters or remains on the land or place of public amusement to remediate it and knows or has reasonable cause to believe that the land or place of public amusement is in one of those categories; to provide the property owner with immunity from liability to a person who enters or remains on the land or place of public amusement in those circumstances subject to the statute governing liability to trespassers; and to provide that a person who enters or remains on the land or place of public amusement in those circumstances is not entitled to any reimbursement for any cost of the remediation unless agreed to by the property owner.
Current Status: 12/4/2013 - Referred to Committee House Judiciary

SB 162: SCHOOLS-CARBON MONOXIDE DETECTORS (Hughes, J) - To require the State Fire Marshal and the Board of Building Standards to include in the State Fire Code and Ohio

Building Code, respectively, a requirement that a public or private school must install carbon monoxide detectors within each building of the school.

Current Status: 11/6/2013 - Senate Public Safety, Local Government and Veterans Affairs, (Second Hearing)

SB 172: LAND REUTILIZATION-PROPERTY TAX FORECLOSURE LAWS (Patton, T) - To modify the laws governing land reutilization programs and property tax foreclosures.
Current Status: 12/4/2013 - PASSED BY SENATE; Vote 31-2

SB 247: INCOME TAX CREDIT-RESIDENTIAL LANDLORDS(Kearney, E) - To authorize an income tax credit for residential landlords who improve a rental unit's energy efficiency.
Current Status: 12/03/2013 Introduced

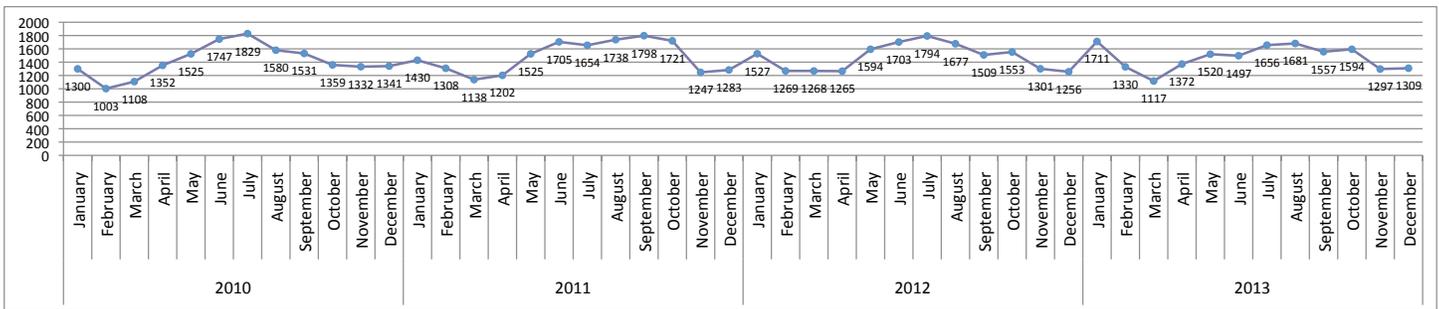
Eviction Index

The Suites Magazine Eviction Index is presented to owners and managers of multifamily properties to assist them in assessing the regional market. The numbers represent the number of eviction filings in the corresponding courts.

The Eviction Index is sponsored by Powers Friedman Linn, PLL, a law firm specializing in real estate management issues.

Court	2013												2014													
	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Bedford	134	177	208	140	153	215	159	205	185	212	176	135	167	134	177	208	140	153	215	159	205	185	212	176	135	167
Cleveland	778	1058	788	684	846	915	947	1035	1091	939	1063	838	827	778	1058	788	684	846	915	947	1035	1091	939	1063	838	827
Euclid	124	193	111	117	157	151	143	157	156	105	120	133	124	124	193	111	117	157	151	143	157	156	105	120	133	124
Lakewood	89	88	82	61	68	78	72	100	74	82	69	63	67	89	88	82	61	68	78	72	100	74	82	69	63	67
Parma	108	147	109	86	100	123	133	117	126	126	117	95	90	108	147	109	86	100	123	133	117	126	126	117	95	90
Painesville	23	48	32	29	48	38	43	42	49	45	49	33	34	23	48	32	29	48	38	43	42	49	45	49	33	34
Total	1256	1711	1330	1117	1372	1520	1520	1656	1681	1509	1594	1297	1309	1256	1711	1330	1117	1372	1520	1520	1656	1681	1509	1594	1297	1309

