



Apartment Association of Southeastern Wisconsin

Advocating for Sustainable Rental Housing

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At our AASEW virtual event, Focus on Energy staff will share an overview of the resources and financial incentives that are available to multifamily property owners, and will give an in-depth look at the benefits that these updates can bring to your properties, including:

- Increased Tenant Retention
- Reduced Operating Expenses
- Fewer Maintenance Issues and Associated Costs
- Overall Improved Asset Value

When: Thursday, October 15, 2020, at 7:00 PM

Location: Remote - a RingCentral meeting link will be provided to all registered parties

Cost: Free for AASEW Members
\$10 for Non-Members



Focus on Energy staff will be available to answer questions after the presentation. All registered guests will receive a confirmation email with a link to join the virtual event. The call will be recorded and sent to all who register for those unable to attend the live event

AASEW Mission Statement:

"The Apartment Association of Southeastern Wisconsin is your primary resource for education, mutual support and legislative advocacy for the successful ownership and management of rental property."

The Apartment Association of Southeastern Wisconsin Inc.

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CORNER

Creating lasting partnerships and enhancing working relationships benefit the greater community. Changing the culture takes time, patience, and perspective. Due to the fact that these relationships and partnerships historically have not existed, we have needed to start small.

Both Landlords and Tenants have rights and duties.

Landlords are People Too

By Charlotte Laws, New York Daily News

"Landlords are the devil incarnate", "Cancel rent", "Landlords are a disease". These inflammatory words come from social media postings, but it is not unusual to hear them at the protests that have become routine in recent months. In addition, there have been marches specifically crafted to promote the rent-strike movement - a movement that suggests a tenant, even when she has the ability to pay, may choose instead to withhold the money and place the funds in a shared escrow account. Which has been promoted by some government officials.

This rage directed at landlords may come, in part, from the divisiveness of the country, the pent-up anger over COVID-19 restrictions, and the fact that landlords are regularly depicted in film and on the television as fat, white slumlords who refuse to make repairs, grumble about their boarders, and rejoice over tossing them into the street. The truth is quite the reverse.

Most landlords faithfully make repairs and do not want to evict. A vacancy means the unit must, at minimum, be repainted and remain empty until a new tenant is found, leaving the property owner with a loss of income.

Continued on page 4

Cancel Rent will Ultimately harm renters

By Tim Ballering, AASEW Board Member
Courtesy of Tim's blog, JustALandlord.com

Canceling rent will initially cause landlords to fail. This will have a cascading impact on municipal budgets and local economies as contractors and vendors aren't paid or given work. Bank will suffer, but they'll probably get bailed out again.

Ultimately it will be the tenants who pay the greatest price as rents will increase dramatically due both to attempts by owners to cover the added debt they accumulated and the reduction in available rental housing.

At the lower end of the housing market expect to see abandonment that leads to buildings being razed. At the mid-market expect that well-financed Wall Street corporations will buy up much of the housing stock. 2021 will make 2008 look like a small trial run.

Don't expect to see much new residential rental construction. Why would smart people invest in something the government can take away, without compensation, with the stroke of a pen.

Or of course, the Feds could do what is right and create a nationwide housing voucher that would protect both tenants and housing, as well as preventing the further collapse of the economy.

Demand a fix

The National Apartment Association has an "Easy Button" to help you connect with your Congresspeople and Senators.

The National Multifamily Housing Council has a similar tool to reach out to your elected officials.

But don't stop there.

Even though most of the funding, if it comes, will be Federal, reach out to your local officials as well. Not only may they find state and local funding, but many of these folks also have the ear of the national political party bosses. (If the national parties had leadership, the problems of not being able to pay rent would have been solved decades ago. - Just sayin')



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Continued from page 2

Another potential cause of today's anti-landlord sentiment may revolve around the ever-widening gap between the rich and the poor and the false but widespread notion that all landlords are rich.

Many owners fall into the category of "cash poor". In other words, they are barely able to meet their own family's needs for food, housing, and utilities. And this is before taking into account their rental property expenses, such as a mortgage, property taxes, insurance, maintenance, and repairs. For these folks, receiving rent on time is critical. It is how they cover their bills. When their rental income vanishes - as has been the case for many due to eviction moratoriums - these small landlords are left helpless and hopeless.

The government's destruction of small landlords in 2020 will be disastrous for tenants in 2021 and beyond. There will likely be a flurry of foreclosures and sell-offs by those who are unable to weather the eviction-moratorium storm. When the small landlords go, so does much of the affordable housing. Corporate investors and well-heeled Wall Street vultures will swoop down for the kill, snapping up properties, renovating them, and raising rents. In the end, communities will be left with fewer economical rentals and the chasm between the rich and poor will be wider still.

Politicians have assisted huge corporations with tax breaks and bailed out smaller companies with forgivable PPP loans. They have propped up the airline and agriculture industries. They have provided unprecedented assistance for tenants, undocumented immigrants, and the homeless. Yet they have done nothing for the small landlord, except force her to bear an expensive and unreasonable burden.

