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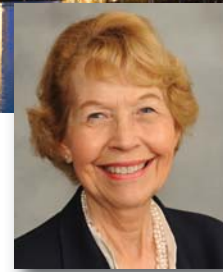
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President's Message

By Elaine Hutchison



End of Los Angeles County Moratorium in Sight

“...more than \$1 billion in rental assistance has already been disbursed to approximately 85,000 households in the county...”

...We've come a long way

Los Angeles County, particularly the City of Los Angeles, remains the exception as one of the last jurisdictions in the entire nation with ongoing tenant protections, largely unchanged since Gov. Newsom declared a State of Emergency on March 4, 2020. Matters have changed since then. Americans now access to a variety of vaccines for COVID-19. As far as financial support, more than \$1 billion in rental assistance has already been disbursed to approximately 85,000 households in the county, a figure excluding additional aid provided to the cities of Los Angeles and Long Beach.

On August 25, 2022 the Los Angeles Housing Department (LAHD) submitted a report recommending a phasing out of the local eviction moratorium for COVID-related nonpayment of rent, and other tenant protections, on December 31, 2022. While the contents of this report from LAHD have yet been finalized and approved by the Los Angeles Board of Supervisors, the following suggestions were offered in the report:

- Only tenants who claim they still can't pay the rent because of COVID would remain protected against eviction.


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Principles of rental housing management: tenancies to terminations


RSVP TODAY (limited seating)

This seminar will cover common practices and procedures of residential tenancies, including:

- Rent Increase and Change in Terms of Tenancy
- Dealing with Non-payment of Rent
- Dealing with breaches of contracts and other violations
- Review of Rental Agreement

 Wednesday, November 30, 2022

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Speaker

Oliver John-Baptiste

*Market Analyst and
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Executive Director's Update

By John Edmond



Property Owners New Paradigm Following the Moratorium

“Many rental property owners were forced to increase their rents due to rising operating costs. Property taxes, insurance, repairs and maintenance comprised much of increase.”

It's an understatement that the COVID-19 pandemic, as well as the various moratoriums enacted in response, placed an unprecedented financial burden on the state's rental property owners. An unintended consequence of these events is the rousing of many of the state's property owners from the certain passivity in their approach to their rental property business. Property owners who had neglected to raise their rents, some for multiple years prior to the pandemic. Meanwhile operating cost steadily rose before the pandemic. The shock of the pandemic to the entire industry prompted numerous landlords to implement rent increases, albeit within applicable rent caps. Many rental property owners were forced to increase their rents due to rising operating costs. Property taxes, insurance,

repairs and maintenance comprised much of increase. For example, according the National Apartment Association *Survey of Operating Income & Expenses for 2021*, operating expenses rose 2.6% nationally from the prior year on a per unit basis, not to mention this being the ninth year of consecutive property tax increases.

At present rent increases are limited to 10% under California's heat wave emergency from earlier this month. This emergency declaration is set to expire on September 30. Afterwards, for properties subject to the *Tenant Protection Act of 2019* (previously known as AB1482) rent increase are limited to 10%. For properties exempt from both

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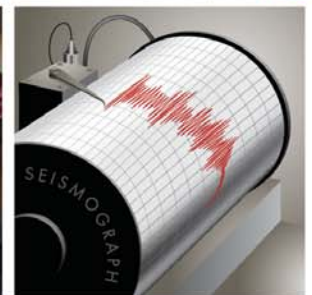
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Roofing 101 Series: Hot Mop vs. Torch On Which Is Right for Your Roof



By Steve Pinkus, Owner, Royal Roofing Company



“No matter what roofing system you choose, it is only as good as the roofer installing it.”

For your flat or low slope roof, there are more re-roofing options available now than ever. Choosing what’s right for you can be overwhelming if you’re not prepared.

Picking a roof can feel harder to do than picking just one ice cream topping at a shop with unlimited options. Unlike dessert, your roof can cost thousands of dollars, and you’ll have to stick with it for 5, 10, or even 15 or more years.

Two of the most popular flat re-roofing options are “hot mop” and “torch on” systems. But which should you pick if two contractors quote two

different options? Each has unique benefits, but if you are uninformed, you could choose the wrong roofing system and end up with a lemon of a roof – or worse.

