

MOPOA NEWSLETTER

Make Your Rental Real Estate Business a Success

January 2018

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COMMERCIAL REAL ESTATE INVESTING

The speaker for the January 8th, 2018 meeting will be commercial Realtor, Kim Matney, of Berkshire Hathaway Real Estate, who will speak on Commercial Real Estate Investing.

Monday, January 8th, 2018
6:30 p.m.

Westside Conference Center
3534 S. 108th St. Omaha, NE

MOPOA Happy Hour Thursday, January 11th, 2018
Fox and Hound (120th & Dodge). 5 p.m. to 7 p.m.

MOPOA Early Bird Breakfast Saturday, January 13th, 2018
Farmhouse Café, 84th & Grover. 7:00 a.m.





LETTER FROM THE PRESIDENT

By John C. Chatelain, President MOPOA

"The article attributes Omaha's strong market to a low unemployment rate, strong health care and financial sectors and the presence of several fortune 500 companies."

Have you tried to purchase a rental house in Omaha lately? According to Liftoff! 10 Surprising U.S. Cities Where Home Values are Skyrocketing in the November 6, 2017 edition of realtor.com, Omaha topped the list. With a median home list price of \$259,400, our city has produced staggering percentage increases in home valuations.

According to the writer, Lance Lambert, "When you think of the Midwest, a few characteristics might come to mind – like maybe a slower pace of life. But you're crazy if you think this applies to the Omaha housing market. It's running at warp speed right now."

Judy Dooley, a real estate agent at Nebraska Realty was quoted in the article, "If you're hoping to get a home here for under \$250,000, you'd best be quick." According to the article the median home price in 2014 had been \$160,000. The article attributes Omaha's strong market to a low unemployment rate, strong health care and financial sectors and the presence of several fortune 500 companies.

Jean and I recently started to upgrade our inventory. The plan was to sell off properties of lower value and exchange them for properties, easier to manage and with more potential for appreciation.

Improving our portfolio seemed like a good idea until we starting looking for replacements: not so easy in today's market. On a 1031 exchange the seller can never touch the sale proceeds. Funds are held tightly in es-

crow and can only to be used to purchase the replacement property. The replacement must be "identified" within 45 days and closing must occur within 180 days.

This fall we sold a great old rental, which we had owned for 20 years, and had fixed, fixed and fixed. Feeling an urgent need to find its replacement we made offers on several houses only to be horned out by more aggressive investors. In one particular instance we offered the entire asking price, with an escalation clause, promising to pay \$500.00 above the highest bid, with a cap of \$2,500.00 above the asking price. Thank heavens we didn't get the darn thing. The house was an overpriced, glorified, cracker box.

Fortunately, Jean constantly trolls real estate listings for diamonds in the rough. We quickly found another property, with more space, and nice, large, level lot. We made an offer, with the escalation clause, and got it for the asking price. In a feeding frenzy like we're seeing these days, there is no time for ambivalence. Know what you are looking for, be prepared with your financing and act quickly.

The following information, which may prove to be useful, appeared on page 16 in the December 15, 2017 edition of The Bottom Line. According to the article February 7 is "statistically the day when real estate prices are 12% below average. The two next-best days to buy are February 4 and 5 – in fact, eight of the top 10 days to close on a home are in February. In all, the

median price per square foot is 6.1% lower than average in February, 5.6% lower in January, 3.6% lower in March and 1.8% lower in April. In all other months, median sale price is above average, with the highest at 3% above average in July and August."

The December 10, 2017 edition of the World Herald carried the following story, "Omaha landlord and his secretary want bribery case dismissed, say their actions were coerced." According to the article, one of our members, Lafi Jafari and his assistant, MaryLou Gruttmeier, have been charged with bribery of an OHA employee, Reggie Johnson, who coincidentally no longer works for OHA.