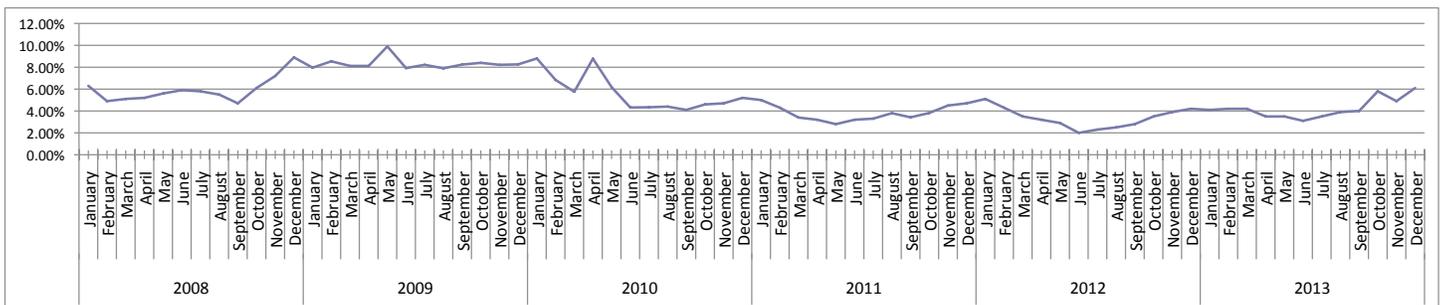
Total Eviction Index - Historical Line Chart



Vacancy Rates

AREA	2013												2014													
	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Northeast	3.8%	4.2%	4.9%	4.7%	4.1%	4.2%	3.4%	3.8%	4.4%	4.9%	3.7%	2.5%	5.0%	3.8%	4.2%	4.9%	4.7%	4.1%	4.2%	3.4%	3.8%	4.4%	4.9%	3.7%	2.5%	5.0%
Southeast	5.0%	4.7%	4.9%	3.5%	3.0%	3.7%	3.1%	4.0%	5.1%	7.9%	4.9%	4.4%	5.4%	5.0%	4.7%	4.9%	3.5%	3.0%	3.7%	3.1%	4.0%	5.1%	7.9%	4.9%	4.4%	5.4%
South/Southeast	2.9%	3.3%	3.4%	3.2%	2.8%	2.2%	2.9%	2.3%	2.5%	6.5%	2.5%	3.0%	4.0%	2.9%	3.3%	3.4%	3.2%	2.8%	2.2%	2.9%	2.3%	2.5%	6.5%	2.5%	3.0%	4.0%
Northwest	2.8%	2.8%	2.4%	2.1%	2.6%	2.5%	1.7%	2.3%	2.5%	8.3%	4.7%	5.0%	5.8%	2.8%	2.8%	2.4%	2.1%	2.6%	2.5%	1.7%	2.3%	2.5%	8.3%	4.7%	5.0%	5.8%
Southwest	4.4%	4.4%	4.4%	5.9%	3.8%	3.8%	3.7%	3.9%	3.9%	4.2%	3.5%	4.2%	4.9%	4.4%	4.4%	4.4%	5.9%	3.8%	3.8%	3.7%	3.9%	3.9%	4.2%	3.5%	4.2%	4.9%
Entire Region	3.9%	4.1%	4.2%	4.2%	3.5%	3.5%	3.1%	3.5%	3.9%	5.0%	4.5%	5.3%	6.1%	3.9%	4.1%	4.2%	4.2%	3.5%	3.5%	3.1%	3.5%	3.9%	5.0%	4.5%	5.3%	6.1%

Total Vacancy Rates - Historical Line Chart





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