What is Hot Mop Roofing?

Hot mop roofing is one of the oldest and most trusted ways to repair or replace your flat roof. The two-part name comes from the 400-degree Fahrenheit, liquid “hot” asphalt tar that is applied to the roof using a large “mop.”

While the details have changed over the years, the

fundamentals remain the same: repeating layers of fiberglass felt and hot tar are applied to create an impenetrable shield for your roof. Over time, other nicknames for hot mop roofing emerged, including a “built-up” roof, named after the many layers of felt and tar that are built as part of the process. And just like making a lasagna, the more layers there are, the stronger it is. Redundancy improves its protection, making it the longest lasting roof system and why 70 percent of all the roof systems installed nowadays are hot mop.

The many advantages of hot mop roofing are why it has long been the most popular flat roofing system. These include, among others:

- Durability and weather resistance
- Low maintenance
- Long warranties available
- Affordability

With that, there are also important considerations for a hot mop roof. The application requires trained roofers that can not only apply it correctly, but that can also protect themselves and you're building against the risks of the hot tar. Hot tar also has an iconic smell that can bother some people, so accommodations for building owners and tenants may be needed. With that in mind, hot mop roofing continues to be number 1 for many reasons.

What is Torch on Roofing?

Torch on roofing, also called torch down roofing, is another low slope roofing system that is considered an alternative to hot mop roofing. Rather than combining the felt and tar “ingredients” while your roof is being installed, the layers for a torch on roof are made in a factory and delivered in single rolled sheets of material.

If you were wondering, “Well then how does the roll stick to the roof?” you're about to learn. An open-flame propane torch is used to melt the tar in the rolls. Immediately after, it is rolled out onto the



roof, and its seams melt together to create a waterproof seal.

Keep in mind that this is not a hand-held torch like what you may have used to toast marshmallows or have seen used to make crème Brulé. These are high powered flames that work on an industrial level, and with great power comes great responsibility for safety.

When used appropriately over non-combustible decking like concrete or metal, torch on roofing can be a great roofing solution. Rubbery additives make it highly resistant to punctures, it is a great insulator, and the cap sheet - or top layer - is protective against damaging UV rays similar to traditional hot mop roofs. If you only have a small area to patch or if it is in an area that is difficult to access with a hot tar kettle, a torch on system can be a solution that is not overly labor intensive and stays watertight for years, but likely not decades.

Aside from the higher cost, when should you not go with a torch down roof job? With the risk of flash fires being so high, there are several instances to avoid torch down roofing, and you need an experienced and trusted roofing contractor to advise you appropriately. Your roof can catch on fire during the process, but perhaps even more scary than that, the flame can penetrate your roof and cause smoldering in attic space that builds for hours before actually flaming up. This can effectively create a ticking

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Dear Maintenance Men

By Jerry L'Ecuyer and Frank Alvarez



“We have found that there are no two doors hung alike. They are all unique to their doorways.”

Dear Maintenance Men:

Can I get some pointers with preventive maintenance when it comes to heating and air conditioning?

Mike



Dear Mike:

Heating and air condition or HVAC should be inspected at least twice a year or at the change of the major seasons such as summer

and winter. Prior to summer or winter seasons, it is essential to properly inspect and troubleshoot

your HVAC (a/c) units whether they are window, wall or central. Most A/C units fail or work improperly due to nonexistent or improper maintenance and not age.

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Here is our 4-point check list:

- 1: Turn on the A/C and listen for unusual noises.
- 2: Inspect/clean or replace filters. Filters should be cleaned or replaced at the beginning of each major season, such as before summer and before winter.

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Although the pathway to ending the moratorium is slowly revealing itself, elements of this phase of plan may change prior to December 31, 2022. Supervisor Kuehl, for example, was in opposition to the motion and made clear she will try to make elements of the emergency regulations permanent in a forthcoming proposal. Therefore, yes we have come a long way as an industry over the past two years, and although the end is in sight, the fight is not yet won.

- Allowing some no-fault evictions — such as to demolish a unit — to resume 60 days after the moratorium ends Dec. 31, 2022.
- Possibly extending the rent freeze in unincorporated Los Angeles County until January 2024.