Although there is an especially strong case to be made for the mom and pop, it is equally unfair to turn the big landlord into an ATM for the pandemic. Our constitutionally - protected property rights have been ignored.

It is baffling how landlords have become a target for the financial burden.

The unfairness needs to end. The rage needs to end. The hatred needs to end. This country must stop scapegoating the landlord and stealing their livelihood.

-- Ron Hegwood

Hiring a Property Manager vs. Self Managing: What's Better?

By Andrew Syrios, *BiggerPockets.com*



I have made the case that buy and hold real estate investment is the best investment around. However, it comes with two major challenges. The first is financing, which I covered last week. The second is property management. Without good management, even the best purchases can go sour. Property management is the very lifeblood of any successful hold. And because of this, it can never be neglected.

When approaching this challenge, the first question to ask is simply whether you should manage yourself or hire a management company to do it for you.

My personal sympathies lie with managing yourself and eventually setting up your own management company. Much of this probably comes from having had some bad experiences with management companies in that past. We've been overcharged, misled, and we watched helplessly as properties were run into the ground by bad property management companies.

That being said, I have seen other investors have great success using management companies, so there's no one way to do it. Obviously, it depends on the quality of the property managers you are using.

Here are the advantages to each approach:

3 Advantages of Using a Management Company

1. Infrastructure Already in Place

Early on, you won't have an office or policies or staff - or anything else that property management companies generally have. But management companies will have all the leases, applications, notices of entry, and other such documents, as well as screening procedures and knowledge of the landlord/tenant laws in your state (at least they should).

If you go it yourself, you will have to put these things together. Management companies will also have an extensive list of vendors and contractors to use that you will have to find if you do it yourself.

Continued on page 5

Continued from page 4

2. Ability to Save Time

The more time you spend managing, the less time you have to look for other potential properties to buy or other business opportunities - and you lose out on time to simply enjoy life.

Opportunity cost comes into play here; everything you do means you can't do something else at that given moment. If you can find a quality management company, that can undoubtedly save a lot of time.

3. Opportunity to Outsource Headaches

Unfortunately, property management has a not-altogether undeserved reputation for producing a large number of headaches. It will require thick skin to deal with angry tenants and severe maintenance problems. Most tenants are great people, but those won't be the ones you hear from very often. Instead, the bad apples and discontents will eat up a substantial amount of your time and energy (sanity).

5 Advantages to Managing Yourself

1. Chance to Save Money

Management companies generally charge 10 percent of collected income and the first month's rent for each new tenant. This is a substantial expense that you can save by managing the property yourself.

2. Increased Control

It's a lot easier to make decisions and implement them yourself or through your employees than it is through a third party, even if they really are interested in following through with your plan.

3. Avoidance of Fraud

Unfortunately, not every property management company is run ethically. Some receive kickbacks from contractors, pocket rent from "vacant units" - or engage in other such unsavory activity. Managing yourself can make it easier to avoid being a victim of these types of things.

4. Gained Experience

It is extremely important to know the ins and outs of property management, even if you are not the one doing it. It's much easier to evaluate how well others are managing your priorities if you know how to do it yourself and have experience in that area. It's easier to see which excuses are legitimate - and which are not - if you've done it before.

Continued on page 6

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Continued from page 5

For example, we had one management company tell us that Craigslist wouldn't work in a certain area, and we trusted them. We eventually took the building over, started using Craigslist and, lo and behold, almost all our new leases come from there. Managing properties will also give you a better perspective on an area, which can help fine tune your buying criteria.

5. You Care More Than Anyone Else

I can consider this the most important factor. Consider it a universal truism that no one will ever care as much about your properties as you do. And caring translates into effort. That extra effort can potentially be the difference between a performing property and one that bleeds money every month.

Becoming Your Own Property Manager

If you choose to manage yourself, make sure to talk to an attorney and familiarize yourself with landlord/tenant law and fair housing. Complying with fair housing shouldn't scare anyone off; it's pretty straightforward (i.e. don't discriminate), but it's important to be intimately familiar with it to avoid any pitfalls.

You will also need to gather or create the necessary documents (lease, application, etc.). You can find standard forms at most office supply stores or online. If you make one yourself, make sure to check it off with an attorney. You will also want to come up with general policies. For example, when to file for an eviction, when late fees will apply and how much will they be, whether you will accept payment plans, etc. These policies are important, as you can use them as an anchor to hold onto when tenants try to pressure you into something.

Vetting a Property Manager

If you choose to hire a manager, the best place to start is to ask for referrals from other successful investors. If a manager has a proven track record with another investor, it's much likely they'll do well for you, too.

Regardless of how you find a property manager, it is critical to vet them thoroughly before hiring them. You should interview them, ask for references, and interview those references as well. Make sure this manager specializes in the types of properties you own. If you own C rentals, a management company that specializes in A rental will almost certainly do a terrible job and vice versa.



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Top 7 Energy Efficiency Upgrades for your Rental Property

By Jimmy Moncrief, courtesy of Landlordology.com



When I first started reading about energy-efficient upgrades for rental property, I thought the idea was ludicrous, believing this was the tenant's responsibility.

