



## KNOWING THE LAW

Having a strong understanding of the laws that affect you and your rental properties is a crucial part of being a landlord. It can be the key to handling a difficult tenant, and resolving issues quickly and correctly, limiting your own liability as a homeowner.

It is as important to have relationships with people who can help you in times of need—attorneys are one of the most important assets to you when a situation with a tenant escalates or an unusual circumstance comes up.

National Association of Residential Property Managers vendor affiliate member, and a trusted source for all landlord-tenant related law issues is Ted Kimball of Kimball, Tirey & St. John, LLP. They share a wealth of knowledge on their website for landlords and property managers and take in questions all year round, answering them on their monthly Q&A newsletter on their website at [www.kts-law.com](http://www.kts-law.com).

### REMINDER:

PRANDI Property Management will be coordinating installation of Carbon Monoxide Detectors in all properties over the next few months. The price per detector will be:

- 1 Installed Detector = \$85**
- 2 Installed Detectors = \$110**
- 3 Installed Detectors = \$135**
- 4 Installed Detectors = \$160**
- 5 Installed Detectors = \$185**

\*\*\*At the same time we will be checking for the presence of proper smoke detectors.

The firm, with offices throughout California, specializes in landlord/tenant law, collections, fair housing and business and real estate.

Here we share with you the top questions and answers from Kimball, Tirey and St. John that we feel every landlord should know:

**Question:**  
**How long do I have to mail the tenant the itemized security deposit?**

**Answer:**  
You need to send an accounting for the use of the security deposit within 21 days from the date you took back possession. If you do not have all of the amounts or receipts in time, you should give the tenant an estimate and then send the final amount within 14 days after you receive the final amounts and/or receipts.

**Question:**  
**Three roommates signed the lease. If one roommate pays the rent every month from his checking account, does that mean he is responsible for the rent instead of the other three roommates?**

**Answer:**  
No, each resident is presumed to be "jointly and severally" liable for the breach of any of the provisions of the lease. This means they are individually, as well as collectively, responsible for all payments, including rent. Most leases state this in the body of the lease so there is no question.

**Question:**  
**If a resident dies and was on a lease, does the estate still owe rent up until someone new moves in? What about a month-to-month agreement? Obviously the person couldn't give a 30-day notice.**

**Answer:**  
When the resident dies and the lease is month-to-month, the lease is terminated. For a fixed term lease that expires on a specific date, the estate is still liable for the rent until the lease expires or the premises are relet.

**Question:**  
**Can I give a rent increase anytime during the month or just on the first day of the month?**

**Answer:**  
If you have a month-to-month tenancy with the tenant, you can serve a written 30-day notice (or 60-day notice if you are increasing the rent more than 10% within the last 12 months) to increase the rent at any time of the month.

**Question:**  
**An applicant listed on his application that he had been convicted of transporting illegal drugs. Can I reject the applicant on the basis of this disclosure?**

**Answer:**  
Yes, landlord/tenant law allows you to turn down an applicant with a past conviction for manufacture or distribution of illegal controlled substances.

**Question:**  
**If a tenant does not give a 30-day notice of intent to vacate, can the full security deposit be kept by the landlord?**

**Answer:**  
You can only deduct for any unpaid rent up to 30 days from the date the tenant vacated if the tenancy is month-to-month or until the premises are relet, whichever occurs first.

*Questions/Answers courtesy of Kimball, Tirey and St. John LLP, [www.kts-law.com](http://www.kts-law.com). Property owner's and manager's with questions regarding the contents of this article, please call 800.338.6039.*

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PRANDI Property Management, Inc. proudly holds the Prestigious Certified Residential Management Company (CRMC ®) designation, from the National Association of Residential Property Managers (NARPM).

## *Vision Statement...*

*To be the most trusted name in property management services in Marin County by offering unparalleled customer service through effective communication, technology, and continued education. The PRANDI Team will continue to be the most respected leader in the industry and strengthen our presence in Central and Southern Marin.*

## NEWS AT PRANDI!

We've had another exciting month here at PRANDI and can feel the market slowly progressing into the Fall season. School is now in session for most, and properties have recently rented quickly in anticipation of the school year.

This month Christine Goodin took an amazing philanthropic trip to India with Rotaplast, supported by her Rotary Club of Terra Linda. This trip focused on a service project for two weeks working with some of her fellow members of the Rotary Club of Terra Linda on a medical mission with Rotaplast International. See Rotaplast's website for more information about the program here: [www.rotaplast.org](http://www.rotaplast.org).

"My main focus was the intake of local patients, as well as coordinating and keeping all medical record details on each patient processed through our Rotaplast clinic," Christine says. "The team focused on cleft lip and palate reconstructions as well as repairing and reconstructing burn scar victims," she continues. The team was comprised of 16 medical team members (one from the RC of Terra Linda) and 11 non- medical team members (nine were from the RC of Terra Linda).

We are proud to be able to support Christine in her actions to help others who are less fortunate!

On another note, Dana Esquibel will unfortunately be out of the office on personal leave. If you have questions or need help with your account and Dana is your primary agent, you may call her teammate Roxie Mikolon at 415-482-9977 ext. 212 or email [Roxie@prandiprop.com](mailto:Roxie@prandiprop.com).

If you ever have questions or feedback please do not hesitate to contact your property management team, our office, or the President of the company, Melissa Prandi. We are here to service you and help your properties to be the best they can be and we are committed to these efforts. Thank you for your continued support and business!

Thank you,

—Your PRANDI Property Management Team



Photos by Henley Photography, courtesy of Rotaplast International

**Top:** Christine getting ready for flight!

**Left:** The team for their briefing on their first day in India.