Currently, under phase II of the County's local moratorium, tenants whose rent became due March 1, 2020 through September 30, 2021 have until August 1, 2023 to repay their landlords. Rent that became due October 1, 2021 through December 31, 2022 will be due by December 31, 2023.

On September 13, 2022, Supervisor Kathryn Barger introduced a motion to take a vote to implement a countywide strategy to phase out tenant protections by December 31, 2022. Approved by the Board in a 3-2 vote, the motion directed the Director of the Department of Consumer and Business Affairs, in coordination with other relevant County departments, to prepare a coordinated strategy to phase out the moratorium on December 31, 2022. The goals of this motion included creating countywide communication for both landlords and tenants on the moratorium phase out process and offering financial planning assistance programs to tenant households impacted by COVID-19. In addition, relevant County departments will provide a report every 30-days as to the progress of the phasing out process.

Although the pathway to ending the moratorium is slowly revealing itself, elements of this phase of plan may change prior to December 31, 2022. Supervisor Kuehl, for example, was in opposition to the motion and made clear she will try to make elements of the emergency regulations permanent in a forthcoming proposal. Therefore, yes we have come a long way as an industry over the past two years, and although the end is in sight, the fight is not yet won. 🏠

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- 3: Clean & repair damaged or bent fins. (They can constrict proper air flow and decrease the cooling capacity of the A/C unit.
- 4: Clean out all dust and debris inside of the A/C pan or coils.

On a central HVAC unit: cleaning or replacing the main and return filters, may be the limit on a DIY cleaning. A qualified technician should do any other work on a central heating and air unit.

Dear Maintenance Men:

I'm getting my work check off list started before winter comes. Do you have recommendations of what should be on the check list?

Lisa

Dear Lisa:

After checking and repairing any roof damage, we recommend looking at the outside walls of the property. Stucco, wood siding or other vertical surfaces, is the building's skin. Cracks, breaks and other damage to the siding invite "infection" to your building. This "infection" can take the form of wood rot, mold, siding delaminating or separation from the subsurface, material breakdown of the stucco will cause discoloration and crumbling. Common siding material found in most buildings is stucco, wood, brick, vinyl or



concrete panels etc. Water intrusion of the siding can find its way through the smallest cracks by capillary action or more directly from misaligned sprinklers or other water sources. A little known

and often forgotten solution to leaky windows is the clogged weep holes along the bottom of the window frame and track. These weep holes clog with dust and debris and very easily can cause water to enter the building through the window frame or even through small cracks in the stucco or siding at the edges of the window frame.

Dear Maintenance Men:

I have a unit that has pocket doors between the kitchen and living room and also between the hallway and the living room. The door has fallen off its track and no matter what I do; I can't get it to work properly. How do I fix this problem?

Jack

Dear Jack:

Pocket doors ... a love/hate relationship. We love them because they are an efficient use of space, but when they go bad, we hate them. Pocket doors by their nature are very secretive and getting to their internal working parts is almost impossible. Pocket doors operate very similarly to sliding closet doors. The door has a set of rollers that attach to a track above the door. Typically, what goes wrong is that either a roller bracket has come loose or one of the rollers has broken. Unlike a sliding closet door, the pocket door cannot easily be angled away from the track and removed. The only way to extract the pocket door is to remove the casing around the door opening and the vertical jamb on the side where the door that goes into the wall. The door can then be tipped out and removed. This is not easy, as sometimes the top jamb must be removed first depending on original installation. A second method is to make a four-inch hole in the wall in line with the track. This will allow access for your hand and a tool for repairs. Every door is different; a close inspection of the hardware should help determine which side of the wall to open. The most common problem with pocket doors is the screws holding the roller brackets becoming loose and getting out of

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“The volume of applicants applying to rental properties increased during and following the pandemic due the rising cost of purchasing a single-family home (i.e., rising interest rates), as well as increased competition among potential tenants for affordable housing.”

state and local rent restrictions, such as some single-family homes, rent increase can exceed 10%.

The volume of applicants applying to rental properties increased during and following the pandemic due the rising cost of purchasing a single-family home (i.e., rising interest rates), as well as increased competition among potential tenants for affordable housing. Relatedly, Gov. Newsom approved a bill earlier this month, AB 2559, which allows tenants to submit and reuse credit reports while applying for multiple rental

housing offers, although accepting the applicant's copy of their credit report by landlords is voluntary. Under this law, a tenant is able to pay for a single credit report and reuse it to apply to multiple properties for a period of 30 days.