However, after over 10 years of owning a rental property, I have found that tenants care about energy efficiency. In fact, one of the top questions I receive from prospective tenants is, "How much are the utility bills?"

So there is a dual benefit with investing in energy efficient upgrades: environmental and economic.

Listing energy efficient upgrades (and featuring them in amazing photos) increases the number of higher quality tenant prospects for your property and increases your ability to raise rent.

Below are some fairly easy things to implement to reduce your tenant's energy bills and increase the value of your property.

1. Replace Air Filters

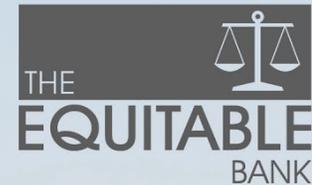
Many leases require the tenant to replace air filters. Yet, it has been my experience that this is rarely done. Not only is this not energy-efficient, it causes your HVAC systems to work overtime, which shortens their lifespan and causes more maintenance bills.

2. Seal Doors and Windows

All my rental properties are older than 30 years. This means there are a lot of gaps in the doors and windows. I make it a point to do a thorough inspection of the doors and windows and to reseal any places where there is a gap. This inspection should always be done in the daytime when the visibility is better. A simple, and inexpensive window insulator kit will do wonders for reducing your utility bills.

Continued on page 9

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Milwaukee County Sheriff's Office: Temporary CDC Eviction Ban

By Heiner Giese, legal counsel for the AASEW

Milwaukee, WI (October 8, 2020) The Milwaukee County Sheriff's Office (MCSO) is statutorily obligated to perform evictions after a landlord obtains an order from the court.

MCSO is aware of the CDC's September 4, 2020, order which temporarily halts certain residential evictions for nonpayment of rent through December 31, 2020. The CDC's eviction halt applies when tenants who meet a specific set of income, work, and housing requirements present their landlords with a signed declaration.

The CDC eviction halt is quite different from expired moratoriums previously issued by the State of Wisconsin and the courts that protected all residential tenants during the applicable time period. The CDC's order protects from eviction only a select group of people who meet the criteria and take the steps specified by the CDC.

Court-ordered evictions currently delivered to the Milwaukee County Sheriff's Office typically do not identify the reason for the eviction (e.g., nonpayment of rent, criminal activity while on the premises, damaging property, etc.). The MCSO has developed a process to ensure fairness to both parties involved in the eviction and to remain legally compliant with its statutory obligations and the CDC's order.

If the tenant(s) is present during an eviction, they are asked by Sheriff's deputies if they have delivered or intend to deliver a CDC declaration to their respective landlord. If the tenant states "yes," the tenant is asked to attest as such on a form provided by MCSO, the eviction process is halted, and the landlord is directed to contact the court that issued the eviction for further guidance. If a tenant is not present, the landlord or its representative is asked if the landlord has received a CDC declaration from a tenant. If the answer is "no," the landlord is asked to attest as such on a form provided by MCSO and the eviction process goes forward.

The nature of the CDC's temporary halt on evictions has led to understandable misconceptions that it is a moratorium on all evictions. This is not the case.

The CDC order does not prevent all tenants from being evicted - only those who opt-in to the protections by signing a declaration, under the penalty of perjury, attesting they meet the eligibility requirements of the CDC order.



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Continued from page 7

3. Insulate Upstairs

Insulation is no fun to work with. However, it's cheap and has one of the best returns on investments of any home improvement project. Hot air rises, so I recommend to not get overwhelmed with trying to better insulate the entire house and instead focus on the attic area.

The cost ranges from \$500 to \$700 for a 400-square-foot attic. If you do it yourself, the materials cost around \$250. With an annual savings of approximately \$200 (higher in cold climates), this project easily pays for itself in two years, making it a great investment if you really are able to do it yourself.

4. Use Shady Landscaping

Landscaping can dramatically affect your energy costs. The best part about this investment is that it's a relatively small one-time investment and it lasts a lifetime. And a bonus is that landscaping increases the curb appeal of your property.

The shade under trees can reduce the air temperature by six degrees, according to the Department of Energy. Because cool air falls to the ground, there can be as much as a 25-degree difference between the air at the bottom of a tree and the top of a roof that isn't shaded.

This is a great infographic explaining the energy benefits of proper landscaping: [Energy Saver 101 Infographic: Landscaping](#)

5. Change the Setting on the Water Heater

This is one of my favorite "hacks" as it costs no money; yet, you save money every month because of it.

Most water heaters come with the default setting of 140 degrees. Have you ever taken a 140-degree shower? Neither have I, and I don't expect to either! The Department of Energy recommends changing this setting to 120 degrees.

Turning down the temperature 10 degrees Fahrenheit on your hot water heater saves 3 to 5 percent on energy costs, so a drop from 140 to 120 F saves you 6 to 10 percent.

Note: I recommend changing the setting to 100 F. You can always increase it later if you need to.

Continued on page 10

Book Review: "The Only Woman in the Room: Knowledge and Inspiration from 20 Women Real Estate Investors"

By Dawn Anastasi, AASEW Board Member

I recently read this book, compiled by Ashley Wilson, after hearing about it from The Real Estate InvestHER podcast online.

