

Owner Manual

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SEEK LEGACY Owner Manual

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SEEK LEGACY Owner Manual WELCOME

Welcome to Seek Legacy Real Estate and Property Management. Thank you for choosing us to manage your investment!

Our vision is to create a client-centric approach that will help you reach your goals. We follow the SEEK guidelines for a successful relationship and transaction.

S: Service- Oriented. A high-quality property manager should provide excellent service by going above and beyond and understanding the needs of their clients.

E: Expertise- An established property manager should have a deep understanding of the local market and possess the knowledge and expertise necessary to guide clients through the property management process,

E: Ethical- Integrity and ethical conduct are crucial qualities for a property manager. They should always act in their clients' best interests and abide by the laws and regulations in place to be a REALTOR®

K: Knowledgeable- A reputable property manager should be well-informed about current real estate trends, pricing, regulations, and any other factors that may impact their clients' transactions.

Legacy- By embodying these qualities, a great agent will be able to help their clients create or continue a legacy.

Seek Legacy works to achieve the highest professionalism in Real Estate/Property Management Services. We have prepared the Seek Legacy Owner Manual to assist you in a successful business relationship with our company.

Special note: the information provided in this Owner Manual is subject to change. Landlord/Tenant laws, personnel, policies, and procedures change according to events that take place. Seek Legacy works diligently and continually to improve services and personnel training as well as remaining current with all landlord/tenant legislation.

Once again, thank you for choosing Seek Legacy as your Property Management Company. We look forward to a successful business relationship.

Owner Responsibilities

The following are responsibilities we ask of you during our agreement of property management.

- Notify Seek Legacy of any changes in ownership or eminent owner information.
- Notify Seek Legacy of any changes in information and knowledge of Lead Base Paint in the home.
- Maintain a current insurance policy for each property with liability coverage at \$500,000
 - Include Seek Legacy as "additional insured."
 - Furnish Seek Legacy with certificates.
 - Review your property insurance yearly and update as needed.
- Register your property with the county assessor as a residential rental.
 - If your property is not registered at the time we are setting up your account, Seek Legacy can take care of this for you. It is important this is taken care of so you avoid a possible penalty of \$1000 plus back taxes. Also, ARS 33-1902 allows your tenant to break their lease without consequence if the property is not registered.
- Set up your Owner's Portal in a timely manner.
- Review online statements at least monthly and notify Seek Legacy of any discrepancies found as soon as possible
- Support Fair Housing Laws and Guidelines.
- Exercise responsibility for required maintenance and the safety of tenants.
- Comply at owner's expense with all applicable state, county and municipal swimming pool barrier laws or regulations prior to the property being occupied.
- The owner shall not enter the property unless accompanied by a Seek Legacy Property Manager or we set up an appointment. *Breaking the tenant's right to quiet enjoyment carries penalties.*
- The owner shall refer all inquiries, including leasing, lease renewals and sales, regarding the property, to the broker and all negotiations with be conducted solely by or under the direction of Seek Legacy.
- Notify us and forward any HOA violation notices within 3 days to our office so we can pass it onto the tenant in a timely manner.

Owner Documents

It is important that Seek Legacy receives all critical information as we begin management. Please return the appropriate forms to us via in-person, FAX, email, or US mail.

- <u>Owner Information Request Form.</u> This information enables Seek Legacy to set up your account properly.
- <u>Insurance Authorization Form.</u> This form requests that the insurance company issue a copy of your property insurance to Seek Legacy and that they name Seek Legacy as "additional insured" on your policy. We request they furnish Seek Legacy with a certificate within 15 days.
- IRS W9 Form. IRS requires us to have a W-9 on file for all owners before we issue payment
- <u>Lead-Based Paint Disclosure Form</u>. If your property was built before 1978, we are required to supply your tenant with this form. Please refer to page 11.
- <u>Appliance and Home Warranties</u>. Please be sure to inform us and send copies of any warranties you would like us to take advantage of on your property. If the owner has a Home Warranty, Seek Legacy accepts no liability for the timeliness of the repairs once the warranty company has been contacted.
- <u>Keys to your property.</u> We require three keys to all doors at your property. We charge a fee for copies if not provided.

Answers Regarding Funds

When you enter into a management agreement with Seek Legacy, we establish a Trust account for you and your property. Seek Legacy recognizes the importance of accurately collecting and disbursing funds. The bookkeeping program used by Seek Legacy is specialized software designed to handle the many facets of property management and accurate record keeping and complies with the requirements of the Arizona Department of Real Estate.

