



# Apartment Association of Southeastern Wisconsin

*Advocating for Sustainable Rental Housing*

E-mail: [membership@AASEW.org](mailto:membership@AASEW.org)

Website: [www.aasew.org](http://www.aasew.org)

## Landlord Boot Camp 2021

### Featuring information on the CDC Eviction Moratorium

Due to great demand, the AASEW will be offering Attorney Tristan Pettit's Landlord Boot Camp again on Saturday, February 13th via a streamed webinar from 8:30 AM to 5 PM with a new live Q & A from 5 PM to 6 PM.

**Price:**

- Members - \$189.00
- Non-Members - \$329.00
- Bootcamp plus 12 month AASEW Membership - \$330.00

**Enjoy the advantages of the new virtual format:**

- Attendees will receive a searchable pdf Landlord Boot Camp manual, making it easier to search and reference in the future.
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- As in prior Boot Camps, a live Q & A session is included.
- You will receive all of the same information that is normally presented in Landlord Boot Camp plus the latest information on navigating the CDC Moratorium.



# Register Now!

**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."*

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The AASEW is proud to provide a clear and persuasive voice for landlords by advocating for friendly legislation at the local and state levels.

In many ways, 2020 radically changed the world and the landlord world. Our 2021 policy and educational priorities include those we feel are critical to facilitate a positive economic recovery in response to the pandemic.

As an association, we believe it is vital to advance economic inclusion through legislative leadership and mediation.

The AASEW has joined forces with other landlord associations across Wisconsin and the National level. We support advocating for solutions and best practices, scaling successful programs and advocating for policies that support both landlords & tenants.

We also believe that now, more than ever, it is imperative we focus on the core priorities that have long made AASEW a great partner for landlords.

We must all continue to advocate for landlords through local and state agencies. Working to provide solutions that make Southeastern Wisconsin the best place to invest.

- **Mike Cottrell**  
President  
AASEW

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**How one program teaches tenants their rights**

*By Princess Safiya Byers, Milwaukee NNS*

Tina Wilson wants people to know their rights.

Wilson, the portfolio manager for Ogden and Company, a real estate company, has seen what it looks like when tenants are unfamiliar with the renting process.

“People often get taken advantage of,” Wilson said. “There are things you think people should know, and they just don’t.”

So, Ogden and Company refers tenants to Milwaukee’s **Rent for Success** program, which teaches people to be better tenants.

The program, run by the Department of Neighborhood Services, educates renters on how to make safe and healthy choices in their housing. It also provides resources for situations renters may encounter.

Herlyn Roberson, outreach division program administrator, said Rent for Success was initiated by Mayor Tom Barrett.

“He decided that since we’re teaching landlords what their responsibilities were, we should be teaching tenants the same thing,” Roberson said.

The program works with tenants on skills such as understanding rental agreements, finding healthy food in their area and ending a bad tenancy.

“We go over the small things like looking in cabinets and flicking light switches when you go to see a home,” she said. “And also reading contracts completely in order to know your responsibilities.”

Roberson said the most important thing the program the program teaches renters is how to advocate for themselves.

“We want renters to have great relationships with property owners,” she said.

“One way to do that is to know as much about what your landlord is supposed to be doing as the landlord does.

Ogden and Company uses the program as a second chance for struggling tenants trying to learn their responsibilities.

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"We understand that people aren't taught how to be tenants," Wilson said.

"This is a way for them to gain insight and not be penalized for what they don't know."

Other organizations also encourage residents to use the program, including **Community Advocates**, a community-based organization that serves low-income families.

Shawanna Lindenberg, a housing department manager at Community Advocates, said the program provides residents with invaluable information.

"We want to train renters because we want them to live happy, stress-free lives," Roberson said.

## AASEW Holiday Happy Hour and Year End Wrap Up 2020 Raffle Winners

### Home Depot Winner

- Sheryl Ernst

### Raffle Winners

- Bernadette Brundahl
- David Buechl
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## Important Tax Information

The Internal Revenue Service announced that the nation's tax season will start on Friday, February 12, 2021, when the tax agency will begin accepting and processing 2020 tax year returns. Individual income tax season in Wisconsin this year begins on February 12, consistent with the IRS.

The Wisconsin Department of Revenue (DOR) will extend its customer service hours 1 hour, 15 minutes past its regular closing time on select days during the 2021 tax season to better serve its customers.

The extended hours will occur during the busiest times of the tax season the last two weeks of January and again the first two weeks of April on Tuesdays and Thursdays from 7:45 a.m. to 5:45 p.m.

The customer service team can be reached at:

- (608) 266-2486 for individuals
- (608) 266-2776 for businesses

In-person visits to any of DOR's customer service centers are currently by appointment only, due to pandemic restrictions. To schedule an appointment, call (608) 266-2772.

