

# Suites

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Published by the Northeast Ohio Apartment Association | August - 2014



Legal

## “WAR STORIES”

From the Front Lines of Property Management

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Key Award Gala Information | Golf Outing Photos

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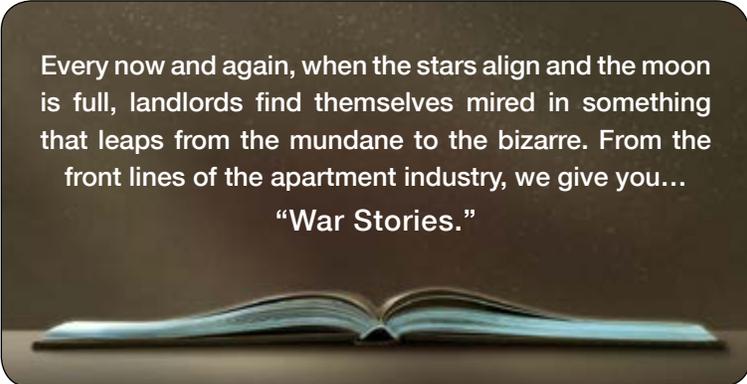
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**Published by the Northeast Ohio Apartment Association**

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 President



Often these days, you hear someone refer to something as a blessing. I have always had mixed feelings about that as a true blessing to me is something that is so meaningful that it causes tears of joy and are matters of the heart ... that matter most in life. To others, it can be daily events that bring one form of happiness to you and yours. Blessings come in all shapes and sizes and are so personal there is not any one right definition. So if you think it is a blessing, then for you, it is. As you think about our business right now, some would say that blessings abound. What could that mean?

If you survived the early part of the decade in the apartment business with your credit and financial well being intact ... some may say that is a blessing.

If you are experiencing our business like most apartment owners are today, which is the best of times for occupancy, revenue and rentals ... some may say that is a blessing.

If you are able to win a deal for a new apartment community using your own money without over leveraging it ... some may say that is a blessing.

If you are able to win a deal for a new apartment community using other peoples' money and leveraging it to the hilt ... some may say that is a blessing.

If you have a core of outstanding associates who are loyal and dedicated and truly exemplify excellence ... some may say that is a blessing.

If you are able to achieve upside in this good market and can invest capital back into your properties or business ... some may say that is a blessing.

If you are able to work for a solid organization that cares about its people and keeps its promises ... some may say that is a blessing.

If you are gainfully employed and love what you do, and who you do it with ... some may say that is a blessing.

If you worked hard shoveling snow during the winter of 2013/2014 that finally ended without any injuries ... some may say that is a blessing.

If the judges on "Key Awards Day" really loved your property and your people ... some may say that is a blessing.

If it's December and all of your vacant apartments plus

those on notice have qualified applications ready to move in ... some may say that is a blessing.

If you actually get a vacation that finally arrives and your work is done so no one has to scamper in your absence ... some may say that is a blessing.

If all move-ins go smoothly and you have happy residents who love living at your community and post great comments on apartmentratings.com ... some may say that is a blessing.

If no emergencies arise on a holiday weekend that require on call maintenance to respond ... some may say that is a blessing.

If your city has an Apartment Association that truly enhances what you do for a living and helps your organization do it better ... some may say that is a blessing.

If that Association happens to be NOAA, which is run by three very special people ... some may say that is a blessing.

So like I said, blessings come in all shapes and sizes. I am sure everyone can fill in what is a blessing to them and hopefully people feel their life is full of them. However most important are the blessings of the heart that really matter most!

If you have a child that graduates with honors, or even just graduates ... some may say that is a blessing.

If you have a wonderful spouse, partner, parents, children, siblings, friends or pets, who are above all, healthy and well ... some may say that is a blessing.

If life throws adversity or sorrow in your path, and you're strong and get through it with the support of your family and friends ... some may say that is a blessing.

And if our Executive Vice President of NOAA happens to be recovering extremely well from emergency open heart surgery, which is a miracle based on how things could have gone ... then in our NOAA family and in Ralph's family ... all would say that is a true blessing!

Blessings to all of you and yours for a wonderful remainder of this summer. And luckily the next issue of Suites Magazine will have a Message from our EVP himself!

*Joy Anzalone*  
President



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march@mlsmanagement.com

## Lincolnaire Apartments LLC

Marius G. Marita  
P.O. Box 470203  
Broadview Heights, OH 44147  
Phone: (440) 429-3869  
M\_Marita@yahoo.com

# Calendar of Events

## AUGUST

S	M	T	W	T	F	S
28	28	29	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/ 31	25	26	27	28	29	30

- 8 Associates Council**  
9 am - NOAA Office  
4698 Great Northern Blvd  
North Olmsted, OH 44070
- 12 Fair Housing**  
With Nadeen Green  
9 am - 12 pm  
Windows on the River
- 15 Electrical Maint. Tech (ABC)**  
1-5 pm \$125 - ABC Facility  
9255 Market Place West  
Broadview Heights, OH 44147

Add the NOAA calendar for automatic updates! Click the button below the calendar ([www.noamembers.com/calendar.html](http://www.noamembers.com/calendar.html)) to link our calendar feed to your personal calendar. Changes we make will automatically update your calendar.