This book contains inspirational and motivational accounts from 20 female real estate investors.

The book's title, "The Only Woman in the Room" came from how the author noted that at most real estate conferences she attended, overwhelmingly the attendees and presenters were men.

I've attended several real estate conferences myself across the country and can attest that I've also seen this trend first hand.

The author questioned why women were not investing in real estate at the same rate men were. Real estate investing, as a wealth-building vehicle, isn't something only men can do.

However, the author found that overall, women are 40% less likely to invest than men. Why was that? Research pointed to a few reasons:

- Women have less money to invest with.
- Women are less likely to invest at an earlier age.
- Most women have not been exposed to the building blocks of mathematics and finance comprehension that leads one to see the power of investing.

She found that when women do invest, knowledge meets opportunity and success can be achieved.

Another one of the book's contributors also pointed out that in America, women are 35% more likely than men to be poor, and that 70% of the nation's poor are women and children.

Continued on page 15



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Continued from page 9

The first time I started changing the water heater settings, I changed it to 80 degrees and my wife definitely noticed. So I would not recommend changing the setting this low.

6. Change Lightbulbs

Lightbulbs are like dental floss. Whenever I buy them, I ask myself: "Why does this cost so much?"

I'm naturally a cheapskate and love buying the traditional store-brand lightbulbs at the dollar store. However, energy-efficient lightbulbs, such as halogen incandescents, compact fluorescent lamps (CFLs), and light-emitting diodes (LEDs), can reduce your energy costs, and they last longer than traditional lightbulbs do.

The Department of Energy states that the new efficient lightbulbs use 25 to 80 percent less energy than traditional incandescent lightbulbs and last 3 to 25 times longer.

7. Use a Water Heater Blanket

I saved this one for last because it's my favorite. This upgrade is the easiest to implement, and I'm sure it will get you a high return on investment. You can get water heater blankets at any hardware store, and they cost approximately \$25. But you will save approximately \$30 a year.

All you do is wrap your water heater with the insulation blanket, and it normally is sealed with duct tape. It takes less than two minutes to do.

Conclusion

The economic benefits of investing in energy efficiency are exacerbated by tax benefits.

I personally replaced the windows in one of my older rental properties this year. I get to expense the cost of doing this while also receiving a tax credit for the energy-efficient upgrades. To be eligible for the tax credit, I let my local utility company perform an energy audit. The audit was free and provided me with some practical advice on improving the energy efficiency of the property.

"When you invest in your property's energy efficiency, you are telling your tenants you care about the property"



Tony Evers

Office of the Governor | State of Wisconsin

Gov. Evers Announces nearly \$50 million in COVID-19 Support for Wisconsinites

By Office of the Governor, State of Wisconsin,
GovPress@wisconsin.gov

\$47 million includes support for child care, healthcare navigators, food security, and energy and rental assistance

Madison - Gov. Tony Evers announced today an additional \$47 million investment in COVID-19 support for child care, healthcare navigators, and energy and rental assistance to Wisconsinites across the state. The effort is funded through the Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act Coronavirus Relief Fund

(CRF) and will be infused into existing CRF-funded programs and used for new programs as the pandemic continues to affect Wisconsinites.

“As we continue to fight this pandemic across our state, we need to make sure folks have the support they need from housing and food security to making sure they have access to quality, affordable healthcare,” said Gov. Evers. “The investment announced today will provide critically important assistance for Wisconsinites as we continue to encourage folks to stay home as much as possible.”

\$10 million will be directed towards the COVID-19 Out-of-School Support Grant Program aimed at assisting Wisconsin organizations who are providing care to school-aged kids during the pandemic. Administered by the Wisconsin Department of Administration (DOA), the program provides eligible organizations grant awards to cover pandemic-related impacts such as lost revenue, increased staffing costs, cleaning and sanitization, and additional costs to ensure high-quality programming otherwise impacted by COVID-19.

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Eric Swanson
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Sid Grinker Restoration

Shari Engstrom
Emergency Service 24/7/365
Milwaukee, WI
t: (414) 264-7470

FITNESS

Johnson Commercial Fitness

Ryan Nielsen
7585 Equitable Dr
Eden Prairie, MN 55344
ryan.nielsen@johnsonfit.com
t: 262-328-4566
Commercial.2ndwindexercise.com

FLOORING

Carpetland USA

Troy Allgood
1451 S 108th St
West Allis, WI 53214
troya@carpetlandwi.com
t: (414) 331-2851

Carpetland USA

W188 N9875 Maple Rd
Germantown, WI 53022
stevem@carpetlandwi.com
t: (414) 727-3000
www.carpetlandusa flooringcenter.com

Milwaukee Carpet

Victoria Bell
1728 W Mitchell St
Milwaukee, WI 53204
Milwaukeeecarp@sbglobal.net
t: (414) 702-1989
www.Milwaukeeecarp.net

AASEW Business Member Directory

FORMS / LEASES

WI Legal Blank

Steve Russell/Rick Russell
749 N 37th St
Milwaukee, WI 53208
info@wilegalblank.com
t: (414) 344-5155
www.wilegalblank.com