## Fire Safety: What you Need to Know about Fire Extinguishers

By Dawn Anastasi, AASEW Board Member

With COVID-19, more and more tenants are spending time at home. It's important to know more about fire safety and fire extinguishers to help protect your tenants and your property.

### Types of Fires

You may see fire extinguishers in your local Home Depot or Menards with A, B, or C ratings. What do these ratings mean? The classification is for the type of fuel that is burning.

Here's a handy mnemonic to remember what the various codes stand for:

A = Ash

- Class A is for ordinary items such as paper, trash, cloth, and wood.

B = Boil

- Class B is for fuel sources that boil (flammable liquids) such as gas, propane, and oil-based liquids.

C = Current

- Class C is for fuel sources that are electrical in nature.

For a residential home, there are common fire extinguishers that have an A, B, and a C rating. There are also numbers on a fire extinguisher. This is to gauge the effectiveness. For example, an extinguisher rated A8 is over 2.5x more effective than an extinguisher rated A3.

### Placing the Extinguisher

First, make sure your tenant knows to call 911 before attempting to use an extinguisher. It's most important that they protect their lives before their belongings.

Second, extinguishers should be placed near an exit, not somewhere the tenant has to run into back into the house in order to use them. Fire extinguishers should **not** be placed under the kitchen sink, in back of all the cleaning supplies, for example.

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**-George Sand**



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#### How to Use a Fire Extinguisher

To use a fire extinguisher, remember the PASS method:

##### ***P = Pull the Pin***

At the top of a standard fire extinguisher (see image above), there is a metal pin. Pull it out.

##### ***A = Aim***

Aim for the base of the fire with the nozzle while holding the extinguisher with the other hand. Aiming for the base of the fire, rather than the top of the fire, is more effective.

##### ***S = Squeeze the Trigger***

Squeeze the trigger at the top of the extinguisher.

##### ***S = Sweep***

Spray the fire in a sweeping motion, back and forth. Continue aiming at the base of the fire for the best results.

#### **Smoke Detectors**

Fire extinguishers are an important tool in conjunction with smoke detectors. Newer models today have a sealed-in battery, which prevents the need to remember to change the battery at regular intervals.

Smoke detectors should still be tested on a regular basis, as part of your periodic inspections on your rental. If a detector is found to be faulty, it's best to just toss it and put in a new unit.

## Umbrella Insurance vs. LLC: The Best Option for your Rental

By Alecia Pirulis, Content Marketing Manager,  
Apartments.com



One of your first concerns when becoming a landlord may be how to protect yourself from lawsuits. You know you need insurance, but what's the best policy for your real estate investment? Let's compare two popular options for liability protection - LLCs and umbrella insurance - so you can make the best decision for you and your rental property.

### What Is an LLC?

An LLC, or Limited Liability Company, is a type of business structure allowed by state statute. Every state has different regulations, but basically the members (or owners) of the LLC are provided with limited liability. This means, in most cases, that you can't be held personally liable for any debts incurred by your business. You also aren't personally liable for most lawsuits brought against your LLC since it is considered a separate entity from you, like a corporation.

But just because you have an LLC, you're not automatically protected from all lawsuits. An LLC structure is complicated and there are limits to its legal protections. For example, if you neglected to maintain your property (swimming pool maintenance, for example) and that resulted in an injury to your tenant, you might still be held personally liable. If you broke a law or deceived your tenant in some way, these instances might not be covered by your LLC.

The owner of a single-member LLC pays a tax on their net earnings, in the same manner as a sole proprietorship. Many find the costs, restrictions, and taxes involved prohibitive. LLCs cost money to create and some states charge an annual fee to have one. Be sure to review the relevant tax forms with your accountant or attorney and know your state laws pertaining to LLCs.

### What Does an LLC Cost?

The amount of money you'll spend on your LLC depends on where your property is located. Every state has different fees associated with LLCs, but the average cost to file is about \$132. In addition to a filing fee, most states have an annual or biennial fee (a mandatory fee assessed every one or two years). If you pay this fee after the due date, you'll incur late fees on top of this fee. The amount of the annual or biennial fee ranges depending on your state.

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A few states, like South Carolina and New Mexico, don't have an annual fee. Some, like New York, have a very low fee (for example, New York's fee is \$9 every two years). In other states, you can pay much more. An LLC in California costs \$800 a year with an additional \$20 every two years.

No matter where you live, you'll want to talk to your tax advisors to make an informed decision about your situation. You'll incur more costs if you set your LLC up with an attorney. Many landlords form LLCs for each of their properties for further protection, so costs can add up quickly depending on where you live and your individual needs.