## SEPTEMBER

S	M	T	W	T	F	S
30	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	4

- 4 Key Awards**  
6 - 9 pm - Grand Ballroom  
Marriott Downtown at Key Center  
127 Public Sq  
Cleveland, OH 44114
- 12 Associates Council**  
9 am - NOAA Office  
4698 Great Northern Blvd  
North Olmsted, OH 44070
- 18 Install & Repair Trim (ABC)**  
8am - noon \$145 - ABC Facility  
9255 Market Place West  
Broadview Heights, OH 44147

## OCTOBER

S	M	T	W	T	F	S
28	29	30	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

- 9 Troubleshoot Plumbing (ABC)**  
1 -5pm \$125 - ABC Facility  
9255 Market Place West  
Broadview Heights, OH 44147
- 10 Associates Council**  
9 am - NOAA Office  
4698 Great Northern Blvd  
North Olmsted, OH 44070
- 15 Fall Ball & Clam Bake**  
Hawthorne Valley  
Full event details to be determined
- 16 Certified Manager of Apts**  
Tri-C - Corporate College East  
Every Tues, Thurs - 10 Classes  
Oct. 16 - Nov. 20
- 23 Drywall - Install, Finish, Repair (ABC)**  
8am - noon \$125 - ABC Facility  
9255 Market Place West  
Broadview Heights, OH 44147

### Key Awards Gala

Thursday, September 4<sup>th</sup> 2014

#### Marriott Grand Ballroom

Key Center 127 Public Sq. Cleveland Ohio 44114

[www.noamembers.com/key14.html](http://www.noamembers.com/key14.html)

**Sponsorship Available**

### Trade Show

Thursday, November 6<sup>th</sup> 2014

#### Marriott Grand Ballroom

Key Center 127 Public Sq. Cleveland Ohio 44114

[www.noamembers.com/trade-show.html](http://www.noamembers.com/trade-show.html)

**Booths Available**

PAST EVENTS

# Golf Outing

Hawthorne Valley  
Country Club  
July 14<sup>th</sup> 2014

144 NOAA members enjoyed 18 holes of 4-person scramble golf. The weather, hole sponsors and prize donations were all excellent and made for an enjoyable event.



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- Carrara - *Gift Basket*
- Consolidated Solutions - *Golf umbrella, bag and blanket*
- Famous Supply - *Apparel*
- IGS Energy - *Driver - Dunk Tank*
- Maverick Restoration - *Longest*
- Marshmallow - *Golf Bag*
- Republic Services - *Lake County Captains Tickets*
- Schill - *Apparel*
- Welker McKee - *Golf Bag - Toilet Toss*
- 50/50 Raffle - *\$615!*



