



# Owner News

Metropolitan Boston Housing Partnership • 125 Lincoln Street, 5th Floor • Boston, MA 02111-2503 • (617) 859-0400 • www.mbhp.org

WINTER 2009

## You Are Cordially Invited..

### GBREB CEO Greg Vasil to be Keynote Speaker at Property Owner Appreciation Event

Mark your calendars and RSVP now! MBHP's Seventh Annual Property Owner Appreciation Event is set for 6–8 p.m. Wednesday, March 4, at the MBHP offices.

Greater Boston Real Estate Board CEO Gregory Vasil will be the keynote speaker at this year's recognition of the importance of and contributions made by MBHP property owners and property management companies to affordable housing in Greater Boston.

Affordable housing for MBHP's nearly 7,500 rental assistance participants in 30 Boston-area communities would not be possible without the participation of the more than 4,000

partnering property owners and management companies.

"Owners can be overlooked in the affordable housing equation, but they are vital for its success," Vasil noted. "Their business is complex, yet they understand the simplicity and importance of their housing product within the reality of a healthy and growing economy."

The evening will consist of a mixer-type reception, an agency welcome, the keynote speaker, and the granting of awards to four property owners who demonstrate significant commitment to MBHP's programs and clients. The event also affords property owners the opportunity to



network with others in the affordable housing community.

And you're invited! RSVP now to Jennifer Shaw at (617) 425-6637 or [jennifer.shaw@mbhp.org](mailto:jennifer.shaw@mbhp.org).

## Asbestos: Know the Facts, Know Your Responsibilities

You hear all about asbestos. But would you know it if you saw it? Do you know what it does to your lungs? Do you know how to manage it?

### Protect Yourself and Your Tenants—Know the Basics about Asbestos.

Because it is so heat resistant and strong, asbestos was used in many building projects, particularly as insulation. It can be found in the basements and attics of homes and buildings constructed prior to 1989, often as pipe covering (see photo) and heating system insulation. It also was used as exterior siding and in shingles.

Asbestos is usually white or gray and is comprised of tiny needle-like fibers that cannot be seen by the



*Asbestos used as pipe covering.*

naked eye. It can resemble cardboard or cotton, and it can be stringy or chalky (like plaster or clay). It also may be loose within the voids of corrugated pipe covering.

When disturbed or damaged, asbestos fibers are released into the air unnoticed and then are breathed deeply into the lungs. This exposure can result in various diseases,

including lung scarring and lung cancer. Symptoms can take years to develop, and smoking can increase the risk of lung cancer in those exposed to asbestos.

According to Massachusetts law, every residential property owner is required to maintain all asbestos material in good repair and free from defects such as holes, cracks, tears or looseness. Defects allow the release of asbestos dust or powder, crumbled or pulverized asbestos material into the air for inhalation.

This maintenance requirement is applicable even if the tenant does not have direct exposure to the asbestos-containing area, such as in a basement not accessed by a tenant. Asbestos fibers are extremely light

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## Asbestos: Know the Facts *continued from front*

and can travel long distances in air currents through pipe chases, holes in ceilings and/or floors, and spaces under doors.

The responsibility for asbestos containment and/or removal is the property owners'; but it is not a do-it-yourself job. Improper manipulation of asbestos may result in serious health problems (including death) to yourself or anyone else who may become contaminated with asbestos fibers. Also, asbestos is considered to be a hazardous waste and its disposal is highly regulated. The improper removal and handling of asbestos is a criminal offense, subject to high fines.

Only a licensed contractor, working with permits from the

Commonwealth's Department of Environmental Protection and from some municipalities (depending on the location of the property), is allowed to remove asbestos from inside a home. Such contractors and inspectors can be found in the telephone book under "asbestos" or from the Massachusetts Department of Labor Workforce Development at [www.mass.gov/Elwd/docs/dos/lead\\_asbestos/asbestos/la-rpt\\_list\\_ac.pdf](http://www.mass.gov/Elwd/docs/dos/lead_asbestos/asbestos/la-rpt_list_ac.pdf)

Additionally, a checklist for selecting an asbestos contractor can be found at [www.mass.gov/Elwd/docs/dos/lead\\_asbestos/asbestos/la-ltr\\_ac.pdf](http://www.mass.gov/Elwd/docs/dos/lead_asbestos/asbestos/la-ltr_ac.pdf)

Questions? Call the MBHP Property Owner Services Manager Howard Wensley at (617) 425-6656.

## Ask MBHP

**Q:** If I have a prospective tenant with a Section 8 voucher, can I use the inspection report in lieu of the statement of conditions? Also, can I get into legal trouble if I collected a security deposit but did not sign off on the statement of conditions form?

**A:** When a landlord accepts a security deposit, the landlord must provide the tenant with a statement of conditions. The landlord is required to disclose any damage to the premises and/or any violations of the state sanitary code then existing. The statement of conditions must have explicit directions to the tenant that they have 15 days to return the form to the landlord and either agree with the landlord's list of damage or add any additional damage they believe exists at the premises. If the tenant fails to return the statement, then there is a presumption that they agree with the damage listed by the landlord. There are two primary reasons that the Section 8 inspection does not suffice to fulfill the requirements of the statement of condition.

First, the statement gives both the tenant and landlord the ability to

indicate damage to the premises that may not arise to a breach of the state sanitary code or the Section 8 housing quality standards. The statement is a record of damage that may exist at the beginning of the tenancy that is beyond normal wear and tear that the tenant will not be held responsible for at the end of the tenancy. A housing inspection may not note this type of damage.

Second, the statement is an interactive process that permits the tenant to notify the landlord of any damage that exists for which the tenant should be held harmless at the end of the tenancy. The housing inspection, generally, does not involve tenant feedback regarding existing damage.

In the event there was a dispute over damage existing at the inception of the tenancy, the housing inspection would certainly be solid evidence regarding the condition of the premises. An inspection cannot substitute for the requirement that a landlord provide a statement of condition to a tenant from whom a security deposit is received.

## UPCOMING EVENTS

### Mark your calendars for the MBHP Landlord-Tenant Law Series!

Leslie Sammon, of Adams and Sammon, will visit MBHP twice to discuss important issues all property owners should know.

#### Tuesday, March 24, 6 – 8 p.m.

Leslie will focus on fair housing and the tenant selection process, handling security deposits, and leases.

#### Tuesday, April 21, 6 – 8 p.m.

Leslie will focus on handling difficult tenancies and evictions.

The series is free; parking is available for \$10 after 5 p.m. in the MBHP building garage (access the garage from Beach Street).

### Your Role as a Property Owner Within the Section 8 Program

#### Tuesday, April 7, 6 – 8 p.m.

MBHP Assistant Director of Leased Housing Neil Rohr will discuss your role as a property owner within the Section 8 program. The session will explain basic program rules, regulations and procedures of the Section 8 program. New property owners are encouraged to attend!

RSVP to Jennifer Shaw  
at (617) 425-6637  
or [jennifer.shaw@mbhp.org](mailto:jennifer.shaw@mbhp.org).

## ARE YOU ON DIRECT DEPOSIT YET?

Direct deposit allows you to have your rental payments deposited directly to your account, and with a few clicks you can access the information through the MBHP Owner Portal ([www.portal.mbhp.org](http://www.portal.mbhp.org)).

Plus, you will receive your money approximately three days earlier than if you wait for a paper check.

Enroll now! Log onto [www.mbhp.org](http://www.mbhp.org), and visit "Property Owner Programs" to download the enrollment form.