### What Is an Umbrella Insurance Policy?

An umbrella insurance policy is a supplemental insurance policy that kicks in when costs exceed what your standard policy will cover. Umbrella insurance policies protect landlords from personal fiscal responsibility in the event of an injury or a lawsuit. Umbrella insurance policies, such as slander, libel, false arrest, malicious prosecution, or mental anguish lawsuits.

In addition to covering your rental properties, umbrella insurance policies cover personal circumstances, as well, and it travels with you. For example, if you dog bites someone at the park, your umbrella insurance can cover the medical costs.

Keep in mind that your umbrella policy won't cover anything that isn't already covered by your standard coverage. An umbrella policy doesn't provide additional coverage for areas of risk, it merely adds more to your existing coverage.

### What isn't covered by umbrella insurance?

Unlike an LLC, which is limited to the state in which it is registered, an umbrella policy can cover multiple properties across several states. But while you may have more flexibility with an umbrella policy than an LLC, umbrella policies tend to have more caveats and loopholes, so work with your insurance company to make sure you understand the coverage.

Often, since it is in their best interest to win lawsuits, insurance companies provide their own legal team to fight any lawsuits lodged against you. Ask if your insurance company will help you fight a lawsuit.



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In some situations, your tenant's renters insurance will cover damage to the property and claims from accidents, so consider requiring renters insurance in your lease. Be aware that your umbrella policy won't cover everything your standard policy covers - it only covers liability.

There are some loopholes to umbrella policies. For example, some personal umbrella policies won't cover any liabilities incurred during business or professional activities - this would require a business liability policy. Most umbrella policies don't cover your own injuries, intentional or criminal acts, damage to your personal belongings, or injuries or damage that your business is liable for.

### How Much Does an Umbrella Insurance Policy Cost?

The amount you'll pay for your umbrella insurance policy depends on where you live. On average, for a \$1 million policy, you can expect to pay about \$383 annually. Policies can go up to \$10 million in coverage, which costs roughly \$1,578 a year.

Speak with several insurance providers to get a variety of quotes and learn what is included to make sure you find a policy that best works for you. If you package all your insurance needs with one company, you might be able to get a discount.

While an umbrella policy picks up where your standard policy leaves off, keep in mind that you'll still have a deductible to consider. You'll have to pay the deductible before the umbrella policy pays the remaining amount. This amount varies depending on the cost of the premium. A lower annual premium, for example, will likely have a higher deductible.

The cost of LLCs and umbrella insurance are both tax deductible, which can help offset the costs.

### LLC vs. Umbrella Insurance

Deciding whether you want an LLC, an umbrella insurance policy, or both will depend on several factors, including the type of property you own and in how many states. Here are a couple of scenarios to consider:

#### Scenario 1: Umbrella Insurance

A landlord owns a triplex worth \$700,000. A tenant breaks their leg on the property and sues the landlord for \$300,000.

**LLC:** The LLC has assets of \$700,000. The LLC pays the full amount of \$300,000.

#### Umbrella insurance policy (\$10,000 deductible / \$1,000,000 coverage):

The dwelling insurance picks up the liability max. After that, the landlord pays \$10,000 out of pocket for the deductible. The umbrella policy would pick up the remaining balance plus legal costs.

**Result:** The landlord would be better off with the umbrella insurance policy. With the LLC, the landlord would lose \$300,000. However, with the umbrella policy, the landlord only loses \$10,000.

#### Scenario 2: LLC

A landlord owns a warehouse and rents it out as an event and residential space. A fire ignites in the warehouse and kills several people. Prosecutors sue the owner for negligence due to safety hazards. The insurance pays the \$3 million to the owner for the fire. However, several families sue the landlord over the fire. The families win a \$20 million lawsuit.

**LLC:** The judgement is \$20 million. The value of the warehouse is \$3 million. The landlord loses the warehouse and the insurance payout. The total monetary loss is \$6 million.

#### Umbrella insurance policy (\$10,000 deductible / \$3,000,000 coverage):

The landlord goes bankrupt, losing \$20 million.

**Result:** The landlord in this case is better off with an LLC, which shields them from personal bankruptcy.

### Which Is Best for You?

What works best for you depends on your real estate portfolio. An umbrella insurance policy is often the better financial choice for landlords with small portfolios, but everyone's situation is different. Some landlords choose both an LLC and an umbrella insurance policy. The extent of coverage you choose will depend on your assets, your incomes, and the types of buildings you have.

Review your personal financial situation, along with your real estate portfolio, and make a decision that won't erode your profits but will still lessen your risk for bankruptcy. Consult with your lawyer to consider your options and choose what works best for you.