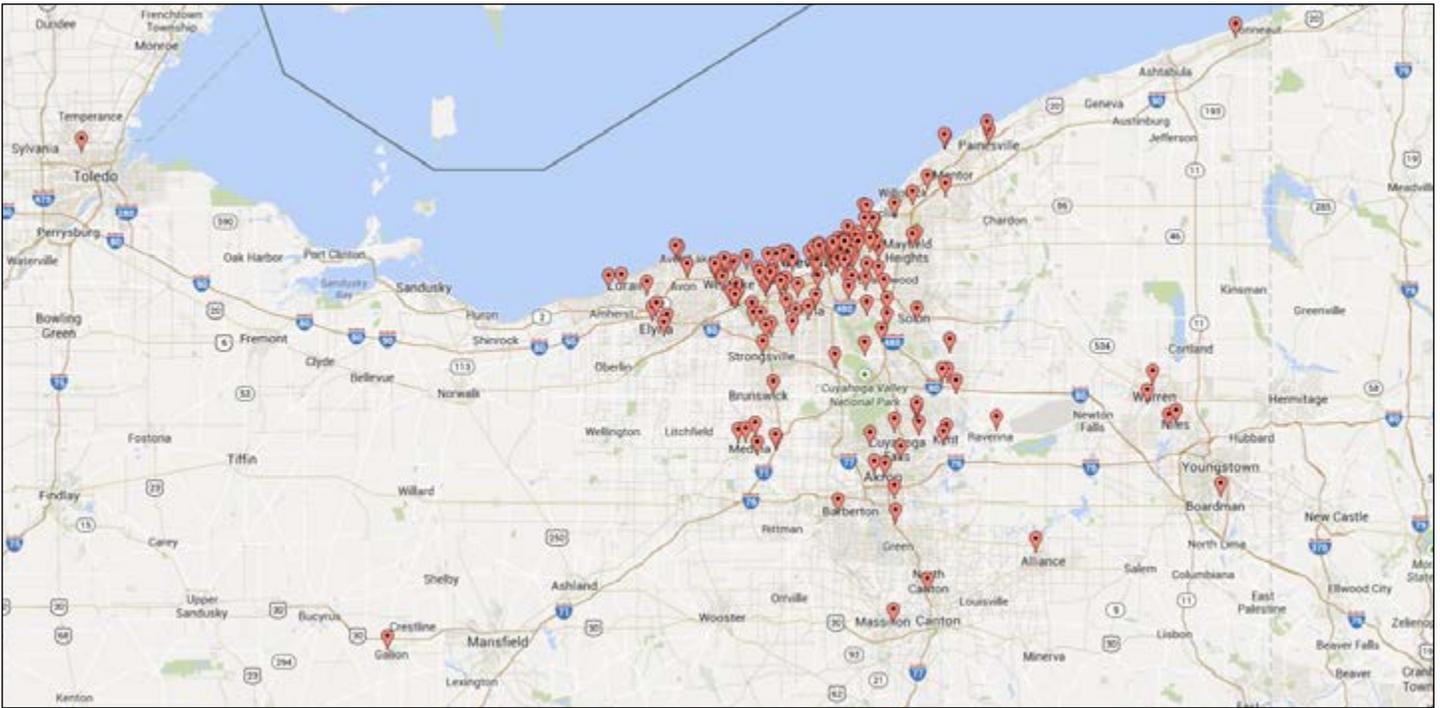


Save the date  
 October 15<sup>th</sup> 2014

NOAA  
**Fall Ball**  
 & Clam Bake

More details to be announced





**PAST EVENTS**

# Key Award Judging Day

Del Sangros Ristorante & Lounge  
June 24<sup>th</sup> 2014

A record 160 properties entered (Overall Community Appeal) this year. 42 Judges from Detroit, Columbus and Pittsburgh were paired up and sent out for a full day of judging. Properties were grouped into 25 routes that stretched from Cleveland out to Lorain, Canton, Youngstown and Conneaut.

All judging forms for awards were delivered for tabulation and secrecy to Card, Palmer, Sibbison & Co, Certified Public Accountants. The winners will be announced at the ceremony. We expect to see 400 attendees fill the Grand Ballroom on Thursday, September 4<sup>th</sup>. Visit [www.noamembers.com](http://www.noamembers.com) for more information on this event.

**Key Awards Gala**

Thursday September 4<sup>th</sup> 2014  
6 pm Cocktails  
7 pm Dinner followed by awards ceremony

Associate Members  
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**Key Awards Gala**  
Thursday, September 4<sup>th</sup>

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Corporate College, a division of Tri-C and NOAA have partnered to develop, design and deliver a certification program to enhance the knowledge and skills of apartment managers in Northeast Ohio.

#### **When**

Fall CMA Classes begin **October 16<sup>th</sup>**, 6-9 pm every Tuesday and Thursday for 10 sessions.

#### **Sign Up**

Call Sheryl Hunt 216-987-2902 for more information or to register.

### **Maintenance Workshops (ABC)**

Associated Builders and Contractors and NOAA have partnered to provide a series of workshops designed to train building maintenance personnel. Programs feature an overview of theory, handouts and reference materials, and hands-on opportunities.

#### **When**

8/15 - Electrical Maintenance Techniques  
9/18 - Installing and Repairing Trim  
10/9 - Troubleshooting Plumbing Problems  
10/23 - Drywall - Install, Finish, Repair  
11/14 - Troubleshooting HVAC Problems

#### **Sign Up**

Call 216-241-1635 or email Jacqui, [jacquib@noaamembers.com](mailto:jacquib@noaamembers.com). RSVP must be received seven days before the scheduled workshop.

### **Certified Leasing Professional**

CLP is a two day class given by an industry veteran. Topics covered include: Social Media, Managing your Online Reputation, Knowing your Product / Today's Renter, Telephone Techniques, Greeting and Interview, Presentation / Tour, Closing, Overcoming Objections, Creative Follow up, Handling Internet Lead / Guest Card

#### **When**

11/ 12-13 (*may change*)

#### **Sign Up**

Call NOAA 216-241-1635 or email Jacqui, [jacquib@noaamembers.com](mailto:jacquib@noaamembers.com)

For more information on these educational offerings visit [www.noaamembers.com](http://www.noaamembers.com) or call 216-241-1635



## NORTHEAST OHIO APARTMENT ASSOCIATION

# Legal “war stories”

From the front lines of property management.

On the menu of value-added services Northeast Ohio Apartment Association members enjoy is free legal advice from real estate and commerce law specialists through the NOAA Legal Hotline.

Legal advice is just a phone call away, although most landlord-tenant legal situations fall into the mundane — perpetually late rental payments, property damage disputes and other fairly ordinary disagreements.

But every now and again, when the stars align and the moon is full, landlords find themselves mired in something that leaps from the mundane to the bizarre. From the front lines of the apartment industry, we give you...“War Stories.”

### Johnny rotten

Ron Fogle, president of Cuyahoga Valley Management Inc., likes to call his first wacky tale “Phyllis and Johnny.”

Phyllis and her 12-year-old son, Johnny, seemed like sound prospective tenants for a two-bedroom suite in the West Wilbeth area of Akron. She had a job that paid \$14 an hour. Her credit wasn’t good, but decent for an affordable \$450 a month rent.

All went well for a month or two. Then Phyllis missed a

payment, so he dropped in for a face-to-face chat.

Fogle heard people inside the suite just as he knocked on the door. Then it got quiet. As he moved around behind the building to see what was up, he saw Phyllis and Johnny sneak out a rear bedroom window.

After a few more failed attempts to contact Phyllis, he gave up and filed an eviction.

Two nights later, the resident who lived next to Phyllis and Johnny told Fogle it sounded like someone was tearing the place up. Fogle rushed over there, knocked



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on the door and found Johnny home alone. The boy agreed to keep the noise down.

“I went home a little miffed but thinking I had solved the problem,” Fogle recalls.

But about a week later, the neighbor called again: “The noise next door sounds like they are demolishing the place. It’s been going on every night, but tonight it’s worse, and just thought you would want to know.”