The amount involved in the alleged crime is rather trifling and there appears to have been no Quid Pro Quo. In other words, Mr. Jafari didn't ask for anything in exchange for the funds allegedly delivered to Mr. Johnson. Another aspect of the case strikes me as strange. Why was the landlord charged with a crime when the person who allegedly received the funds was not? There is also the issue of entrapment.

I've known Mr. Jafari for many years and have found him to be very astute but also charming and generous. He has delivered fruit snacks, crackers, pies and other gifts to my office on more than one occasion. It never crossed my mind that such generosity could be the basis for a criminal charge. I don't know all the facts about this case, but something doesn't smell quite right.

For the January 8th program, fellow MOPOA Board member, Kim Matney, of Berkshire Hathaway Real Estate will be presenting on the topic of Commercial Real Estate Investing. Don't miss it.





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Events of Interest

**Monday Night Meeting:
January 8th, 2018**

6:45 p.m. Meeting held at Westside Conference Center 3534 S. 108th St.

2nd Monday of Month Sept-May

**Early Bird Breakfast:
Saturday, January 13th, 2018**

7:00 a.m. Farm House, 84th & Grover

(Saturday after the MOPOA Monday Night meeting)

MOPOA Happy Hour:

Thursday, January 11th, 2018

5-7 p.m. Fox and Hound, 120th and Dodge St.

(Thursdays after the Monthly Monday Night meeting)

NE Taxpayers for Freedom:

January 17th, 2018

6:30 p.m.

Millard Library 132nd St. and 1/2 mile So. of West Center Rd.

(3rd Wednesday of the month)



January 2018

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8 MOPOA Monthly Meeting 6:45 p.m.	9	10	11 MOPOA Happy Hour 5-7 p.m.	12	13 Early Bird Breakfast 7 a.m.
14	15	16	17 NE Taxpayers for Freedom 6:30 p.m.	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

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SNOW REMOVAL—HOW TO AVOID BEING NEGLIGENT

Written on December 19th, 2017 by Chris Deziel

www.landlordology.com

Used with permission

No one likes shoveling and snow blowing, but snow removal is a job that someone has to do, and a number of communities enforce it.

Snow removal typically falls to tenants in single-family rentals and to landlords in multi-family dwellings, unless the lease specifies otherwise. It's important to understand what's required, because it's usually means more than simply carving a narrow path in the middle of the sidewalk.

Know your snow removal ordinances

Considering that sidewalks, streets, and curbs are public thoroughfares, public agencies must keep them clean according to rules established by the Americans with Disabilities Act.

It's common for jurisdictions to pass on some of these snow removal responsibilities to property owners, particularly when it comes to public sidewalks. According to ADA rules, you must remove enough snow from sidewalks to provide room for a wheelchair—at least 36 inches. You can't deposit snow back onto public property—the curb or the street. Doing so would make it difficult for anyone to cross the street or get to their car. Some communities also mandate:

The application of gravel, sand, or ice to prevent slipping. Cities like Ann Arbor, Michigan provide free de-icing material at various pickup points.

Removal of snow from benches, fire hydrants, and other public amenities on the stretch of sidewalk that spans the property.

A limit to the height of snow piled next to the walkway. When the snowbank exceeds the designated height, you must pile excess snow elsewhere.

There's often a time limit and a fine for non-compliance

Local ordinances typically specify a time-line for snow removal. For example, in Ann Arbor, you must remove snow that has accumulated to a depth of 1 inch within 24 hours of the end of snowfall. This is



typical. Cities that experience persistent mobility problems from snow accumulation are the most likely to have such ordinances.

Certain cities—including Chicago—take a hard-line on enforcement. They impose a fine on property owners, occupants, and business owners for non-compliance. In the case of Chicago, the fine could be anywhere from \$50 to \$500. In 2014, the City issued 226 citations.