HARDWARE

Home Depot

Michael Dwyer
2% Cash Back On All Purchases
Michael_dwyer@homedepot.com

INSURANCE

P&C Insurance

Bob Dummer
405 N Calhoun Rd #203
Brookfield, WI 53005
bdummer@pc-insurance.net
t: (262) 784-0990
www.pc-insurance.net

LIGHTING & ENERGY

Energy House LLC

Doug McFee
N52W27222 Elizabeth Dr
Pewaukee, WI 53072
dmcfee@wi.rr.com

WE Energies

Missie Muth
231 W Michigan P488
Milwaukee, WI 53290
Missie.Muth@we-energies.com
t: (414) 221-3290
www.we-energies.com

PAINT & PAINTING SUPPLIES

Sherwin Williams

Milwaukee, WI
swrep6301@sherwin.com
t: (262) 549-9007
www.sherwin-williams.com

REAL ESTATE BROKERAGE

Benefit Realty

Tamara Towns-Pozorski
N1571 County Road H
Palmyra, WI 53156
tamara@benefit-realty.com
t: (262) 470-2300
www.benefit-realty.com

ROOFING

SJS Roofing & Construction, Inc.

Steven J. Swenson
9825 S 13th St
Oak Creek, WI 53154
SteveS@SJS-Construct.com
t: (414) 899-7043 (cell)
t: (414) 304-5089 (office)
www.SJS-Construct.com

SECURITY SYSTEMS

ADT

William Niemeyer
(800) 521-1734

PLUMBING & DRAIN CLEANING

Mattox Plumbing

Harold Mattox
1634 S 108th St
West Allis, WI 53214
hmattox@mattoxplumbing.com

TITLE & SERVICES

Land Title Services

Jacky Brown
7700 W Bluemound Rd
Wauwatosa, WI 53213
jbrown@landtitleservices.net
t: (414) 259-5060
landtitleservices.net

TOWING & RECOVERY SERVICES

Always Towing & Recovery, Inc

3700 W Wells St
Milwaukee, WI 53208
melgaglione@icloud.com
t: (414) 933-7666
www.alwaystowingandrecovery.com

WATER HEATERS

Reliable Water Services

2400 S 102nd St, Suite 103
Milwaukee, WI 53227
info@reliablewater247.com
t: (800) 356-1444
www.reliablewater247.com

WINDOWS & DOORS

Milwaukee Windows

Ihsan Atta
PO Box 638
Milwaukee, WI 53201
t: (414) 375-2020

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you wish to see
in the World”***

-Gandhi



AASEW Business Member Directory

AASEW OWNER

Article Guidelines

Would you like to submit an article for publication in the AASEW newsletter?

Here are the current submission guidelines:

Deadline for all submissions is the first of each month.

The newsletter will be delivered electronically to the membership around the 10th of the month.

Limited print copies of the newsletter will be available at the General Membership Meeting following its publication.

We are happy to accept one article per author per newsletter.

Please keep the article to approximately 500 words in length.

Any edits made to an article (generally for length) will be approved by the contributor before it is published.

All articles must be properly attributed.

The Editorial Staff reserves the right to select articles that serve the membership, are timely, and are appropriate.

PROPERTY MANAGEMENT

Aspen Crossing Apartments

Layne Hurst
9239 N 75th St #1
Milwaukee, WI 53223
LHurst@wallick.com
t: (614) 552-5647
www.wallick.com

Bartsch Management LLC

Brian Bartsch
PO Box 26915
Milwaukee, WI 53226
info@bartschmanagement.com
t: (414) 763-7160

Berrada Properties

PO Box 241191
Milwaukee WI 53224
t: (414) 386-8302

Fiduciary Real Estate Development, Inc

Steve Ciesielski
789 N Water St, Ste 200
Milwaukee, WI 53202
sciesielski@fred-inc.com
t: (414) 226-4535

WJP & Associates 1, LLC

Valerie Swenson
705 Sunnyslope Road
Elm Grove, WI 53122
valswenson1@gmail.com
t: (262) 787-0898

PROPERTY MANAGEMENT

MPI Property Management, LLC

6700 W Fairview Ave
Milwaukee, WI 53213
t: (414) 933-2700
www.mpiwi.com

Nimius LLC

Dennis Schramer
815 S 9th St
Milwaukee, WI 53204
dennis@nimiusllc.com
t: (844) 464-6487
www.nimiusllc.com

Performance Asset Management

Gino Passante
2658 S Kinnickinnic Ave
Milwaukee, WI 53207
gino@pammke.com
t: (414) 622.1296
www.pammke.com

Porch Light Property Management

info@porchlightproperty.com
t: (414) 678-1088

Real Property Management Greater Milwaukee

Kristin Rehbein
2312 N Grandview Blvd, Suite 210
Waukesha, WI 53188
krehbein@rpmgreatermilwaukee.com
t: (262) 409-2050

Wisconsin Lakefront Property Management LLC

Eileen Robarge
info@windwardcovellc.com
t: (866) 542-5851
www.lakefrontpropertyllc.com



Please note:

All businesses listed in this directory are current business members in good standing with the AASEW and are offered only as such.

