

MRLANDLORD.COM Tips on Management
Landlord Saves Dog and Goes to Jail
By Jeffrey Taylor

Start Practicing Your "Sorry to Hear That, But..." Speech

In the next few months, more and more landlords will be hearing various versions of resident stories of how they are facing tough times. For example, a landlord recently shared on the popular MrLandlord.com Q&A Forum how he has had a good tenant of approximately three years. The tenant hasn't been laid off, but hasn't been working much either lately due to the economy. The tenant said he would be late with the monthly rent and can't pay any of it right now. He is working on a couple of options.

- Interviewing
- Help from his church and
- Trying to get his vacation released/paid off early

I know going by the book says to start the eviction process, but I just wanted to get others' thoughts. I really don't want to lose this guy and feel he will pay up when he can. How long that is, I don't know. Your suggestions are appreciated.

As one landlord advised, it's time to give the "SORRY TO HEAR THAT, BUT..." speech - Sit down on the front steps and level with this guy: "Yup, sorry to hear that. Sure isn't fair ... you've been a good tenant and I hope you can recover from this but... if you can't pay all the rent by xx/xx/xx, I'd like you to move out voluntarily. No hard feelings. Will you do that?"

Instead of going the eviction route (which takes time and money), see if you can get him to move voluntarily if he can't pay the rent. Folks, we better start practicing this "sorry to hear that, but..." speech (or some form of it) because landlords are going to see a lot of tenants like this example.

Do Not Direct Rental Applicants Away!

There are some landlords who really prefer not to rent to families with children for many reasons including possibly greater wear and tear on the property, teenagers attracting other teenagers, or more potential noise or other problems. Thus, some landlords, when approached by rental applicants with children, try to kindly suggest or direct those applicants to consider other homes or apartments where the children would "better fit in" or where there are other children the same age.

Regardless of whatever reason a landlord may not want children or teens in their particular home or apartment, to even 'kindly' suggest or direct families with children to other buildings or neighborhoods is considered 'steering' and this is illegal. Even if a landlord honestly thinks that their home is not ideal for children (for whatever reason), the landlord must leave it up to the applicant to make the decision that a home is or is not suited for them.

For a landlord to not give an applicant the opportunity to rent a home and direct them elsewhere can be a very costly mistake, should that applicant contact Fair Housing officials. The moral of the story - treat everyone the same, no matter the number of children and definitely do not try to direct or steer applicants to other units and not allow them to apply to your property.

A Landlord's Cautionary Tale

One of my tenants had ME arrested recently, for rescuing what appeared to be an (unauthorized) abandoned dog from their apartment. Two sisters in their twenties have been renting from me since last September and things were fine, but six months in to the rental term conditions, things gradually deteriorated - with late rent, sleep over "guests", a new baby out-of-wedlock, increasingly poor housekeeping, and finally a dog that appeared without prior permission or a pet deposit.

Then after receiving no rent for two months, I began calling and visiting regularly hoping to avoid an eviction. At some point they stopped responding to my calls completely. Meanwhile there are three other good tenants in this quad, and for their sakes, I needed to monitor what was happening. After several failed attempts to find the sisters at home, I opened their door attempting to see what was going on. There were small signs of packing, heaps of "stuff" everywhere, a major population of roaches, two huge areas of rotten smelly food garbage - both inside and outside the front door, and the smell of urine. And the dog was there alone - obviously using the carpet for relief. It seemed no one had been there since I'd checked a couple days prior.

I returned armed with bags and rubber gloves, and cleaned up the trash, along with a large amount of cooking oil that had oozed out of one bag all over the kitchen floor - lovely! As I was getting ready to leave, I checked the dog's food bowl. The dry food had live roaches in it and the water contained several dead floaters. It was obviously not being touched by the dog.

Being an animal lover, I realized that if I returned again and found the dog dead I would never be able to live with myself. It was late, I was exhausted, and so at the last minute, I decided to take the dog with me. My mistake here was I should have called the police myself first. Instead, I brought the dog home, gave her a bath to wash her urine soaked butt, and went to bed.

I live 16 miles from the quad.

Apparently, somebody had returned there after I left. At 12:30 AM, a flashlight shone in my bedroom window and I was "escorted" with the dog to return it to the owner - their mother. She was all friendly as she took the dog; then the officer said he wanted to speak with her and closed the patrol car door locking me in. As he got back in he said he tried to talk her out of pressing charges (which I didn't believe) and off I went to jail. Not a fun experience - nor a cheap one.

I know I had no business going into the apartment - but too late for such musings. Now I'm forbidden to contact them until after the arraignment next month. So I've no idea what's going on. I've always treated my tenants well and with respect so my remaining

three like me very much. At least I can look in the mirror and feel good about who I am. But be careful; tenants can turn ugly real fast.

Editor's note: Reminder that most state laws prohibit landlords from going into your resident's home or apartment without first giving proper notice! These tips are shared on MrLandlord.com website and in the Mr. Landlord newsletter from website contributors and real estate authors featured on the site. To receive a free sample of the Mr. Landlord newsletter, call 1-800-950-2250 or visit their informative website at MrLandlord.com and register to win a free landlording book.