Banking

Seek Legacy holds your account in a trust fund mandated by the state of Arizona. Seek Legacy accounts for each owner's funds separately in the trust account and does not co-mingle funds with broker monies, following Department requirements mandating all accounts to maintain a positive balance. Seek Legacy, in turn, requires each property owner to be responsible to fund all expenditures in advance of becoming due. To better enable Seek Legacy to pay expenditures as they become due, owner's accounts have a required 'minimum balance' or maintenance reserve. Owners can replenish these funds via check or electronic transfer.

Monthly Statements

All daily bookkeeping transactions are available for you to view in your portal. While online, you can print a statement of your choice. If you have difficulty reading your monthly statement or logging into the program, please contact your property manager.

Disbursement of Monthly Funds

Seek Legacy disburses available rental funds to owners electronically by the 8th of each month. If this day falls on the weekend, Seek Legacy issues funds on the next business day. (Seek Legacy does not disburse funds on weekends and holidays). Seek Legacy cannot issue owner checks unless there are sufficient funds in the owner's account. Unless otherwise agreed, 'available rental funds' are all monies over the maintenance reserve of \$500 and any additional recurring monthly expenses. Seek Legacy distributes available owner funds via ACH direct deposit into an owner's bank account.

End of Year Procedures

At the end of each year, Seek Legacy is required to file 1099's for income received over \$600. Please note that this amount is for "total income received," and not the yearly total of owner disbursements. The Internal Revenue Service dictates the "total income received" requirement. Security deposits are not included in this amount.

It is necessary that you supply Seek Legacy with the necessary Social Security/Tax ID information so the 1099 is accurate. Seek Legacy will send the 1099 by January 31 for the previous tax year. If there is a change in your tax information such as a new trust or address, please notify us in writing or update your contact information in your portal.

Seek Legacy also issues 1099s for disbursements to vendors for work over \$600.00. Therefore, owners do not have to issue 1099s for work completed and paid through the Seek Legacy trust account. Owners are responsible for issuing 1099s to any vendor paid through the owner's personal account.

The last statement of the year will reflect "total amounts" for income and expenses that have transpired throughout the year, such as management fees, leasing fees, landscape, utilities, repairs, and maintenance, etc. The amounts will not reflect any funds issued through the owner's personal account.

Owners can submit their last statement to their tax person along with other information for income tax reporting. Seek Legacy does not issue statements to the owner's tax preparers.

Billing Rights Summary

If you think your bill is wrong, or if you need more information about a transaction on your bill, contact us immediately but no later than 60 days from when the error occurred. The Federal Fair Credit Billing Rights govern all of our practices, and they require you to provide the following information so that we can address the problem and correct the error as quickly as possible:

- Your name and managed property address.
- The dollar amount of the suspected error, and
- Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

The Scope of Property Management

Seek Legacy has outlined details of our policies and procedures in future pages of this manual. However, there are so many details and aspects of managing each property that we can only include the basics in this manual. If you have more questions, please contact your management team. Again, these are general guidelines and when necessary, policies can/will change.

What is NOT included in Seek Legacy Property Management services

Because Seek Legacy provides owners with a very wide range of services, it can be easy to request something that we cannot perform. Some tasks go beyond the normal scope of property management or require additional fees/services. There are also areas licensed real estate agents dare not tread unless they have obtained the proper licensing or degrees. We ask that you remember this when making a request. The following items are examples of services not specified in the Property Management Service Agreement: Providing on-site management services, home inspections, appraisals, refinancing, modernization, fire or major damage restoration or rehabilitation requiring a permit from a General Contractor, obtaining, or giving income tax, accounting, or legal advice, representation before public agencies, advising on proposed new construction, debt collection, counseling, or attending Homeowner Association meetings.

Additional Services

The following are "additional services" offered by Seek Legacy to each property owner. They are not included in the fees for managing and/or leasing the property.

- Annual Property Review (APR) Seek Legacy maintains properties as part of their property management services. The purpose is to check the property thoroughly each year in order to perform necessary or preventative maintenance.
- Supervision of Extraordinary Maintenance Although not always taken, Seek Legacy reserves the right to charge a fee for supervising work requiring extraordinary maintenance. The definition of extraordinary maintenance is as follows: rehabilitation work that exceeds \$2000.00 for insurance claims, and major systems replacements. (Examples include major tree work, vandalism, renovation, etc.) Seek Legacy will consult with licensed contractors for bids and solutions. Seek Legacy then contacts the property owner for authorization and/or decision regarding the maintenance. The fee for these services is to be determined when needed.
- **Real Estate services** Unless you have been referred to Seek Legacy by another real estate agency, Seek Legacy is available to assist you in buying more investment property or selling your

property when ready.

A free-market analysis is available at any time with no obligation. Please contact your property management specialist to provide you with the information or services you need.

