



# How Is Success Measured?

The Mexico Housing Authority would like to thank all of you who attended the Crime-Free/Drug-Free Community session held at the end of January.

We were very pleased with how the day went and hope you were enlightened and encouraged by the information presented .

Special thanks to the Mexico Public Safety Department , Cpt. Mike Jerichow, and Sgt. Penny Smith for allowing us to "ride in their slipstream" and benefit from the interest generated by the topic. Thank you also to Mr. Bob Wise for traveling from Kansas City to present his session on landlord/tenant law.

Now, what happens?

Hopefully, you will take

the advice offered to heart and join the MPSD in their effort to eliminate the trouble-makers and those who truly diminish the character and safety of our town by criminal activity that puts us all at risk.

The success of this or any other crime prevention program depends on the participation of the public at large. As someone once said, " A community gets the level of crime it tolerates."

⇒ A unit is much more desirable if the tenant perceives it to be in a safe, protected neighborhood.

⇒ It is less likely to suffer physical damage if it is inhabited by people who care about

their homes and their neighborhood.

⇒ Criminals are more motivated to move elsewhere if they feel their activity is scrutinized and reported.

⇒ Landlords who tolerate criminal activity in their units put ownership of their property and their own good name in jeopardy.

Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place.

-- Frederic Bastiat

## Know the Law!

Sometimes it is difficult to determine if a tenant has abandoned your unit and what you can do with anything left behind.

The Missouri Revised Statute spells out your rights and obligations in this instance to help you decide if a property is vacant and how to dispose of "leftovers".

Section 441.065 states "Any property of a tenant remain-

ing in or at the premises, after the tenant abandons the premises, may be removed or disposed of by the landlord without liability to the tenant for such removal or disposition. The premises shall be deemed abandoned if:

(1) The landlord has reasonable belief that the tenant has vacated the premises and intends not to return;

(2) The rent is due and has been unpaid for thirty days; and

(3) The landlord posts written notice on the premises and mails to the last known address of the tenant by both first class mail and certified mail, return receipt requested, a notice of the landlord's belief of abandonment.

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# They Put the "Ugh" in Ugly !

Last winter I was in Kansas City for retraining in HQS inspections. Part of the course was a visit to a multi-family apartment complex where we were to go into the unit and find the violations of HQS standards.

The property manager had planned to use an apartment that had been prepared for new move-in, but the night before one of their tenants have moved out and we were shown into this unit to inspect instead.

I am printing in this issue pictures taken that day with the approval of the apartment managers.

I will tell you that in some of the pictures appliances are conspicuously absent because evidently the tenants who moved out in the middle of the night thought that the

rent included the right to take the appliances with them when they left. (Yeah, right!)

The photos illustrate the importance of careful screening and occasional visits to the units to reassure yourself that your units are being kept in a semblance of sanitation and repair. This unit was also a home that included children. These were not Section 8 tenants.

Credit check services have proven very valuable in identifying previous addresses of tenants and if the next landlord is smart they will run a check . Contacting the Kansas City landlord will most likely result in a scathing reference and

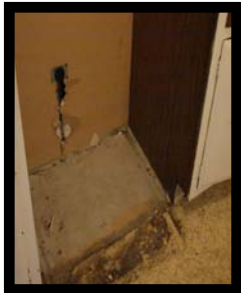
hopefully save the next landlord a similar distressful tenant situation.

Remember also to contact the landlord, if there was one, a prospect rented from before their last one.

If they were bad residents a current landlord may give a glowing recommendation just to get rid of them.

If possible, home visits can prove very enlightening. If a tenant doesn't take care of their current unit, do you really feel they will be compelled to respect and care for yours ?

This kind of filth and infestation is inexcusable and a health hazard to the tenants in surrounding units.



**This is where the stove should be.**



**People were living in this dirt and eating food prepared around it.**



**Roaches so bad they covered the outlet.**



**This is the kitchen sink where dishes were presumably washed?**

## Know the Law ( con't. from front page)

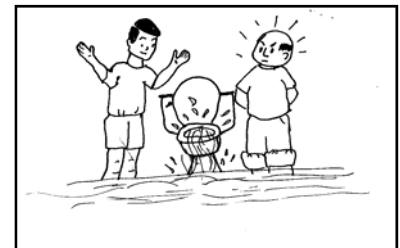
The notice shall include the following, where appropriate: "The rent on this property has been due and unpaid for thirty consecutive days and the landlord believes that you have moved out and abandoned the property. The landlord may declare this property abandoned and remove your possessions from this unit and dispose of them unless you write to the landlord stating that you have not abandoned this unit within ten days of the landlord having both posted this notice on your door and mailing this notice to you. You should mail your statement by regular first class mail and, if you so choose, by certified mail, return receipt requested, to

this address.....(here insert landlord's name and street address)"; and

- (4) The tenant fails to either pay rent or respond in writing to the landlord's notice within **ten days** after both the date of the posting and deposit of such notice by either first class mail or certified mail, return receipt requested stating the tenant's intention not to abandon the premises. "

Some indications of abandonment may be disconnection of utilities, pile up of mail, statements by neighbors, friends or family members as to their whereabouts, withdrawal from the school system of children, resignation

from a job, etc.