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#### Notes:

- Ads are black and gray scale in print unless other arrangements are made.
- Ads will appear in color in the electronic copy of the newsletter if color ads are provided. Ads may appear in color when printed if they are on the inside back cover at the time of printing.
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- Ad space for more than one run must be purchased in blocks of 6 or 12 consecutive runs, and must be paid in full to receive block prices.

## Emergency Rental Assistance Program

*By U.S. Department of the Treasury*

### Keeping Families In Their Homes

The Emergency Rental Assistance program makes available \$25 billion to assist households that are unable to pay rent and utilities due to the Covid-19 pandemic. The funds are provided directly to the States, U.S. Territories, local governments, and Indian tribes. Grantees use the funds to provide assistance to eligible households through existing or newly created rental assistance programs.

### Information For Governments

Emergency Rental Assistance payments will be made directly to States (including the District of Columbia), U.S. Territories (Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa), local governments with more than 200,000 residents, the Department of Hawaiian Home Lands, and Indian tribes (defined to include Alaska native corporations) or the tribally designated housing entity of an Indian tribe, as applicable (collectively the "eligible grantees"). Details on the data and methodology used to determine allocations for states, local governments and territories may be accessed below. Details on the data and methodology and payments for tribal communities also may be accessed below.

A list of eligible local governments, which includes a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 200,000, may be accessed below.

Eligible grantees must provide payment information and sign the acceptance of award terms form accessible below. The award terms are available for review, and may be accessed below. Prospective grantees should review in full the statutory provisions which may be accessed below, for complete participation requirements.

Completed payment information and a signed acceptance of award terms form generally must be submitted not later than 11:59 p.m. EDT on January 12, 2021, to ensure payments are made within the 30-day period specified by the statute. Eligible grantees that do not provide complete information by 11:59 p.m. EDT on January 12, 2021, may not receive an Emergency Rental Assistance payment. To the extent any tribes or tribally-designated housing entities do not elect to participate in the program by providing the

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required payment materials, Treasury is required to reallocate those funds to those tribes that have elected to participate in the program.

Not less than 90 percent of awarded funds must be used for direct financial assistance, including rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing. Remaining funds are available for housing stability services, including case management and other services intended to keep households stably housed, and administrative costs. Funds generally expire on December 31, 2021. Frequently asked questions (FAQ) regarding the operation of the ERA program may be accessed below. For ease of reference, the assistance listing number (CDA number) assigned to the ERA program is 21.023.

### Program Information

#### Eligibility

An “eligible household” is defined as a renter household in which at least one or more individuals meets the following criteria:

i. Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs,

or experienced a financial hardship due to Covid-19;  
ii. Demonstrates a risk of experiencing homelessness or housing instability; and  
iii. Has a household income at or below 80 percent of the area median.

Rental assistance provided to an eligible household should not be duplicative of any other federally funded rental assistance provided to such household.

Eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance and households with income at or below 50 percent of the area median are to be prioritized for assistance.

Household income is determined as either the household’s total income for calendar year 2020 or the household’s monthly income at the time of application. For household incomes determined using the latter method, income eligibility must be redetermined every 3 months.

#### Application Process

An application for rental assistance may be submitted by either an eligible household or by a landlord on behalf of that eligible household.

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749 N 37th St  
Milwaukee, WI 53208  
[info@wilegalblank.com](mailto:info@wilegalblank.com)  
t: (414) 344-5155  
[www.wilegalblank.com](http://www.wilegalblank.com)

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[Michael\\_dwyer@homedepot.com](mailto:Michael_dwyer@homedepot.com)

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### **P&C Insurance**

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

## **JUNK REMOVAL**

### **Mr Cleanout LLC**

John Rudig  
3408 W Woodview Ct  
Mequon 53092  
[Johnrudig@yahoo.com](mailto:Johnrudig@yahoo.com)  
[Mrcleanoutllc.org](http://Mrcleanoutllc.org)

## **LIGHTING & ENERGY**

### **Energy House LLC**

Doug McFee  
N52W27222 Elizabeth Dr  
Pewaukee, WI 53072  
[dmcfee@wi.rr.com](mailto:dmcfee@wi.rr.com)

### **WE Energies**

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

## **PAINT & PAINTING SUPPLIES**

### **Sherwin Williams**

Milwaukee, WI  
[swrep6301@sherwin.com](mailto:swrep6301@sherwin.com)  
t: (262) 549-9007  
[www.sherwin-williams.com](http://www.sherwin-williams.com)

# AASEW Business Member Directory

## PLUMBING & DRAIN CLEANING

### **Mattox Plumbing**

Harold Mattox  
1634 S 108th St  
West Allis, WI 53214  
[hmattox@mattoxplumbing.com](mailto:hmattox@mattoxplumbing.com)