Introduced earlier this year, SB 1477, a bill that would limit the use of wage garnishment in the collection of unpaid rent and other debts has reached the governor's desk after gaining approval from both chamber of the state Legislature. The bill limits the use of wage-garnishment against tenant making over \$200,000. This bill is a disadvantage to property owner already with few options available to them to cover their financial losses during the pandemic. This bill diminishes what few options rental property owners have to collect unpaid rent due during the pandemic. AACSC will continue to monitor and reach out to our local and state representatives concerning SB 1477.

Closing on a positive note, an end is in sight for the Los Angeles County moratorium. On September 13, with the 3-2 vote by the Board of Supervisors, approval was given to begin formulating and implement a phasing out strategy for the moratorium. Currently the moratorium is set phase out on December 31, 2022. As already mentioned in this month's publication, the fight is not over for our industry. We, as a unified industry must make a show at upcoming Los Angeles Board of Supervisors meetings as well as have our collective voices heard in Sacramento. 🏠

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Roofing 101 Series: Hot Mop vs. Torch On Which Is Right for Your Roof ... *continued from page 11*



time bomb that lights up after the contractor has left for the day.

Despite torched down roofing being banned for use with combustible wood structures in New York and 36 other states, some unethical roofers - if you can even call them that - still trick countless customers into using them in the wrong situations to make extra money.

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adjustment. Replace the screws with a larger more aggressive thread pattern and try to use new holes if possible. Lastly, check that there are no nails or screws protruding through the drywall into the pocket door; check for hanging picture frames or other decorations. An alternative if the pocket door is not a critical use door. Using jamb or casing material, seal in the pocket door in the wall. In other words, abandon the pocket door, seal and paint the repair, call it a day! 🏠



WE NEED Maintenance Questions!!

If you would like to see your maintenance question in the “Dear Maintenance Men” column, please send in your questions to:

DearMaintenanceMen@gmail.com

Feel free to contact Buffalo Maintenance, Inc., at 714-956-8371, for maintenance work or consultation. Frank Alvarez is a licensed contractor and the Operations Director and co-owner of Buffalo Maintenance, Inc. He has been involved with apartment maintenance and construction for over 20 years. Frank can be reached at 714-956-8371 or Frankie@BuffaloMaintenance.com. For more info visit www.BuffaloMaintenance.com. Jerry L'Ecuyer is a licensed contractor and real estate broker. Jerry has been involved with apartments as a professional since 1988.



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Today



Landlord/Tenant Questions and Answers

By Kimball, Tirey and St. John LLP



“California law does not prohibit a landlord from charging the tenant a bona fide late charge after the rent is delinquent. The rent is not delinquent unless one business day has passed at the time the rent became due.”

Q: *We rent a house to a family. My husband helped the tenant move a washing machine into the laundry room and noticed that the tenant’s defective hoses had leaked water onto the sheetrock. We want to have the sheetrock repaired. Can we deduct the cost from his security deposit and then send a 30-day notice for the tenant to reinstate that amount?*

A: You can serve a 3-day notice to perform conditions and covenants or quit to require the tenant to make repairs or to pay for the repairs if there is an appropriate provision in your lease regarding damages. If they do not comply with the notice, you can proceed with an eviction, or alternatively, deduct repair costs from their security deposit.

Q: *I heard that if a tenant is using drugs on a property, the landlord can be charged on a drug charge, is this true?*

A: A landlord can be cited for maintaining a drug-related nuisance if he or she does not take reasonable steps to remove the illegal drug activity from the property. The local enforcement agency must first advise the landlord of the nuisance.

Q: *A tenant claims her attorney told her that since she did “quit” after we gave her the 3-day notice, she is not responsible for the balance of the rent for that month. Is she correct?*



A: Her attorney is wrong. Even if a tenant “quits” pursuant to a notice to perform or quit, the tenant is still liable for lost future rent under the lease.