Continued from page 11

“Our out-of-school support providers are a critical part of the team of entities ensuring Wisconsin kids are getting what they need, whether their traditional school setting is in-person or virtual this year,” Gov. Evers continued. “What’s best for our kids is what’s best for our state, and these organizations are stepping up in a big way to make sure our kids have a safe place to go during this unprecedented pandemic.”

With the winter on the horizon and as temperatures drop, making sure Wisconsinites have access to safe, warm housing is critical. **\$10 million will be invested in the successful Wisconsin Rental Assistance Program (WRAP), in addition to the \$25 million previously announced.** To date, WRAP has helped nearly 10,000 households across the state as of October 5th. Additionally, \$10 million will go toward the Food Security Initiative in recognition of the role the program has played in combatting hunger. This investment is on top of the \$15 million previously allocated to this program.

To ensure Wisconsinites not only have access to housing but can pay their utility bills as we head into the winter months, \$15 million of the funds will be invested in Wisconsin’s Low Income Home Energy Assistance Program (LIHEAP), a program that is currently federally-funded and helps Wisconsinites with their heating costs. Interested individuals can visit homeenergyplus.wi.gov/ or call 1-866-HEATWIS for application and program details. An additional \$1 million investment will be directed towards the Keep Wisconsin Warm/Cool Fund (KWW/CF), a non-profit that provides a statewide safety net to individuals facing energy-related emergencies. Interested individuals can visit kwwf.org/apply to learn more about the KWW/CF application and process.

Finally, ensuring everyone has access to quality, affordable healthcare continues to be top priority, especially as COVID-19 surges across our state. Given the increasing number of Wisconsinites facing unemployment and the loss of employer-sponsored health insurance during the pandemic, \$1 million will be invested in the statewide health insurance navigator organization to help residents purchase health insurance on the federal marketplace or to enroll in BadgerCare. For many Wisconsinites, this may be their first time selecting a plan on the exchange, which can be a complicated process. This funding will help increase consumer education and access to healthcare navigators who can walk individuals through the process of selecting and purchasing an individual or family plan or in enrolling for BadgerCare if they are eligible. Wisconsinites can learn more about their health insurance options at WisCovered.com.

Continued from page 9

After reading this book, I definitely came away with a better understanding of what drove these various women to success.

Here are some excerpts from this book that I found extremely relevant:

Anna Kelly, who manages a rental portfolio valued at over \$60 million, writes:

- *Believe that you have what it takes to solve every problem. Get in the habit of asking yourself, “How can I?” Brainstorm multiple ways to solve every problem and keep brainstorming and testing solutions until you figure out the way forward.*
- *Develop a support system! Get real and vulnerable. None of us have it all figured out. Be humble and ask your peers and mentors for guidance and encouragement. If you do not have support, consider joining a mastermind.*

A “mastermind” is just a group of like minded individuals who get together to discuss their success, challenges and are there to support each other. A mastermind group does **not** have to meet in person. I was a member of a mastermind group with women across the country (including two women who contributed to this book).

The support and problem solving of a mastermind group is an incredibly valuable thing. Not everyone has all the answers, and even if you think you know a course of action to solve a problem, other people may have ideas you’ve never even considered.

Another interesting piece of information I received from the book: More than 41% of people aged 25-34, who consider becoming entrepreneurs are held back due to the fear of failure.

I’ve seen this many times over the course of my investing career by people who approached me wanting to know how to get started in real estate investing.

Continued on page 16

Continued from page 15

I would answer their questions, and then later come to find out that they never actually made any progress toward real estate investing whatsoever.

I think people should do their research before jumping into something, to ensure that they want to do it, but fear of failure shouldn't be holding you back if you really want to succeed.

Do you know, for example, that one of Oprah Winfrey's first jobs in TV ended abruptly after the producer declared she was "unfit for television."

Colonel Sanders got his start at the age of 62, with a \$105 social security check in hand, and got rejected by over 1,000 people for his chicken recipe. But his restaurants, Kentucky Fried Chicken (known these days as KFC) went on to become successes.

Some people may think, "okay, but those examples don't mean I will be a success". This is true. However, everyone who goes into a new venture will make mistakes. I've made plenty of mistakes in my career, yet each one has been a learning experience.

One of the book's contributors, Dr. Patricia Red Hawk, wrote the following: *So, here's the real deal, it's not enough to want it -- you must go after it. You can only obtain results when you act -- which differs from being in motion. Acting yields results and merely being in motion does not.*

She further goes on to give a list of lessons she learned in her life:

- *Grow your self-confidence by taking risks.*
- *Be open to new things -- opportunities, adventures, skills, people.*
- *Course-correct if needed.*
- *Don't be swayed by others' opinions of your new ideas/directions (it reflects them and their world, not you and yours).*
- *Determine the cost of your dream before committing. When you commit, resolve to pay the price without wavering.*
- *Be relentless.*

Taking risks can be scary. But it's the way you grow as a person. The first time I ever bought a rental property in Milwaukee, it was a scary prospect. The rental I purchased came with tenants already. What were these tenants going to be like? Would I be able to be a good landlord?