## PUBLIC ADJUSTER

### **A. Schoeneman & Co., Inc**

Mitchell Schoeneman  
Headquarters: 6901 N Lincoln Ave  
Lincolnwood IL 60712  
Milwaukee Office: 1816 E Kane Place  
Milwaukee WI 53202  
t: (773) 539-7446  
f: (224) 251-8450  
[www.aschoeneman.com](http://www.aschoeneman.com)

## REAL ESTATE BROKERAGE

### **Benefit Realty**

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

## ROOFING

### **SJS Roofing & Construction, Inc.**

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

### **Advocate Construction**

3695 N. 126th Street  
Unit M  
Brookfield, WI 53005  
[calvin.m@advocateconstruction.com](mailto:calvin.m@advocateconstruction.com)  
t: (833) 389 7663

## SECURITY SYSTEMS

### **ADT**

William Niemeyer  
t: (800) 521-1734

## TITLE & SERVICES

### **Land Title Services**

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

## TOWING & RECOVERY SERVICES

### **Always Towing & Recovery, Inc**

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

## WATER HEATERS

### **Reliable Water Services**

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

## PROPERTY MANAGEMENT

### **Aspen Crossing Apartments**

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

### **Bartsch Management LLC**

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

### **Berrada Properties**

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

### **Horizon Management**

5201 E Terrace Drive  
Suite 300  
Madison, WI 53718  
[b.hildebrandt@horizondbm.com](mailto:b.hildebrandt@horizondbm.com)  
t: (608) 354-0908

### **Prospect Management Company**

t: (414) 540-0004  
[help@pmcwi.com](mailto:help@pmcwi.com)  
[www.pmcwi.com](http://www.pmcwi.com)

### **MPI Property Management, LLC**

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

**“The ultimate dream in life is to be able to do what you love and learn something from it”**

**- Jennifer Love Hewitt**



# 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

### **Nimius LLC**

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

### **Performance Asset Management**

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

### **Real Property Management Greater Milwaukee**

Christine Gregory  
2312 N Grandview Blvd, Suite 210  
Waukesha, WI 53188  
[cgregory@rpmgreatermilwaukee.com](mailto:cgregory@rpmgreatermilwaukee.com)  
t: (262) 409-2050  
[www.rpmgreatermilwaukee.com](http://www.rpmgreatermilwaukee.com)

### **Wisconsin Lakefront Property Management LLC**

Eileen Robarge  
[info@windwardcovellc.com](mailto:info@windwardcovellc.com)  
t: (866) 542-5851  
[www.lakefrontpropertyllc.com](http://www.lakefrontpropertyllc.com)

### **WJP & Associates 1, LLC**

Valerie Swenson  
[valswenson1@gmail.com](mailto:valswenson1@gmail.com)  
t: (262) 617-5262  
705 Sunnyslope Road  
Elm Grove, WI 53122

## Do you want to become one of our Business Partners?

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Households and landlords must apply through programs established by grantees. In general, funds will be paid directly to landlords and utility service providers. If a landlord does not wish to participate, funds may be paid directly to the eligible household. Treasury cannot process applications from households and landlords. Please review the list of eligible grantees below and contact your state, local, or Tribal grant recipient for information on how to apply.

### Transparency

The Department of the Treasury will issue public reports quarterly on the use of funds. The Treasury Office of Inspector General will conduct oversight of the program and may recoup funds from any government that fails to comply with the restrictions on the use of funds.

## U.S. Department of the Treasury Emergency Rental Assistance Frequently Questions

*By U.S. Department of the Treasury*

The Department of the Treasury (Treasury) is providing these Frequently Asked Questions (FAQ) as guidance regarding the requirements of the Emergency Rental Assistance (ERA) program established by section 501 of Division N of the Consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020) (the "Act"). These FAQ will be supplemented by additional guidance and FAQ on a rolling basis.

### 1. The statute provides that ERA funds may be used for "utilities and home energy costs." How are those terms defined?

Utilities and home energy costs are separately-stated charges related to the occupancy of rental property. Accordingly, utilities include separately-stated electricity, gas, water and sewer, trash removal and energy costs, such as fuel oil. Telecommunication services (telephone, cable, Internet) delivered to the rental dwelling are not considered to be utilities. Utilities that are covered by the landlord within rent will be treated as rent.

### 2. Must a beneficiary of the rental assistance program have rental arrears?

No. The statute does not prohibit the enrollment of households for only prospective benefits. Section 501(c)(2)(B)(iii) of Division N of the Act does provide that assistance to reduce rental arrear,

if any, must be provided before prospective rental benefits may be provided.

The statute also provides a limitation on prospective benefits of three months at one time.