Fee Schedule

Property Management	Fees
Property Management Set Up Fee	\$399 Non-refundable per property
Monthly Commission	10% or \$100 (whichever is greater based on rent rate)
Direct Deposit Fee	\$10/month
Maintenance Account	\$500 reserve in account at all times
Notice Fee	\$25/occurrence
Rent Ready Fee	TBD upon services rendered can include:
	-Pest Control Fee
	-Re-key Property
Cancelation Fee	Equal to 1 month's rent if in the 1st 6 months of a signed contract.

Company Policies

It is especially important in the field of Property Management that Seek Legacy follows local, state, and federal legislation and guidelines. Our company takes pride in our industry, and we further implement guidelines and policies of several organizations, such the National Association of Realtors, NAR®, as well as the Arizona Association of Realtors, AAR. Additionally, we encourage all property managers to take the AAR approved Property Management course and monthly broker meetings.

Department of Real Estate Requirements

The Arizona Department of Real Estate requires licensing for all persons conducting Property Management and Real Estate Sales in our state. Seek Legacy requires all personnel that are Brokers, Property Managers, and Real Estate Agents to have an Arizona Real Estate license.

Code of Ethics

Seek Legacy follows the Code of Ethics outlined by NAR® and AAR. Seek Legacy considers this a top priority in conducting business.

Drug-Free Policy

Seek Legacy has a drug-free policy for all personnel, vendors, and tenants. Seek Legacy incorporates this policy into Seek Legacy rental/lease agreements, tenant, personnel, and vendor documentation.

Legislation

Seek Legacy adheres to the laws and guidelines of federal, state, and local legislation, and incorporates this into all documentation, policies, and procedures. Here are some of the agencies and acts Seek Legacy follows:

• Fair Housing (HUD) – Seek Legacy supports and follows Fair Housing laws and guidelines; the Seek Legacy office displays Fair Housing signage

- Equal Opportunity Seek Legacy is an Equal Opportunity employer; the Seek Legacy office displays Equal Opportunity signage.
- URLTA Uniform Residential Landlord Tenant Act
- FCRA Fair Credit Reporting Act
- EPA Environment Protection Agency
- Any other local or state legislation that may apply to a specific city.

Lead-Based Paint

Lead-based paint became a major issue in the 1990s that prompted mandatory requirements for residential housing and continues today. Seek Legacy follows all mandated federal and state guidelines for lead-based paint. All properties prior to January 1, 1978 require disclosure to all tenants and owners. Tenants sign lead-based paint disclosures prior to renting a property and Seek Legacy provides them with the required EPA Pamphlet, Protect Your Family from Lead in the Home as published by The Environmental Protection Agency. Seek Legacy then forwards the required disclosure to owners for signature. Property owners and/or Property Managers must also notify tenants, in writing, of any scheduled work necessary for lead-based paint on the property. It is the owner's responsibility to inform Seek Legacy of any changes regarding information and knowledge of Lead Based Paint on the property.

Mold Issues

Seek Legacy regards mold issues as a top priority in property management. Owners should be aware that mold is another leading issue in the property management industry and failure to act if tenants report or discover mold can lead to costly lawsuits. Several cases regarding mold have awarded damages to tenants in the millions of dollars. This is an area of extreme liability and Seek Legacy takes action if a tenant reports mold. Seek Legacy notifies owners as soon as practical of any mold issues so Seek Legacy and/or the property owner can take the proper steps.

Renting Your Property

When prospective tenants view your vacancy, Seek Legacy wants the property to look its best and compete with area rentals. A thorough rental market survey will be completed. The Seek Legacy management team will contact you to discuss the details of your vacant property and any necessary maintenance.

Setting the Rent

Supply and demand and market conditions determine the rent rate. If there are multiple rentals available in the area of your property, it is necessary to be competitive. If very few are "for rent" in the same area, it can make it easier to rent the property. Markets change and Seek Legacy advises owners on the "current rental market."

How Long will the Property be Vacant?

This is the most commonly asked question Seek Legacy receives from owners. There is no way to predict how long a property will remain on the market, even in the best market conditions. However, Seek Legacy works diligently to rent the property as quickly as possible. The most important objective is to have "a quality tenant." Seek Legacy, or any other property management company, can rent properties "quickly" if they do not have standards for obtaining good tenancy. However, bad tenants will only create more expense and another unwanted vacancy; therefore, waiting for the "right tenant" is worth the additional time it can take to rent the property.

Advertising/Marketing

Seek Legacy markets listings on the Gila Valley MLS and Buildium which reaches out to over 30 websites, including social media platforms.