I thought I would save you some money by doing it myself.

## You Are Not the Bad Guy!

Occasionally, you have to make unpleasant decisions regarding your tenants and their continued occupancy. You may even feel bad about the decisions, but if a lease has been violated and you are on good legal and ethical grounds you should not.

A common mistake of landlords is to wait too long to take action on late rent. Decide beforehand how far behind you will allow a tenant to get before you evict and then follow through. Delaying is just going to cost you more money and if the tenants need extra time a court will give it to them. You are also setting an example for your other tenants that you do not take late rent lightly and will act to address it.

Be fair and do not allow one tenant leeway if you have been strict with another.

Our agency is here to help low income

families but we realize you are in the rental business to make money. If someone does not comply with the lease, give another family a chance to live in the unit who will comply.

When you go to the store to buy groceries or to the filling station to buy gas, do you take the product and leave without paying? Of course not. It is no different with a tenant who lives in your property and defaults on the rent.

It is not profitable, convenient, or pleasant to evict a family, but there may be no other choice.

If you have acted honorably and notified your tenant in the appropriate legal way that you plan to regain your property, you must not feel guilty that you took this action. You have already lost money on this unit and now you are only cutting your losses.

If you are evicting often you might review your screening process and application to see if you can improve the reliability of those tenants you select.

Even though the rent payments stop, the mortgage still comes due. Late payments to the bank will reflect on your credit rating.

*The true measure of a man is how he treats someone who can do him absolutely no good.*

**Samuel Johnson (1709-1784)**

## What the Floods May Mean for Housing

Surely we have all been watching the news concerning the flooding going on in the eastern part of the state and close to us in the Hannibal, Clarksville and Quincy area.

This office has already been contacted to report availability of vouchers and funding to address the potentially displaced flood victims who may have to relocate.

We will certainly try to accommodate those people we can and will be seeking listings of more units to offer our

clients.

During the flood of 1993 I was privileged to serve in the capacity of disaster assistance through the American Red Cross.

The damage done by contaminated water, mold, and sewage was incredible, the toll taken on the flood victims was in many ways worse. The relentless struggle to fight the water, fatigue and heat brought many to tears. It is heartbreaking to watch people out of their homes and at a loss as to

what is going to happen to them.

Please keep us posted on any available rentals whether it is yours or someone else's. Call the office at 573-581-2294 ext. 231 if you know of any units to rent.

*"It's not whether you get knocked down. It's whether you get up."*  
---Vince Lombardi

## You Can't Be Too Careful

In a previous edition I cautioned you all about showing property and the risks involved, especially for women, of being alone with a client you do not know anything about.

In an article published in the June 12, 2008 St. Louis Post Dispatch it was reported that a trial is currently going on for Matthew Wilson charged with robbery and sex abuse.

According to the article, a real estate

agent, who will go unnamed, was contacted by Mr. Wilson who asked to be shown a property. She went alone with him to several locations until he finally assaulted her in the basement of the last unit and left her handcuffed to a basement pole. He allegedly threatened her also with a gun.

Fortunately for this lady, she is alive but her decision to go alone could have been a fatal one.

It bears repeating. Make sure you let someone know where you will be and if possible, never go alone with a stranger to show a property.

This case is still in trial and as of 6-16-2008, Mr. Wilson has not been convicted of any crime.

Contact your local law enforcement for more safety tips!



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**[ We're on the Web!  
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# Don't Put Yourself in Legal Jeopardy!

In this "sue crazy" world we live in , we must protect ourselves and our property from legal action and one way to do that is to know the law and its ramifications.

As a landlord you may be wanting to speed up the removal of a tenant or their possessions by changing a lock or emptying a unit of their property.

This could put you on the wrong side of the law if not done properly.

Missouri Revised State Section 441.233 states:

1. Except as provided in section 441.065, a landlord or its agent who removes or excludes a tenant or the tenant's personal property from the premises without judicial process and court order, or causes such removal or exclusion, or causes the removal of the doors or locks to such premises, shall be deemed guilty of forcible entry and de-

tainer as described in 534, RSMo.

2. Any landlord or its agent who willfully diminishes services to a tenant by interrupting or causing the interruption of essential services, including but not limited to electric, gas , water or sewer service to the tenant or to the premises shall be deemed guilty of forcible entry and detainer as described in chapter 534, RSMo.; provided however, this section shall not be applicable if a landlord or its agent takes such action for health or safety reasons.

As many of you know, courts do tend to favor tenants in legal issues so don't let a judge gavel a heavy fine on you for failing to adhere to Missouri law in eviction of a tenant or recovery of an abandoned unit.

Trying to save time may result in losing money big time!

For your convenience we are printing a sample prospect card you may find helpful.

**Rental Prospect Screening Card**

Name:                      Phone:

Reason for Moving:

No. of People:

No. of Children:

Occupancy Date:

Smokers?    Yes    No

How is Your Credit:

Landlord References:

Occupation:

Ever Owned a Home?    Yes    No