### 3. Must a grantee pay for all of a household's rental or utility arrears?

No. The full payment of arrears is allowed up to the 12-month limit established by the statute if the arrears can be shown to be due to COVID-19. (Grantees may provide assistance for an additional three months if necessary to ensure housing stability for a household.) However, a grantee may structure a program to provide less than full coverage of arrears. When structuring their program, grantees should consider how to best minimize any incentives for the non-payment of rent or utilities by potential beneficiaries of the program.

### 4. What outreach must be made by a grantee to a landlord or utility provider before determining that the landlord or utility provider will not accept direct payment from the grantee?

Grantees must make reasonable efforts to obtain the cooperation of landlords and utility providers to accept payments from the ERA program. Outreach will be considered complete if a request for participation is sent in writing, by certified mail, to the landlord or utility provider, and the addressee does not respond to the request within 21 calendar days after mailing; or, if the grantee has made at least three attempts by phone or email over a 21 calendar days after mailing; or, if the provider's participation. All efforts must be documented. The cost of the mailing would be an eligible administrative cost.

### 5. The statute limits eligibility to households with income that does not exceed 80 percent of area median income as defined by the Department of Housing and Urban Development (HUD) but does not provide a definition of household income. How is household income defined for purposes of the ERA program? How will income be documented and verified?

The statute provides that grantees may determine income eligibility by reference to either (i) household total income for calendar year 2020 or (ii) sufficient confirmation of the household's monthly income at the time of application, as determined by the Secretary of the Treasury (Secretary).

With respect to each household applying for assistance, grantees may choose between

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using the definition of “annual income” as provided by HUD in 24 CFR 5.609 and using adjusted gross income as defined for purposes of reporting under Internal Revenue Service (IRS) Form 1040 series for individual Federal annual income tax purposes.

For determining annual income, grantees should obtain at the time of application source documents evidencing annual income (e.g., wage statement, interest statement, unemployment compensation statement), or a copy of Form 1040 as filed with the IRS for the household.

For determining monthly income, grantees must obtain income source documentation, as listed above, for at least the two months prior to the submission of the application for assistance. If an applicant qualifies based on monthly income, the grantee must redetermine the household income eligibility every three months for the duration of assistance.

**6. In addition to providing an attestation in writing, must applicants document that they have experienced a reduction in income, incurred significant costs, or experienced other financial hardship due to the COVID-19 outbreak?**

Yes, to the extent administratively feasible, grantees must require applicants to document that they have (i) qualified for unemployment benefits or (ii) experienced a reduction in income, incurred significant costs, or experienced other financial hardship due directly or indirectly to COVID-19 that threaten the household’s ability to pay the costs of the rental property when due.

Grantees must also require applicants to demonstrate a risk of experiencing homelessness or housing instability, which may include past due rent and utility notices and eviction notices, if any, as part of the application process.

**7. Is there a requirement that the eligible household have been in its current rental home when the public health emergency with respect to COVID-19 was declared?**

No. However, payments under ERA are to be provided to households to meet housing costs that they are unable to meet as a result of the COVID-19 outbreak. There is no statutory requirement for the length of tenure in the current unit.

**8. What data should a grantee collect regarding households to which it provides rental assistance in order to comply with Treasury reporting and recordkeeping requirements?**

Treasury will provide instructions at a later time as to what information grantees must report to Treasury and how this information must be reported.

At a minimum, in order to ensure that Treasury is able to fulfill its quarterly reporting requirements under section 501(g) of Division N of the Act and its ongoing monitoring and oversight responsibilities, grantees should anticipate the need to collect from households and retain records on the following:

- Address of the rental unit,
- Name, address, social security number, tax identification number or DUNS number, as applicable, for landlord and utility provider,
- Amount and percentage of monthly rent covered by ERA assistance,
- Amount and percentage of separately-stated utility and home energy costs covered by ERA assistance,
- Total amount of each type of assistance (i.e., rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears) provided to each household,

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*Are you doing the proper  
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*Have you checked your applicant's credit history?  
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to live in your property?*

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- Amount of outstanding rental arrears for each household,
- Number of months of rental payments and number of months of utility or home energy cost payments for which ERA assistance is provided,
- Household income and number of individuals in the household, and
- Gender, race, and ethnicity for the primary applicant for assistance.

Grantees should also collect information as to the number of applications received in order to be able to report to the Treasury the acceptance rate of applicants for assistance.

Treasury's Office of Inspector General may require the collection of additional information in order to fulfill its oversight and monitoring requirements. Treasury will provide additional information regarding reporting to the Treasury at a future date. Grantees will need to comply with the requirement in section 501(g)(4) of Division N of the Act to establish data privacy and security requirements for information they collect.