Fogle found Johnny home alone again, only this time, the boy wouldn’t let him enter, so the landlord called the police.

When the police arrived, Johnny answered the door. “The first thing the cop says is, “Hey, Johnny, we wondered where you had moved to,” Fogle says.

The officer’s partner then took Fogle aside and told him how Johnny had a history of destructive anger when his mom left him home alone. Johnny was also the youngest cross-dresser they had ever come across. He was partial

to dressing like Marilyn Monroe.

“We entered the suite,” Fogle says, “and Johnny had soothed his anger by taking a hammer to the drywall between every stud. You could literally see from the bedroom, through the utility room, into the living room.”

It took several more weeks to complete the eviction process, which only gave Johnny more time to wreck the place and bother his neighbors.

“I ended up pressing charges against Johnny for criminal damaging, and the juvenile corrections folks made him pay \$600 in restitution,” he says. “That was a pittance compared to the actual damages, but I took it and moved on.”

**Mother’s Day tragedy**

And then there was the time Fogle was approached by a young couple about renting a suite. She was pregnant, and they were looking for a first place of their own. The

young man's gross monthly income exceeded the property's minimum requirement, and the couple's credit score was above average.

Things were fine for a month or two, and then the baby was born.

"I saw the young man on his way to the parking lot and greeted him," Fogle remembers. "He did not look good — haggard, with big circles under his eyes. I remember seeing that same look in the mirror the first couple of weeks after my son was born. I told him it would get better and to keep his chin up."

The following Friday, Fogle arrived at work to several messages from the couple's neighbors, complaining about a violent fight the new parents had the night before. The complaints were so vivid, he says, that he modified his company's most severe domestic complaints letter and posted it on the door.

Two days later was Mother's Day. The young girl's mother headed over to her daughter's apartment because no one was answering the phone.

Tragically, she found her daughter dead in her bedroom, shot by her fiancé. The baby was hungry, but otherwise unhurt.

"What I learned in the fall out, was that they were both bi-polar and had met at a treatment center," Fogle says. "For whatever reason, the young man had gone off of his meds and the stresses relating to having a baby sent him over the edge. Work was certainly unpleasant for a while, and we lost most of the other residents in the neighboring seven suites. We were able to move a few to suites at other locations, but three or four just moved on."

Bob Haycox, managing member of RTR Commercial LLC, has lived through so many strange tenant stories in his 27 years as a landlord that he jokes with his tradespeople that he plans to write a book about them someday. Should he ever make good on that project, the following should make for some interesting reading:



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### **Bowled over**

Haycox once had a clueless tenant frantically call him from her kitchen to complain that urine and feces were coming through her ceiling registers, and she had no idea why.

He calmly advised her to go upstairs to the bathroom above her kitchen, where she discovered her toilet had overflowed, spilling from the bathroom floor register down to her kitchen ceiling register.

### **Uncoupled**

A couple, say Candy and Bill, moved into a house they rented together from Haycox's company. Within 30 days, Bill came to his management office to demand to be taken off the lease because Candy was impossible to live with.

"I explained they were both jointly and individually responsible for the rent," Haycox says.

Within a few months, Candy didn't pay the rent and was evicted. Haycox received money damages from the court, but Candy filed for Chapter 7 bankruptcy soon after. Since Bill had a job, his wages were garnished to pay for all of the damages.

"He learned a very valuable lesson to choose his roommates carefully," Haycox says.

*...stories continue on page 16*

## My Five

Here are some practical legal tips to help navigate the landlord-tenant relationship:

1. **What's the best, most effective approach to handling a legal situation?**

When a legal issue crops up, the landlord should talk to his/her attorney. Sometimes the landlord is so involved in the situation that he or she forgets the big picture, other options and the importance of doing things the right way to avoid additional problems.

2. **What's the best way, aside from thorough tenant screening, to avoid such situations?**

The best thing a landlord can do is to prevent legal issues from cropping up in the first place. This is accomplished by having clear, written housing policies involving leases, fair housing policies, operation procedures, property rules and regulations etc.

3. **What's the best way, aside from thorough tenant screening, to avoid such situations? (Part 2)**

Operations and management are the most important aspect of real estate development and management,

and, surprisingly, often the first thing neglected or overlooked until it's too late. The best, professional management companies have good people doing operations and management. People who know how to develop and maintain good operations policies and procedures are some of the most important people in the industry.

4. **Be prepared for a legal challenge.**

Law firms are seeing more landlord-tenant issues these days than ever before for two reasons: First, with the difficult housing market over the last several years, more Americans are renting rather than owning. Second, today's tenant is much more educated about tenant's rights, especially in the area of fair housing.

5. **Use the tool.**

NOAA's members-only Legal Hotline provides free legal advice. Call 216-241-1635. See the Legal Hotline ad on the inside back cover of this issue.

*Source: Cleveland lawyers and NOAA Legal Hotline representatives Lei Jiang and Michael Linn*

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## Singed bridge

Haycox once signed a couple, Dee and Joe, to a three-year lease with an option to buy a rental house. But within two months, Dee and Joe split up. Joe moved out and Dee continued to live in the house with their two children.

Approaching the end of the three-year deal, Dee applied for a home loan. Haycox gave her a great credit reference, and her loan was approved.