Elderly and disabled people exempt

Snow removal is hazardous work, and every year it causes the death of 100 people. Cardiologist Barry Franklin advises people aged 55 years and older to avoid it. No community requires elderly or disabled people to comply with snow-removal ordinances. Some communities provide subsidies to allow disabled people to contract snow removal services, while others promote neighbor-to-neighbor networks.

Article continued on the next page. . .

SNOW REMOVAL—HOW TO AVOID BEING NEGLIGENT CONTINUED. . .

Whose job is it?

As the property owner, the landlord bears the final responsibility for snow removal on adjacent sidewalks and driveways. That responsibility may transfer to able-bodied occupants of single-family dwellings, but when occupants are unable to shovel snow, the landlord may again be responsible. The important thing for the community is that someone clears the sidewalks to make them safe for pedestrians.

Put it in the lease

To avoid misunderstandings and to ensure the important task of snow removal gets done, it's a good idea to include a lease clause to cover it. If the clause unambiguously specifies that occupants are responsible for snow removal, it's up to them to hire a snow removal company in the event they become incapable of shoveling it themselves. Landlords of multi-dwelling units always have the option of contracting with one of the tenants to remove snow in lieu of hiring an outside agency.

Best practices

A snow blower does a better job than a shovel. It requires less effort on the part of the operator, and it doesn't create snow banks on the side of the sidewalk or driveway. Like a lawnmower, it requires maintenance, and you have to store it somewhere, so it may not be a practical option for every situation. If you can, try making a deal with a neighbor who has one to clean your sidewalks.

When shoveling is the only option, a few tips can ensure the job gets done properly and without injury.

Use a lightweight shovel intended for snow removal.

Push the snow to the side of the sidewalk whenever possible. When you have to lift, bend your knees and use your legs for strength.

Work deep snow in layers, removing a little from the top before shoveling the rest.

Wear breathable clothes that allow your body to cool off.

Take frequent breaks. If you have a large area to shovel, consider doing some of it now and some a few hours later.

The bottom line

Because snow removal is such an important issue in cities that get heavy snowfalls, you should have a foolproof plan. Landlords with multi-family dwellings, as well as those with disabled renters, do well to have a contract with a snow removal company. That way, they are sure the job gets done with minimal effort on their part.

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WELCOME TO THE EARLY BIRD BREAKFAST

By Rick, McDonald, MOPOA Board Vice-President

MOPOA Early Bird Breakfast

Saturday,
January 13th,
2018

Farmhouse
Café, 84th &
Grover.

7:00 a.m.
Order off the
menu.

7:30 a.m.
meeting starts

We had some great conversation our Early Bird Breakfast this last month. With Christmas just around the corner everyone seemed to be in a joyous mood.

Speaking of Christmas that is what our survey question was on. The question was at Christmas do you give your tenants a Christmas card, a gift or do you just let it go?

- We had 64% said they don't do anything.
- 26% said they do give a gift or a gift card
- 10% said they do give something to some of their tenants but not to all of them

It seems some of our landlords struggle with giving a Christmas gift to the tenants when they are behind on the rent or not taking care of the property. That I can understand but what a great way to show your tenants that you care by giving them **something even when they don't** really deserve it. That might be just what they need to turn them into good tenants. One landlord suggested giving the less desirable tenants a gift card from U Haul. What a great idea.

We did discuss if it was a good idea to have the sewer line inspected with a camera before you close on a property. It seems to have been a very good idea for one of our investors, he has saved thousands by doing this.

Hardwood or Laminate flooring in a rental unit which is best? We have no

answer on that question as both of these floorings have good points and bad points. Every situation is different so it might be a good idea to install Laminate flooring in one situation and Hardwood in another situation. No matter which one you choose a tenant can damage it if they are not respectful of your property.



It seems there are only a few of those at the break-

fast that have their tenants pay the rent with direct deposit, but most of us thought that one of these days we will all be forced into getting our rent thru some sort of direct deposit like it or not.

One of our landlords has rental property in Council Bluffs and over on the other side of the river they have a mandatory inspections of all rental property. Lets hope that never comes to Omaha.