**9. The statute requires that ERA payments not be duplicative of any other federally-funded rental assistance provided to an eligible household. Are tenants of federally subsidized housing, e.g., Low Income Housing Credit, Public Housing, or Indian Housing Block Grant-assisted properties, eligible for ERA?**

An eligible household that occupies a federally-subsidized residential or mixed-use property may receive ERA assistance, provided that ERA funds are not applied to costs that have been or will be reimbursed under any other federal assistance.

If an eligible household receives a monthly federal subsidy (e.g., a Housing Choice Voucher, Public Housing, or Project-Based Rental Assistance) and the tenant rent is adjusted according to changes in income, the renter household may not receive ERA assistance.

If a household receives rental assistance other than the ERA, the ERA assistance may only be used to pay for costs, such as the tenant-paid portion of rent and utility costs, that are not paid for by the other rental assistance. Pursuant to section 501(k)(3)(B) of Subdivision N of the Act and 2 CFR 200.403, when providing ERA assistance, the grantee must review the household's income and sources of assistance to confirm that the ERA assistance does not duplicate any other assistance, including federal, state, and local assistance provided for the same costs.

**10. May a grantee provide assistance to households for which the grantee is the landlord?**

Yes, a grantee may provide assistance to households for which the grantee is the landlord provided that the grantee complies with the all provisions of the statute and this guidance and that no preferences beyond those outlined in the statute are given to households that reside in the grantee's own properties.

**11. May a grantee provide assistance for arrears that have accrued before the date of enactment of the statute?**

Yes, but not before March 13, 2020, the date of the emergency declaration pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5191(b).

**12. May a grantee provide assistance to a renter household with respect to utility or energy costs without also covering rent?**

Yes. A grantee does not need to provide assistance with respect to rent in order to provide assistance with respect to utility or energy costs. The limitations in section 501(c)(2)(B) of Division N of the Act limiting assistance for prospective rent payments do not apply to the provision of utilities or home energy costs.

**13. May a grantee provide ERA assistance to homeowners to cover their mortgage payment, utilities, or energy costs?**

No. The statute requires that ERA assistance be provided only to eligible households, which is defined to include only households that are obligated to pay rent on a residential dwelling.

**14. The statute provides that ERA funds may be used for "other expenses" as related to housing incurred due, directly or indirectly, to COVID-19, as defined by the Secretary. What are some examples of these "other expenses"?**

The Secretary has not made such a determination at this time.



## Some eviction filings continue in Milwaukee despite moratorium

By Jenna Sachs, Author, FOX6 News Milwaukee

**Milwaukee** - This week, protesters gathered outside S2 Real Estate in Milwaukee to object to the company's eviction filings amid the pandemic.

Despite a federal moratorium on evictions in effect through March 31, S2 Real Estate has filed for 82 evictions since September. It has approximately 550 tenants in the Milwaukee area.

"What we're most concerned with is stopping evictions in their tracks right now," said Robert Penner of the Milwaukee Autonomous Tenants Union (MATU), which organized the protest.

MATU wants S2 Real Estate to immediately halt evictions, forgive back-rent that has accrued during the pandemic, and enact a self-imposed moratorium of filing for eviction.

Other landlords have halted eviction filings. Berrada Properties, which owns thousands of Milwaukee rental units, tells Contact 6 it is "limiting the number of evictions filed." Online court records show Berrada Properties has filed for two evictions since September.

"The people that need the most help right now are the people who are one court case away from being thrown out of their homes," said Penner.

To qualify for the federal eviction moratorium, tenants must present a CDC form to their landlord, declaring that they have tried to obtain assistance, have lost substantial income, and are trying to make partial payments.

"There's no automatic protection. That's a necessary step," said Legal Action of Wisconsin attorney, Raphael Ramos, of the declaration form.

Ramos said it is best when tenants and landlords work together. However, he said an eviction can still be pursued when a form is not submitted or for criminal behavior.

Tenants who have experienced a sudden loss in income can apply for rental assistance with a number of local agencies.

"They were given money by the CARES Act, but also by the new stimulus act that was just passed," said Ramos.

\$38.5 million was allocated to Milwaukee for rental assistance in 2020, and was administered by Community Advocates, The Social Development Commission, Impact 211, and Hope House.

Community Advocates tells Contact 6, the new stimulus will allow it to issue another \$10 million.

After all, rent is not waived under the moratorium.

"Rental payments are still owed," said Ramos.

S2 Real Estate filed for 12 evictions in January. Its manager said in several of those cases, tenants did not make the effort to obtain rental assistance.

"They're not trying at all. We're here to help and they don't want to do any work themselves," said Sam Stair of S2 Real Estate.

Stair said they will help tenants apply for funding. He credits rental assistance with helping his company survive the pandemic. "The people that do apply for the programs are really helping us out," said Stair.