But after agreeing to buy his house, Dee decided to buy another house for the same price. She abruptly returned her house keys without any explanation and moved out after buying the other house.

Several years later, his Realtor called, asking if he wanted to buy a house on a “short sale.”

Except there was one problem: It was Dee’s house.

“I told my Realtor, ‘The saying, cheat me once shame on you, cheat me twice shame on me applies to this situation,’” he says.

The property wound up going through a sheriff’s sale. The bank bought it at the auction. Dee had to vacate the place.

“A lot of other sayings apply here,” he says, “including, ‘Don’t burn bridges because you never know when you are going to cross paths with someone again.’”

## Check, please

Harvey Kay, of Kay Consulting LLC, recalls having to file eviction proceedings on a very difficult tenant several years ago. After months of delay, he showed up in court and told the judge that the landlord had accepted his lease payment and, therefore, could not be evicted.

When the judge was told a payment was never received, the tenant somehow managed to produce a copy of the check.

“After much investigation,” says Kay, “we later found out that the tenant got our bank account from a prior check and deposited the new check directly into our account. We went back to court and finally were successful with the eviction.”

## Lockout

A second memorable incident involved a woman who passed away while living in one of his firm’s high-end buildings. She had completely redecorated the apartment, including installing a raised floor in the dining room.

The woman had lived alone, and her daughter visited weekly. But the company’s policy is to immediately change the locks on an apartment when someone dies, and then only provide a new key to a relative who can produce a legal document proving he or she is the executor.

Soon, the daughter discovered her key didn’t work anymore and explained to the building office that she was trying to get one of her mother’s dresses for the funeral home.

“When they told her they could not give her entrance, she understandably fell apart,” Kay says. “Later, we filed a lawsuit for a large amount of money for the repairs to the apartment.”

The case went to trial. Kay says a well-respected Cleveland law firm, which countersued for trespassing and damages because the locks were changed, represented the daughter.

“The trial took two days, and when our attorney got the daughter on the stand, she was still in tears,” he says. “When we asked her if it would have been okay to allow the building to give entrance to a housekeeper, the daughter said, ‘no.’ When we asked her if we could give entrance to a stranger, she said, ‘no.’ When we asked her if we could give entrance to another relative, she said, ‘no.’”

Kay’s lawyers explained to the court that changing the locks benefits the tenant, not the landlord.

“We cannot decide who gets entrance, unless we have something in writing,” he says, further explaining his side’s argument. “We won the case and received judgment for the full amount. They paid immediately.” 🏠



## Mentoring Network for local students seeks volunteers, financial support.

NOAA associate member Keith Tousley spent the last decade steadily building Golden Standard Enterprises into a successful commercial cleaning business.

But about halfway through that trajectory, he found himself yearning to do something more important with his life — to grow his company to a point where he could invest his time and resources to make a permanent impact on peoples' lives.

“At the time,” he says, “my first daughter was just born and I was working diligently in my business. But I felt like there was a greater purpose beyond being a business owner and father.”

Around that same time, a man at his church shared a story about children growing up in foster care in Cuyahoga County. Tousley listened to the stories about their challenges, and how each year hundreds of children “age out” of foster care, only to be left with nowhere to go and no family to turn to.

He heard how so many of these kids either end up in the military, homeless or in prison.

So he took it upon himself to do something about it. He began mentoring a 16-year-old boy in foster care.

“This decision changed my life forever,” he says. “I knew I had a lot to offer this young person. I knew I could make a difference in his life. But what I totally underestimated was how much mentoring this young man would change me.”

And then it occurred to him: There are thousands of kids growing up in broken homes throughout Northeast Ohio, and thousands of adults who, like him, sought to make a difference in their lives.

Tousley began volunteering his time to speak with local churches and businesses, hoping that some in the audience would want to become mentors as well. From these sessions, he met Doug Boquist, a man who shared his vision and who was already heavily involved in reaching out to the City of Bedford and nearby communities to mentor young people.

“As I got the opportunity to volunteer with Doug,” he says, “we both began to realize that this vision was much too large for a small group of volunteers.”

So, in April 2012, they launched the Mentoring Network, a nonprofit organization with two goals: to recruit potential mentors and to work with local schools to connect students with a network of mentors. The network is funded through the Bedford School District, the City of Bedford, the Village of Walton Hills, a private donation and Tousley's company, Golden Standard Enterprises.

Since its founding, the network has expanded from a small middle-school program with 20 boys to mentoring more than 80 boys and girls and 20-plus volunteers each week in the Bedford School District.

The Mentoring Network teaches classes on character to seventh-, eighth- and ninth-graders during the school day. Mentors work one-on-one with students, guiding them through the many challenges they face, and work within the high school, introducing character coaching to the boys football and basketball teams and girls basketball and volleyball teams.

Within the last year, Tousley wrote a curriculum that focuses on such subjects as respect, responsibility, goal setting, facing adversity, developing discipline and honoring women.

And they continue to recruit new mentors and school districts, hoping to connect as many volunteers and students as possible.

“Our goal is to continue to develop curriculum and programing that can eventually be exported throughout Northeast Ohio and around the county,” he says. “Our biggest needs are finances to support our expanding programs and volunteers — both male and female — to allow us to reach more students in need.” 