Q: *Is the legal age for leaseholders over 18 or over 17?*

A: The legal age to contract in California (including leases) is 18 or over. However, if the under age person is “emancipated” (is or has been married, in active military duty or by court order) he or she does have the ability to enter into binding contracts and leases.

Q: *I am evicting a married couple. My attorney says that we have served the lawsuit on the wife personally and the husband by substituted service. What does this mean and what difference does it make?*

A: A lawsuit for unlawful detainer can be served either personally or by substituted service by giving a copy of the lawsuit to a person at least 18 years of age, at the subject property or at the usual place of employment of the defendant, and

then mailing a copy. Personal service is handing the Complaint directly to the defendant and is completed as of the date of delivery. A substituted service is completed 10 days after both the delivery and mailing are completed. The difference is how much time they have to respond to the Complaint. Personal service provides 5 days to respond and substitute service is 5 days plus 10 days or 15 total. As of September 2019, this time does not include Saturdays, Sundays, or judicial holidays.

Q: *I have tenants who have a written rental agreement for their apartment. They also rent the garage at \$150, but there is no written agreement for the garage, either separately or in the rental agreement. If we give the tenant a 3-day notice to pay both the garage and the apartment rent, would it be enforceable in court?*

A: Since the terms of the garage rental are unclear, it would be safer to serve two 3-day notices, one for the apartment rent and one for



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the garage rent. They should be served simultaneously. If one notice has a defect depending on the facts, then the landlord can proceed on the other notice only.

Q: I am planning to rent to three adult roommates. I know they all have to fill out separate applications. But, how do I handle the security deposit? Do I ask each tenant for 1/3?

A: *You should charge one deposit that need to be paid in a single payment and not account for it until all tenants vacate. Make this clear in your lease so that if one tenant vacates, it is up to his or her former roommates to get reimbursed.*

Q: I have reason to believe that a single tenant has moved out from my rental property and have an arrangement with a third party couple now in residence. How do I best legally remove them and take back my apartment?

A: *You can serve a 3-day notice to perform conditions and covenants or quit if your lease has a prohibition against subletting or assignment of the lease, or, if there is a provision limiting residency to named occupants.*

Q: I have an applicant for an apartment who informed me that she has bad credit due to her ex-husband's irresponsibility. Her current employer has offered to co-sign. Is this a good idea to accept him as a co-signor, and how would this be done?

A: *You should first determine whether or not you are going to have a policy of accepting applicants with bad credit on the condition they have a co-signor, in order to stay within fair housing laws. This should be a part of your written non-discriminatory rental criteria. Then decide what criteria the co-signor must meet, such as credit history, income, residency in the local area or at least in the state. Finally, require the co-signor to sign a separate guarantor agreement reviewed by legal counsel.* 🏠

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- **OPPOSE AB 1791 – Rent control: local ordinances** (which would provide rental assistance for landlords and tenants who do not qualify for assistance under the state Emergency Rental Assistance Program)
- **OPPOSE AB 2179** – (would prohibit landlords from evicting tenants with pending applications up to June 30, 2022, provided the ERAP application was submitted prior to March 31)
- **OPPOSE AB 2710 – Sale of Rental Properties: Right of First Offer** (which would require rental property owners to provide a “qualified entity,” with advance notice of their intent to sell the residential rental property)
- **OPPOSE Rent Stabilization Ordinance in the City of Bell Gardens**
- **SUPPORT SB847** (which would provide rental assistance for landlords and tenants who do not qualify for assistance under the state Emergency Rental Assistance Program)



