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**WE ARE NOT ATTORNEYS NOR ACCOUNTANTS. THE INFORMATION IS ACCURATE TO THE BEST OF OUR KNOWLEDGE. WE RECOMMEND THAT YOU CONFIRM THE INFORMATION PROVIDED, BEFORE ACTING RESPONSIBLY.**

### NEWSLETTER

**WARNING! WARNING!.....**The landlord had a strong case for non-payment of rent and damages and still lost his case!. The tenants stated that they did not receive the PAMPHLET "Protect Your Family From Lead in Your Home" and never signed the form "Disclosure Information on Lead-Based Paint and Lead-Based Paint Hazards" The landlord could not prove that they did. Do you have proof? If your rental property was built prior to 1978, you must provide the Lessee with the disclosure and a Federally approved pamphlet on lead poisoning prevention. Your lease does not take affect until after the disclosure is signed. **IT'S THE LAW!**

**RENTER'S INSURANCE.....**We recommend that renter's insurance be mandatory. Make it part of the lease, require a copy of the policy and notification by the insurance company if it is canceled. If the tenant's guest slips on the tenant's throw rug and decides to sue, he is going to go after the person with the deepest pockets. In most cases, that is the landlord. If the tenant has renter's insurance, the liability clause kicks in and the guest will be covered under the renter's insurance. Another example: The renter falls asleep smoking in bed and the rental property is damaged. This is an instance when the renter was negligent and caused the damage. The repair would be covered by the renter's insurance within the limit of the coverage. One more: The renter has a waterbed that springs a leak and damages the ceiling of the apartment below, the renter's insurance **DOES NOT** cover this type of damage. However, if the tenant's child takes a pair of scissors and stabs the waterbed producing a gusher, it is covered by the renter's insurance. OK, OK, one more reason for renter's insurance: The tenant has a Collie who has never bitten anyone, until now. He takes a good size chunk out of the neighbor's leg. Who's going to pay the doctor bills? If there is renter's insurance and the dog is not known to be vicious, the insurance company will pay. (If the dog is a Rottweiler, Doberman or Pitbull, sorry, there is no coverage. Your liability coverage is also in doubt.) .

**WEBSITE NEWS.....**If you have an e-mail address, we encourage you to visit our site at [www.screeningservices.com](http://www.screeningservices.com) and subscribe to our Views, News and Issues Forum. This is an on-going newsletter/e-mail service. Once you are a subscriber, any e-mail you send to [Forum@screeningservices.com](mailto:Forum@screeningservices.com) will be read by each member. Ask a question, give advice. Tell us how you solved the problem and read how similar problems were solved. You can make friends nationwide too!

**INSURANCE QUIZ.....**There is a storm and your neighbor's beautiful oak tree with all its leaves comes crashing down on your garage. Who's insurance is going to cover the damage? The answer is near the end of the newsletter.

**FAIR CREDIT REPORTING ACT.....**Don't forget, the prospective tenant must sign a release before you order a credit report. The release **MUST** be a separate piece of paper. **IT MAY NOT BE PART OF THE APPLICATION.** The OfficeMax application with the release written at the bottom of the second page is no longer acceptable. If you do not have one of our forms available, ask the prospective tenant to write on any piece of paper the following statement: " I give permission for a credit report to be obtained for tenant screening purposes." Have them sign their name, listing Social Security number and two address.

**HOMEOWNER'S PACKAGE.....**So you need a new roof, the windows and siding are old and you need them replaced but don't know a reputable company. Before signing on the dotted line, have the contractor investigated by Integrity.

**COURT TIP.....**Before you start cleaning up the mess or repairing the damage done by the tenant, take pictures. Use a regular camera, not a Polaroid. You will need at least three sets of each picture if you are going to use them as evidence in court. One copy will go to their attorney if they request it before trial, one for the judge to review at trial and one for you to refer to during trial. Handing the same picture from the judge to one litigant and then to another takes valuable time away from presenting your case.

**NEW FORMS.....**As requested by several of our clients, we now have a lease renewal form (with a rent increase statement built in), a form to be used to return or explain why the landlord is not returning the deposit and also a form stating that the landlord has decided not to renew the lease. Need one? You know who to call.

**ANSWER TO THE INSURANCE QUIZ.....**Would you believe that it is your insurance that covers the damage and not your neighbors! The damage was caused by a storm, and the tree was alive....this makes it an "act of God" and falls under your policy not the owner of the tree. It took several telephone calls and a friendly Nationwide claims adjuster to get this answer. He also stated that it is the claims adjuster's responsibility to make the final call. There are always circumstances that may change this decision.

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