On a more positive note property values in Omaha and the surrounding areas is still on the increase and so are the rents. We had a dry spell for years but that seems to have changed.

Hope you all had a Merry Christmas and a Happy New Year!

See you all at the next Early Bird Breakfast next year.

Rick

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Inspection Checklist

Tenant Responsibility: To maintain a clean & sanitary home

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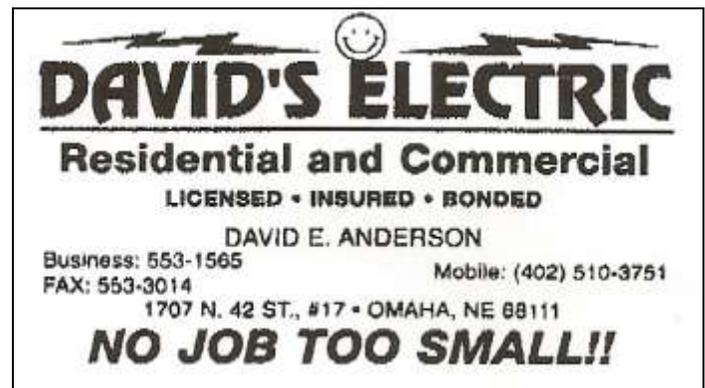
- ___ Contact the owner / mgr., prior to the inspection, informing them of necessary repairs.
- ___ Test all smoke detectors, ensuring they are working. Install new batteries if necessary.
- ___ Mop, vacuum or clean all floor coverings. Remove bad carpet stains.
- ___ Wash, dry, fold and put away all personal clothing.
- ___ Return all bottles & cans with deposits.
- ___ Kitchen: Wash all dishes, clean counter tops & wipe out kitchen cabinets.
- ___ All automobiles must be operational w/ current tags & licensing.
- ___ Ensure all interior & exterior light fixtures have light bulbs.
- ___ Inspect the windows. Replace any broken window glass, patch or replace damaged window screens.
- ___ Clean all appliances, stovetop, oven (clean grease splattered walls) and refrigerator. Defrost the freezer if necessary.
- ___ Clean / sanitize all bathroom fixtures, including toilet, sink, tub & shower.
- ___ Remove and properly dispose of all car parts.
- ___ Interior furniture (chairs and couches) can not be on exterior porches.
- ___ Remove and / or properly store any unused furniture, appliances, and clothing.
- ___ Properly bag all household trash. Place in proper location for disposal. Purchase additional garbage bags, if needed.
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METRO OMAHA REAL ESTATE IN 2018 AND BEYOND

By Michael George, MOPOA Board

As part of MOPOA Strategy 2020, we want to keep thinking about ways to position both our individual businesses and MOPOA for success in the future. What will the New Year bring for Omaha Metro Landlords? As the great philosopher Yogi Berra once said, "It's tough to make predictions, especially about the future." While I certainly don't have a crystal ball, here's a quick review of this year's real estate market for single family homes through November 2017*, and a few thoughts for your consideration going into 2018:

	2017	2016
Active MLS Listings Currently On the Market	2,238	2,258
Average Time on the Market to Close	26 Days	31 Days
Average Sales Price Year to Date (YTD)	\$214,522	\$204,215
Average Existing Home Sold Price YTD	\$202,322	\$190,890
Average New Construction Sold Price YTD	\$326,597	\$307,967

*All statistics provided by the Great Plains Regional Multiple Listing Service

Statistical Summary - Inventory remains relatively low (there were more than 5,000 single family home MLS listings in the Omaha Metro at a given time during the bottom of the bear market), properties priced correctly continue to sell quickly, sales prices for existing homes and new construction continue to rise, and the gap between existing home and new construction prices continues to expand.