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*Anyone interested in learning more and possibly getting involved in the Mentoring Network can contact Tousley at [startmentoring@gmail.com](mailto:startmentoring@gmail.com)*

# Student Laptop Buyer's Guide

Use these six tips when buying your student's new laptop this Fall

School is almost back in session. If you're in the market for purchasing a new laptop for one of your children (it seems like anyone from elementary schoolchildren to college graduates need a laptop these days, right?), here are 7 tips to get the most out of your laptop purchase.

**Tip #1:** Bigger is NOT necessarily better when it comes to laptops. If your student is on the go, smaller laptops are going to be your best bet. Go for less than 4 lbs. and either 11" or 13" screen size. The SurfacePro, UltraBook or MacBook Airs are all solid options for most students.

**Tip #2:** Pay for a good design. A student will be using their laptop day in and day out. Choose sleek over clunky. Also opt for a design that is made to protect the display and resist wear and tear over the next few years of use.

**Tip #3:** Buy for the long haul. Think about how long you want your student's computer to last. Make the mistake of saving a few bucks now for a cheaper processor, lower memory or smaller hard drive and you'll be regretting that decision when you're buying another laptop in 2 years instead of 3 or 4 years.

**Tip #4:** Go for long battery life ... your student will use it!

Six hours of battery life is the MINIMUM spec you should purchase. If you can get 10+ hours of battery life in your budget, go for it.

**Tip #5:** Consider touch-screen hybrids. Many Windows 8 devices such as the SurfacePro allow you to use the device as a sort of tablet/laptop hybrid. For kids that grew up on tablets and smartphones, these hybrids make them feel right at home with their new computer and actually make them more efficient.

**Tip #6:** Mac versus PC. This decision is really up to you and your preferences. Software choices these days allow students to do just fine with either choice. Choose whichever operating system your student is used to using and they'll do just fine.

Still unsure what to buy? Don't hesitate to give me a call directly at 440-925-4005 x133 or contact me via email at [mmandato@systemcareinc.com](mailto:mmandato@systemcareinc.com). We'll be happy to guide you in the right direction. 📧

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# Ohio Bureau of Workers' Compensation (BWC)

## Changes Its Premium Collection Process

Historically, BWC has billed Ohio employers in arrears or 'retrospectively'. Employers currently report their actual payroll and pay their premium on a semi-annual basis for the previous six months of coverage.

Prospective billing is a national industry standard and builds upon ongoing efforts by BWC to modernize its operation. Under prospective billing, BWC will, like most insurance companies, collect employer premiums at the beginning of and throughout the policy period.

### According to BWC the benefits of changing to the prospective payment process for Ohio employers will include:

- More flexible payment options (e.g., monthly, quarterly, semi-annually and annually) with possible discounts for those who pay in advance.
- Better ability to anticipate budgetary impacts of workers' compensation program cost changes.
- Better opportunities for BWC to provide quotes online or via phone.
- Lower mutualized costs from employers who don't pay premiums timely or have workers injured without coverage for employers in good standing.
- Increases BWC's ability to detect employer non-compliance and fraud.

**Transition:** The transition is expected to become effective July 1, 2015 for private employers and January 1, 2016 for public employers.

**Private Employers:** As they switch to the new prospective billing process, BWC will offer two transition credits that will cover the employer's actual premium expenses for an eight month period of time. These credits will prevent employers from paying two premiums at once, one for the period in arrears and one for the prospective period. The first transition credit will be a full one-time premium credit for the period January 1, 2015 through June 30, 2015. The second credit will be for the next two months (July and August of 2015) out of the first annual prospective premium payment. Employers will be billed premium payments in August for the remaining 10 months of the rate year, paid in installments throughout the period.

In subsequent years, employers will receive their invoice in June and begin paying premiums before July. This premium will be based on estimated payroll. At the end of the rate

year, employers will need to 'true-up' their actual payroll with the estimation.

**Public Employers:** Public employers will receive two 50% transition credits. The first for the policy period beginning January 1, 2015 through December 31, 2015 and then again for the period January 1, 2016 through December 31, 2016.

**True-up Process:** With these changes, BWC will be extending coverage to employers based on estimated payroll figures. In order to adjust to actual, they will also require employers to report their actual payroll for the prior coverage periods and pay any shortage or receive a refund of any overage in actual premium.

**Earlier BWC filing deadlines for rating programs:** As BWC transitions to the Prospective Payment process, they are also changing the employer deadlines for applying for the various BWC group rating and other incentive programs as follows:

**Private Employer Deadlines** for the policy period beginning July 1, 2015:

- Group Rating – November 24, 2014 (was last business day of February).
- Group Retrospective Rating and other rating programs – January 30, 2015 (was last business day of April).
- Destination: Excellence Programs – May 29, 2015 (was last day of April).

**Public Employer Deadlines** for the policy period beginning January 1, 2016:

- Group Rating – May 29, 2015 (was last business day of August).
- Group Retrospective Rating and other rating programs – July 31, 2015 (was last business day of October).
- Destination: Excellence Programs – November 30, 2015 (was last day of October). 

