

The Backus Bulletin

"Your Management, Your Way"

Avoiding Court

June 2022

No investor wants to receive a call from a property manager that legal action could be or is necessary. As your property management company, we spend a lot of time and energy trying to avoid this kind of call. Our efforts include updating our education, preventative maintenance, placing qualified tenants in your property, and handling the many details involved with your property in a timely manner. However, avoiding litigation requires teamwork. Property owners and managers can follow these **ABCs** to avoid legal action.

Always follow the law

Many important laws and rulings affect rental property today, such as Fair Housing, habitability, retaliation, lead-based paint, mold, etc. Every year even more legislation occurs due to litigation. We continually update our knowledge by attending industry events and reading important publications. We also make a conscientious effort to keep you, the investor, informed, by sending important notifications and

providing informational articles in our newsletter. If a legal situation arises, we will make you aware of what is happening, what action is necessary, and explain why.

Why is it important that you know legislation or rulings that affect your property? It is crucial you know the penalties and costs that could affect your bottom line. You cannot plead "ignorance" of the law and place blame elsewhere. The court's attitude is and always will be that you, the property owner, are responsible for knowing what governs your property. Knowledge empowers investors to make intelligent decisions.

Be Proactive

Taking a proactive approach will avoid the majority of legal issues. It is necessary for property owners and managers to follow Fair Housing laws and rules while marketing and renting property. Providing well-maintained properties to residents is another crucial area where the investor and property manager must work together to avoid future problems. It is always easier to think "preventative" and avoid difficult situations, that could possibly incur financial losses.

Consider all options in seeking resolution

The fact is that no matter how much property owners/managers work on education, good tenancy and preventative maintenance, problems can still occur with the tenancy or the property. Even good tenants can have unusual problems. Unexpected maintenance and external forces, such as

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Office Hours: Mon-Fri 9am-4:30pm
Saturday - by appointment
Sundays & Holidays - closed

Announcements & Services

THINKING OF BUYING OR SELLING?

If you are thinking of buying or selling, we can assist you. We specialize in residential and multi-residential units and are experienced in conventional sales, purchases as well as short sales. Just call and ask for Bill and we will help you with your Real Estate needs. There is no obligation.

Check out your property value today!

ON-LINE STATEMENTS

Contact your property manager Michele Backus
mbackus@backuspm.com or Cindy Vargas
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natural disaster can cause other difficulties and legal threats. No matter what happens, property managers and investors should work together and consider all options to resolve issues with the tenants and/or the property.

When an issue does arise, there are often alternatives to going to court. It is imperative that you evaluate the costs and results of proceeding with any legal tenant action. For example, the former tenant may dispute their security deposit deductions. Although their claims may not be justified, it can be more costly to refuse to compromise or make a concession and chance a court decision.

There are times that legal action is the only choice. If this happens, it is important to move as quickly as possible to prevent even further losses. As your property management company, we will do our best to avoid having to call you regarding a legal matter. We ask you to work *with* us to avoid litigation whenever possible.