I can't imagine how people navigated the world of real estate 30-40 years ago. Today, there is so much information and help available. For example, if you need a rental agreement, WI Legal Blank has all the forms you need. If you need to network with other real estate investors, groups such as the AASEW provide that as well as bringing educational topics so landlords never stop learning. (Because we all know that the world keeps changing and evolving!)

Deborah Nye, another contributor to this book, wrote: *The amazing thing about Real Estate is that your background does not matter. Your education does not matter. Your age doesn't matter. Your financial situation does not matter. Your current circumstances do not matter. What matters is your ability to build a team, educate yourself, have a goal, and act. The specifics of any new endeavor can feel overwhelming, but if you focus on these four things, you can, rather, you **will** succeed.*

I've had some people come to me wondering how they can invest in real estate if they do not have much money. What I've discovered over time is that money is out there in the world, you just have to find it and make use of it.

For example, one investor I worked with worked a full time job but didn't think he could take enough money away from his family and their needs to invest in real estate, and his credit was not the best. I told him to check out peer-to-peer lending. This money came at a higher cost, however it allowed him to actually take action versus sitting on the sidelines.

Another investor lived in California and had access to money, but no knowledge of the Milwaukee area and no contacts here.

Continued on page 17

Continued from page 16

I helped him start investing in Milwaukee, and after a few years, he was able to quit his full time job and move to Thailand permanently. Because of the team he built here in Milwaukee, he can invest in real estate from afar and not need to travel back and forth. He envisioned the life he wanted, and set out to build it.

In reading this book, it holds true that real estate investing is multi-faceted. One woman invests in rental properties, one in self-storage, another as a realtor, etc. This is one of the things I found so interesting with real estate -- there's not just one way to make money.

I started off buying properties and renting them out. However, after renting out one of my properties for a while, I decided to sell it. I made a profit on the sale and on the cash flow from the rental. From there, I've kept some properties as rentals and some I've renovated and resold. I realized that I didn't have to stick to just one thing -- I could use real estate investing in multiple ways.

Maria Fristrom, a real estate investor from Finland, says that she believes that solving people's problems will lead to success.

She writes that you need to ask yourself some questions:

- *What is everyone else doing and how can I be different?*
- *What do I know that can be of value to somebody else?*

Do not waste your energy comparing yourself to others. You are tougher than you think. Being you, doing things your way, as scary and slow as it might feel, will take you further than you can imagine.

Overall, I found this book to be a very worthwhile read. It's content is helpful and motivational not just for women, but for anyone who wants to be inspired (or re-inspired!) by real estate investing, even in these tough times.

Interpreting the CDC's 10/920 FAQ regarding its Eviction Moratorium Order

By Heiner Giese, legal counsel for the AASEW

The FAQ can be found [here](#).

1. Can 5 or 14-day notices for nonpayment be served?

Yes. The FAQ says on p.1 "Nor is it intended to prevent landlords from starting eviction proceedings, provided that the actual eviction of a covered person for non-payment of the rent does NOT take place during the period of the Order"

2. Can 5 or 14-day notices for nonpayment be served even if the landlord has already received a tenant CDC Declaration?

Yes. However, it would be advisable for the landlord to add language to the notice acknowledging that you have received the Declaration and the you are giving the tenant the 5 or 14 days to state if they will (a) pay the rent in full or (b) state what amount of partial rent-and on what kind of schedule - they can pay.

3. Can an eviction then be commenced if the tenant does not pay or make a reasonable proposal to pay partial rent?

Yes. See answer to Question 1. However, it would be advisable for the plaintiff landlord to include an allegation in the Complaint that the landlord has received the Declaration and is aware that the CDC Order gives the tenant certain protections, that the tenant has refused to make any partial payments or offer a reasonable partial payment schedule, that the landlord is therefore challenging the truthfulness or sufficiency of the Declaration and that the landlord requests the court to determine the validity of the challenge.

[The FAQ says on p.6, "The Order does not preclude a landlord from challenging the truthfulness of a tenant's declaration in any state or municipal court. The protections of the Order apply to the tenant until the court decides the issue as long as the Order remains in effect."]

Continued on page 18

Continued from page 17

4. Can an eviction be filed based on a 28-day notice terminating a month-to-month tenancy or on grounds that an annual lease has ended and has not been renewed or extended?

The FAQ does not give a clear answer. On pp.4-5 it says “You may still be evicted for reasons other than not paying full rent” and repeats the language “violating any other contractual obligation of a tenant’s lease other than the timely payment of rent” as permitting an eviction.

There have been local court decisions since the CDC Order which allow an eviction based on “end of contract” grounds to proceed. If a landlord needs to evict a tenant who is holding over after termination of the rental agreement, it would be advisable to file only on that ground and to not add an allegation of nonpayment (if there has in fact been nonpayment) or a claim for back or current rent.