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*More information to come: Additional information about the changes to come can be found on CareWorks Consultants website at [www.careworksconsultants.com](http://www.careworksconsultants.com). Contact them with any questions you may have on these topics or any other Ohio workers' compensation program concerns.*

# Legislative Update

Outlined below are bills followed for the Ohio Apartment Association

## Current priority bills

HB 5: MUNICIPAL CORPORATIONS INCOME TAXES  
(Grossman, Henne)  
6/3/2014 - Senate Finance, (Second Hearing)

HB 9: RECEIVER'S POWERS (Stautberg)  
6/3/2014 - House Appoints Managers; Conference  
Committee Appointees - Reps. Stautberg, Butler & Stinziano

HB 297: DOMESTIC VIOLENCE VICTIMS (Gonzales,  
Driehaus)  
6/3/2014 - House Judiciary, (Third Hearing)

HB 382: MOTOR VEHICLE NONCONSENSUAL TOWING  
PENALTIES- PROCEDURES(Duffey, Bishoff)  
5/21/2014 - Senate State Government Oversight and  
Reform, (First Hearing)

HB 545: UTILITY METERING(Gonzales, A)  
06/04/2014 House Public Utilities, (First Hearing)

HB 568: PUCO-MAXIMUM FEES(McGregor, R)  
06/04/2014 House Public Utilities, (First Hearing)

SB 22: PROPERTY REMEDIATION-  
METHAMPHETAMINE LABS (LaRose, Beagle)  
5/28/2014 - SUBSTITUTE BILL ACCEPTED, Senate  
Medicaid, Health and Human Services, (Second Hearing)

## New bills since May 9, 2014

HB 545: Utility Metering (Gonzales, A)  
HB 568: PUCO - Maximum Fees (McGregor, R)  
HB 572: Condominiums-Planned Community  
Assessments (Rogers, J)  
HB 579: Property Tax Valuation Dispute Hearing  
(Grossman, C)  
SB 349: Fair Housing Attorney Fee (Seitz, B)

## Tracking List

### House

HB 5: MUNICIPAL CORPORATIONS INCOME TAXES  
(Grossman, Henne)  
To revise the laws governing income taxes imposed by  
municipal corporations.  
Current Status: 6/3/2014 - Senate Finance, (Second  
Hearing)

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: 6/3/2014 - House Appoints Managers;  
Conference Committee Appointees - Reps. Stautberg,  
Butler & Stinziano

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: 5/27/2014 - Senate Finance, (Second  
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: 6/5/2014 - SIGNED BY GOVERNOR; Eff.  
6/5/2014

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: 6/3/2014 - House Judiciary, (Third Hearing)

**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: 5/21/2014 - REPORTED OUT, House Judiciary, (Sixth Hearing)

**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: 5/21/2014 - Senate State Government Oversight and Reform, (First Hearing)

**HB 483: MBR-OPERATION OF STATE PROGRAMS**  
(Amstutz, R)

To make operating and other appropriations and to provide authorization and conditions for the operation of state programs.  
Current Status: 6/16/2014 - SIGNED BY GOVERNOR

**HB 545: UTILITY METERING**  
(Gonzales, A)

Regarding master metering and submetering for public utility service to premises administered by a landlord, condominium unit owners association, or manufactured home park operator.  
Current Status: 06/04/2014 House Public Utilities, (First Hearing)

**HB 568: PUCO-MAXIMUM FEES**  
(McGregor, R)

To require the Public Utilities Commission to set the maximum fees that a manufactured home park operator, condominium unit owners association, and landlord may charge for electric, gas, water, or related services, or for sewage disposal service provided to a resident, unit owner, or tenant when a submeter is used to measure public utility service to the premises.  
Current Status: 06/04/2014 House Public Utilities, (First Hearing)

**HB 572: CONDOMINIUMS-PLANNED COMMUNITY ASSESSMENTS**

(Rogers, J)  
To provide that a portion of a condominium or planned community assessment is prior to other liens on condominium units and planned community lots and to provide that a condominium unit owners association lien is a continuing lien.  
Current Status: 05/27/2014 Introduced

**HB 579: PROPERTY TAX VALUATION DISPUTE HEARING**

(Grossman, C)  
To prohibit any party to a property tax valuation dispute, other than the original complainant, from appearing at a county board of revision hearing or subsequent appeal unless the party calls as a witness a representative of the county auditor or another qualified person who has appraised the property at issue.  
Current Status: 06/03/2014 Referred to Ways and Means Committee

## **Senate**

**SB 22: PROPERTY REMEDIATION-METHAMPHETAMINE LABS**

(LaRose, Beagle)  
To provide for the remediation of real property on which an illegal methamphetamine manufacturing laboratory has been discovered.  
Current Status: 5/28/2014 - SUBSTITUTE BILL ACCEPTED, Senate Medicaid, Health and Human Services, (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: 6/5/2014 - SIGNED BY GOVERNOR

**SB 349: FAIR HOUSING ATTORNEY FEE**  
(Seitz, B)

To make permissive actual damages and attorney's fees, to limit certain punitive damages, to allow respondents to recover attorney's fees in certain instances, to prohibit actual or punitive damages from being awarded to a fair housing agency, and to exempt certain landlords from the housing provisions of the Ohio Civil Rights Law.  
Current Status: 06/24/2014 Introduced