As for all of the evictions Stair has filed, he told Contact 6 that S2 Real Estate still has taxes and mortgages it must pay. That said, Stair said he now plans to start pursuing formal mediation, instead, in hopes of avoiding court and helping more tenants get funding.

"We're just trying to maintain what we have. I'm starting to see more landlords actually selling properties. Some are desperate," said Stair.

After all, there is no knowing how long the federal moratorium on evictions or the financial toll of the pandemic, will last.

Stair said many of his eviction cases end in payment plans or tenants applying for assistance. He said since September, he has taken 11 writs to the sheriff's office for eviction.

Community Advocates is launching its program to administer new stimulus funding within the next couple of weeks.

### More information from Community Advocates

Community Advocates has distributed \$10 million to over 4800 tenants in Milwaukee County since March 2020.

In total, there was \$38.5 million allocated to Milwaukee for rent assistance in 2020 that was administered by Community Advocates, SDC, IMPACT 211 and Hope House. The breakdown is listed below.

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Community Advocates started 2020 with a budget of little over \$200,000 allocated for rent assistance pre-pandemic and ended the year with over \$13 million in direct aid between federal CARES, HUD and private dollars.

Community Advocates entered 2021 with about \$3 million dollars remaining between CARES Act carryover, HUD and local private dollars. The new stimulus will bring additional Emergency Rental Assistance to Milwaukee which will be much needed. Community Advocates will again partner with Milwaukee County to administer approximately \$10 million and we anticipate launching that program in the next couple of weeks. The City of Milwaukee and the State of Wisconsin also have allocations of Emergency Rental Assistance.

Applicants can apply for the Community Advocates rent assistance program anytime, and we respond on a first come first serve basis, however, if support documentation is missing / needed that can cause a delay. Below outlines the eligibility criteria.

The Community Advocates Rent Assistance program assists individuals and families who have experienced a loss or reduction in income and are unable to pay their rent or utilities as a result. Financial assistance may include rent, past due rent, utility assistance, security deposit, and first month's rent. The online application typically takes between 30-45 minutes to finish and can be completed from a computer or mobile device. It is safe, secure, and confidential. Your information and privacy are protected at all times. Here is the [link to the online application](#).

Our Rent Support Team is here to assist you with any questions as you complete your application. You can reach us by calling **414-270-4646** or emailing [info@renthelpmke.org](mailto:info@renthelpmke.org)

If you are not able to complete this application online, our rent assistance application can also be picked-up / drop-off at the Community Advocates downtown office building, located at 728 James Lovell Street, Monday-Friday between 9 a.m. - 5 p.m.

### Rent Assistance Eligibility Criteria

You are eligible for this program if you:

- Experience a loss / reduction of income in the last 60 days or due to COVID-19
- Are at risk of homelessness or housing instability as a result of not being able to pay your rent or utilities.
- Have an annual income of 80% or less of Milwaukee County annual median income.

Tenants meet the income guidelines if their annual household income is less than the amount listed below for their household size.

### Household Size / Annual Income

1. Less than <\$46,9502
2. Less than <\$53,6503
3. Less than <\$60,3504
4. Less than <\$67,0505
5. Less than <\$72,4506
6. Less than <\$77,8007
7. Less than <\$83,1508
8. Less than <\$88,550

Source	Total Allocation	Distributed by
City of Milwaukee	\$ 148,085	Community Advocates
City of West Allis	\$ 112,000	Community Advocates
Milwaukee County	\$ 11,500,000	Community Advocates
State of Wisconsin	\$ 6,700,000	SDC
City of Milwaukee	\$ 15,000,000	SDC
Milwaukee County	\$ 2,500,000	Hope House
Milwaukee County	\$ 500,000	IMPACT & Hope House
United Way of Greater Milwaukee & Waukesha County & Several Local Foundations (detailed list available if needed)	\$ 515,500	Community Advocates
City of Milwaukee	\$ 2,470,979	Community Advocates
	<b>\$ 39,446,564</b>	



**The Apartment Association of  
Southeastern Wisconsin, Inc.**  
PO Box 4125  
Milwaukee WI 53204  
(414) 276-7378  
[www.aasew.org](http://www.aasew.org)  
[membership@aasew.org](mailto:membership@aasew.org)

## Financing Investment Real Estate in 2021?

Join us as we discuss NOI, DSC, LTV and bank loan policies with a focus on how covid-19 is affecting your business.

**When:** Monday, February 15th, 2021 at 6 pm.

**Location:** Virtual - A Remote Meeting link will be sent to all registered attendees

**Cost:** Members: Free  
Nonmembers: \$25

\*\*\*All registered guests will receive a confirmation email with a link to join the virtual call the morning of the meeting.

\*\*\*The call will be recorded and sent to all who register for those unable to attend the live event.



## Register Now!

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