Nation-wide Trends – Economic growth will continue through 2018, interest rates will begin to rise consistently, albeit slowly, costs of production of new homes (wood, steel, drywall, copper, labor, etc.) will continue to rise. Production costs will also rise due to competing demand for construction in the areas devastated by hurricanes (Texas, Florida, Puerto Rico).

Omaha Trends – Omaha will continue to grow, businesses expand, population increase. Demand for single family units will continue to strengthen as builders have yet to keep pace. The growing gap in price between existing homes and new construction will continue to expand, but prices of existing homes will continue to rise. Demand for residential real estate will continue to grow, but may be blunted to some degree by the continued construction of large multi-family projects throughout the Metro.

Sellers – It's still a great time to sell if you are looking to get out of the business, or perhaps take some profits. Real estate cycles normally last 5 to 15 years from peak to trough - we are 7-8 years into this cycle. Prices have risen considerably since the dramatic downturn of the mortgage crisis in 2008-2010, as much as 30-40% or more. Builders are struggling to catch up to demand, interest rates are still low, and there continues to be a strong demand for rentals. Consider 1031 exchanges to avoid taxes and/or unload older, higher maintenance property for newer, easier to maintain prop-

METRO OMAHA REAL ESTATE IN 2018 AND BEYOND Continued. . .

erty, seller financing to preserve current income, or refinancing to pull money out for other, more productive uses/ventures or retire other, more expensive debt.

Buyers – Tougher to be on the buy side, but there are still opportunities to be found for those willing to do their homework. Consider estate sales, auctions, and buying off-season (winter is normally a great time to buy). Certain sectors of the commercial real estate sector (office, some retail) may provide opportunities, as well as the agricultural sector, as commodity prices have fallen dramatically from recent highs. Conversions from commercial or niche properties to residential may be an option, there have been a number of old churches converted to multi-family residential properties in the Omaha Metro over the past several years. If you venture down this road, remember to understand both costs and re-zoning issues, talk to applicable Planning Departments. Be patient and buy right - know what price you need to pay to make the purchase profitable, and walk away when you can't get it.

Holders - Improving property currently held in your portfolio and retiring debt as quickly as possible while waiting for future buying opportunities are always great options. We detailed a number of ways to improve your current portfolio in the December issue, take a look. It's getting harder and harder to "flip" properties profitably, but the buy and hold approach is still the foundation of a solid real estate investment strategy. Be patient, improve loan to value ratios, stockpile cash, and get ready for the next downturn.

Conclusion – Keep in mind these are just my thoughts. As is always the case, be proactive, talk to other Members, share ideas, publish an article in the newsletter, and think "out of the box."

Michael W. George, Board Member



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- Discounted Services: To Tenant Data—discounted cost to MOPOA members is only \$49 payable to Tenant Data at P.O. Box 5404 Lincoln, NE 68505. www.tenantdata.com 402-934-0088.
- Free membership to Community Buying Group for discounts and services. www.communitybuyinggroup.com
- Our educational organization has 450 plus memberships, representing around 1,000 persons and businesses active in the rental real estate field. We are dedicated to increasing the professionalism of the rental business through education.
- New Member Forms Packet, which includes a Lease Agreement and a Three Day Notice. The Tenant Data tenant application and EPA Lead Disclosure and pamphlet and the 3rd party notices from OPPD and MUD, Fair Housing Rules, and NE Landlord/Tenant Act Brochure and more, so you have all the important forms in one packet.
- A Monthly Meeting (Sept-May) is held which is both informative and educational. We will strive to keep our members up to date on matters that affect us in the rental property business. Second Monday of the month Sept-May. Westside Community Center at 3534 S. 108th St. at 6:45 p.m.
- A Monthly Early Bird Breakfast Meeting is held year round on the Saturday following the Monday night meeting. 7:00 a.m. Monthly Happy Hour on the Thursday after the Monday Night Meeting. These are great times to learn from and network with other landlords.
- Monthly Newsletter, which is chock full of valuable information. Printed and electronic versions.
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