# Eviction Index

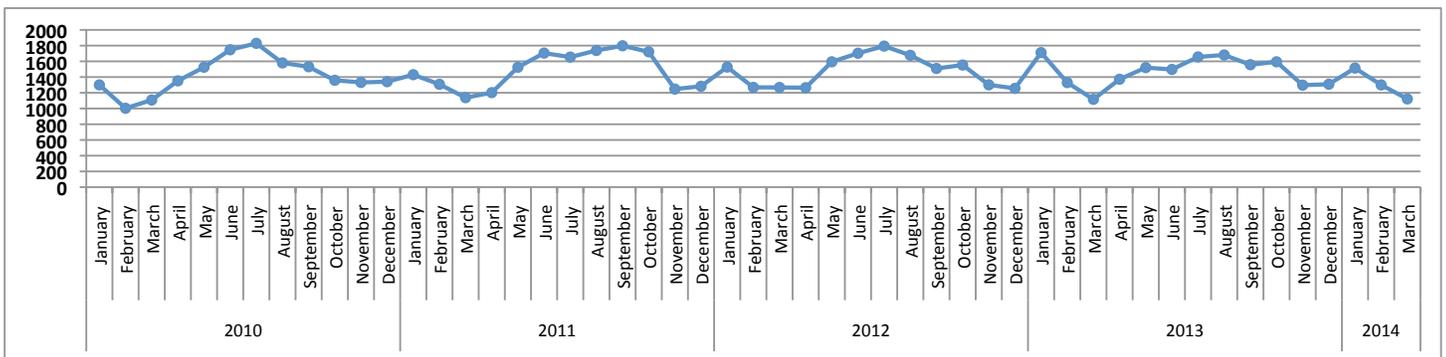
The Suites Magazine Eviction Index is presented to owners and managers of multifamily properties to assist them in assessing the regional market. The numbers represent the number of eviction filings in the corresponding courts.

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

Court	2013								2014				
	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
Bedford	215	159	205	185	212	176	135	167	257	141	139	152	182
Cleveland	915	947	1035	1091	939	1063	838	827	966	818	732	786	956
Euclid	151	143	157	156	105	120	133	124	76	135	59	119	130
Lakewood	78	72	100	74	82	69	63	67	62	67	69	59	85
Parma	123	133	117	126	126	117	95	90	121	91	99	-	-
Painesville	38	43	42	49	45	49	33	34	32	48	33	42	43
<b>Total</b>	<b>1520</b>	<b>1520</b>	<b>1656</b>	<b>1681</b>	<b>1509</b>	<b>1594</b>	<b>1297</b>	<b>1309</b>	<b>1514</b>	<b>1300</b>	<b>1122</b>	<b>*1158</b>	<b>*1396</b>

\*Total does not represent entire area

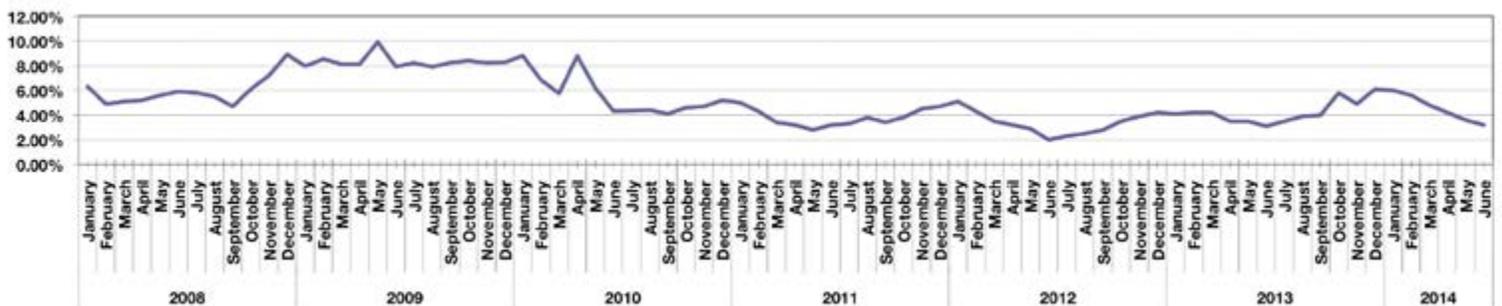
## Total Eviction Index - Historical Line Chart



# Vacancy Rates

AREA	2013							2014					
	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
Northeast	3.4%	3.8%	4.4%	4.9%	3.7%	2.5%	5.0%	8.2%	7.4%	6.3%	5.4%	5%	5.1%
Southeast	3.1%	4.0%	5.1%	7.9%	4.9%	4.4%	5.4%	4.9%	4.5%	3.9%	3%	2.6%	2.6%
South/Southeast	2.9%	2.3%	2.5%	6.5%	2.5%	3.0%	4.0%	4.8%	4.8%	3.9%	3%	1.7%	1%
Northwest	1.7%	2.3%	2.5%	8.3%	4.7%	5.0%	5.8%	4.1%	4.6%	4.6%	2.9%	2.1%	2.1%
Southwest	3.7%	3.9%	3.9%	4.2%	3.5%	4.2%	4.9%	5.5%	4.9%	4.1%	4.2%	3.7%	2.9%
<b>Entire Region</b>	<b>3.1%</b>	<b>3.5%</b>	<b>3.9%</b>	<b>5.0%</b>	<b>4.5%</b>	<b>5.3%</b>	<b>6.1%</b>	<b>6.0%</b>	<b>5.6%</b>	<b>4.8%</b>	<b>4.2%</b>	<b>3.6%</b>	<b>3.2%</b>

## Total Vacancy Rates - Historical Line Chart





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