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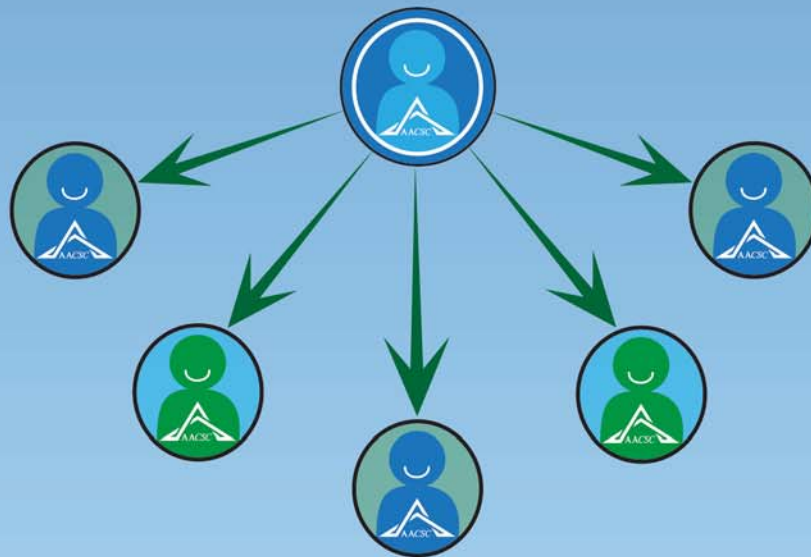
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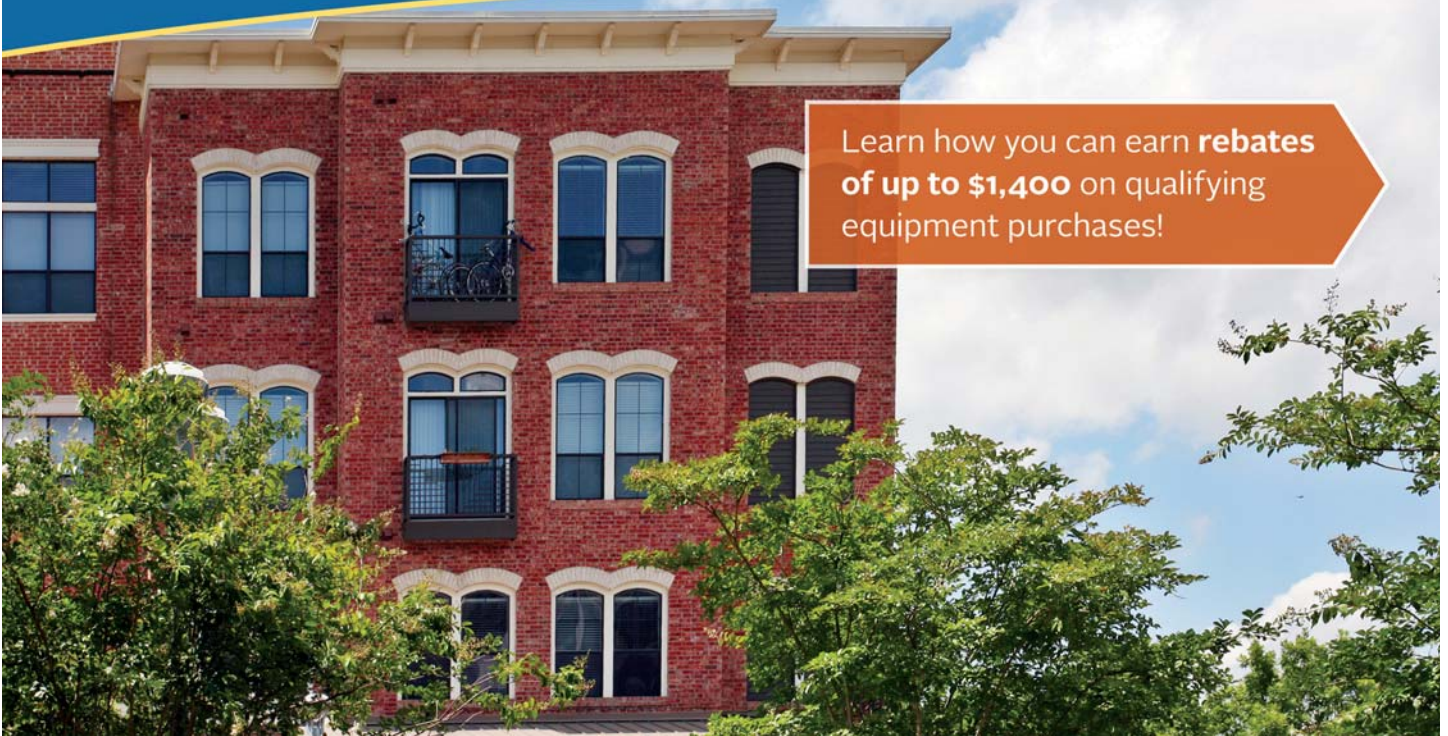




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