Presumably a complaint in a case of this type could add the standard 3rd cause of action request for possible damages based on the condition of the unit since that type of claim does not fall within the nonpayment protections contained in the CDC Order.

5. Is the FAQ the last word on how the CDC Order should be interpreted?

Prior to issuance of the FAQ on 10/9 tenant advocates and many landlords were interpreting the CDC Order as prohibiting the filing of an eviction if the landlord had received a Declaration [tenant advocates were even saying that nonpayment notices were prohibited]

But now on p.1 of the FAQ it says, “The Order is not intended to terminate or suspend the operations of any state or local court. Nor is it intended to prevent landlords from starting eviction proceedings, provided that the actual eviction of a covered person for non-payment of rent does NOT take place during the period of the Order.”

One should note that the FAQ is described as non-binding guidance in its first sentence. An argument could be made by tenant advocates that the CDC, HID, HHS and the Department of Justice have wrongly interpreted the provisions of their own Order. In some other states and in one county in Wisconsin pending evictions were dismissed outright.

Tenant advocates can argue that the CDC Order must be so interpreted. The government’s position that eviction cases can go ahead and that a writ of restitution can even be issued as long as it is stayed until the end of the CDC moratorium likely came about because the government sensed a danger of the Order being held invalid because it interfered with the constitutional right to access courts for redress of grievances or constituted an impermissible federal interference with the operation of state courts.

“Don’t let anyone rent a space in your head, unless they’re a good tenant”



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CDC Attorneys: Landlords can challenge Tenant's Declaration in state eviction court

By Tim Ballering, AASEW Board Member
 Courtesy of Tim's blog, JustALandlord.com

Thanks to Attorney Heiner Giese for reading the 59 page federal court motion.

The CDC's attorneys have stated in federal court that owners are permitted to file evictions, as well as challenge the veracity of the tenants CDC Declaration. The CDC argues that owners can even obtain an eviction judgement, as long as the physical move is stayed until the end of the moratorium.

Most importantly, the Order does not prevent a landlord from filing an eviction in state court. First, the Order expressly permits eviction for various reasons other than nonpayment of rent. See 85 Fe. Reg. at 55294 (property damage, criminal activity, etc.). Second, nowhere does the Order prohibit a landlord from attempting to demonstrate that a tenant has wrongfully claimed its protections. And third, even where a tenant is entitled to its protections, the Order does not bar a landlord from commencing a state court eviction proceeding, provided that the actual eviction does not occur while the Order remains in place. See *id.* at 55292 ("the order prevents these persons from being evicted or removed from where they are living through December 31, 2020"); *id.* at 55293 (defining "evict" as "to remove or cause the removal of").

[See full context at page 42](#)

The CDC attorneys further state that owners are permitted to sue tenants for nonpayment in civil court. This creates an interesting situation where an owner who is not receiving rent garnish wages.

Where tenants fail to pay rent, nothing in the Order precludes landlords from filing a breach of contract action seeking payment. Plaintiffs may prefer a different remedy, but they plainly have access to a judicial forum.

[See full context at page 43](#)

This critical interpretation of the CDC Order is from its legal counsel, the US Department of Justice, in a brief filed in the *Brown v. Azar* case, the federal court case in Atlanta seeking to overturn the CDC Order.

This is very different from what owners are being told by tenant's attorneys as well as local courts.

Personally I am not opposed to the moratorium if the tenant truthfully fills out the CDC Declaration, which includes an actual substantial loss of income, partial payments to the best of the tenants' ability and having applied for all applicable government assistance.

The concern is when tenants are using the CDC Order as a "Get Out Of Rent Free" card and submitting knowingly false Declarations. For example we received our first Declaration last week. The tenant listed SSI as her sole source of income on her application, so she did not suffer a substantial loss of income. She also has failed to apply for either the Community Advocates nor the WRAP funding.



“Challenges are what make life interesting and overcoming them is what makes life meaningful”



The Apartment Association of Southeastern Wisconsin, Inc.

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Milwaukee WI 53204
(414) 276-7378

www.aasew.org
membership@aasew.org

Upcoming Events ...

AASEW General Meeting - Webinars

Please register in advance using links sent out in emails.

The link to join the call will be sent out to registered attendees before the meeting.

Please watch your emails for future online AASEW events where we will discuss topics of great importance for our membership!

Table of Contents:

Page 2 -- President's Corner

Page 3 -- Cancel Rent will Ultimately Harm Renters

Page 4 -- Hiring a Property Manager vs. Self Managing: What's Better?

Page 7 -- Top 7 Energy Efficiency Upgrades for your Rental Property

Page 8 -- Milwaukee County Sheriff's Office: Temporary CDC eviction ban

Page 9 -- Book Review: "The Only Woman in the Room: Knowledge and Inspiration from 20 Women Real Estate Investors"

Page 11 -- Gov. Evers Announces nearly \$50 million in COVID-19 Support for Wisconsinites

Pages 12-14 -- Business Member Directory

Page 17 -- Interpreting the CDC's 10/920 FAQ regarding its Eviction Moratorium Order

Page 19 -- CDC Attorneys: Landlords can challenge Tenant's Declaration in state eviction court