Seek Legacy Website

Seek Legacy has a website: <u>www.seeklegacyrealestate.com</u> that assists with property management. Our website provides the following services:

- Prospective tenants can search our site for available rentals, apply to a property online, and take online video tours of some of our properties.
- Owners, Tenants, and Vendors can access essential information, such as a work orders, account ledgers and lease documents.
- Owners can obtain forms, view their up-to-the-moment account balance and all monthly income statements online.
- Tenants can pay rent on-line with ACH and automatic debit.

Signage

Seek Legacy displays "For Rent" signs prominently where permitted. Signs promote calls to our office, but they also direct people to our website where they can learn all about your property.

Processing Tenant Applications

A credit check is NOT enough! Our company conducts a careful review of the applicant's criminal, eviction, work, and rental history. Thorough screening is crucial to successful Property Management.

Tenant screening

Seek Legacy requires all applicants 18 years of age and older living in the home to fill out a detailed application and submit it for background screening. From there it will go to processing to either approve or reject a candidate. All applicants must submit verifiable information on their income to show they can support the property. Rental history or previous home ownership is carefully checked. Cross-referencing all three areas: credit, tenant history, and income, provides the answers to qualify or disqualify prospective applicants. If a pet is allowed on the property, the screening includes the pet (please review the upcoming pet policies). Applicants pay Seek Legacy to run their application and background screening.

Cosigners

Seek Legacy normally does not accept cosigners. Seek Legacy policy is that the applicants should have the ability to rent on their own merits. However, sometimes there are conditions that may warrant taking a cosigner on a property. The owner will be advised on this matter if it occurs.

Pets

Statistics in the last ten years show that 65% of all renters have pets. By excluding pets from their property, an owner will substantially reduce the available number of tenants – which can prolong vacancy time! As such, Seek Legacy policy is to allow up to two pets at all properties unless specific written instructions to the contrary are provided. It is legal for property owners to discriminate against pets. You may wish to do so. However, whether you have or have not decided to allow a pet in your property, the Seek Legacy application has a place for prospective tenants to list pets and how many. It is important not to discourage full disclosure on pets while taking an application. Seek Legacy does not place inappropriate pets in a property. Pet deposits are required.

Service animals

"Service animals" for handicapped/disabled persons are NOT pets by Federal law, and owners cannot discriminate against handicapped/disabled persons with a service animal. Fair Housing legislation does NOT allow owners or property managers to collect deposits of any kind for service animals. However, Landlords can still process applicants who are handicapped or disabled on the same criteria as other applicants: income, credit, and tenant history. If they fail to qualify in these areas, the landlord/manager can still deny the application, handicapped or not.

Tenant Move In

Rent and security deposits

Seek Legacy verifies that all funds have been cleared prior to issuing possession to a tenant. Seek Legacy does not allow "payments" on security deposits – we require all funds paid in full prior to renting the property. This eliminates prospective tenants who really do NOT have the necessary funds for renting. These funds will be held in the Broker's Trust Account on behalf of the tenant until they complete their lease terms.

Lease agreements

Once Seek Legacy receives funds, a thorough lease agreement with the applicant is completed. Seek Legacy will automatically pursue lease renewals unless the owner notifies us in writing not to do so. We will check in once a year with the owner to see the status of renewing.

Photo documentation

A vital part of the tenancy is a detailed photo journal taken before each tenancy, documenting the condition of the property when they move in. Unless extenuating circumstances prevail, the property manager will complete the photo journal before the tenant takes possession of the property. This process ensures that when the tenant moves out of the property, there is a sound basis for the security deposit refund or claim.

Maintenance addendum

Tenants immediately receive the "Seek Legacy Maintenance Addendum." This detailed reference guide gives them additional information on how to care for the property, report repairs, maintain the property, make timely payments, how to give proper notice to vacate, leave the property in good condition, and more.

Working with Tenants

Collecting rent

In Seek Legacy's lease agreement, rents are due on the first day of the month and rent is considered late if not received in the Seek Legacy office by the fourth of the month. Seek Legacy recognizes that many things can happen where it concerns rent; rent can really be lost "in the mail;" employers can delay the tenant's paycheck, there are real tenant emergencies, and more. Therefore, we are making a considerable effort to determine why the tenant is having a problem. To encourage timely payments, Seek Legacy enables Tenants to pay their rent ONLINE on our website.

Notice to Pay or Quit

If Seek Legacy does not receive rent by the due date, Seek Legacy prepares and delivers a 5-day eviction notice to pay or quit, as the law allows. Seek Legacy makes every effort to mail and post notices properly should legal action be required. Seek Legacy will charge tenants a fee for such notices.

Other Notices

There are other notices that may be involved with tenants. Seek Legacy serves notices as situations warrant, such as a notice to clean up the landscape, HOA violations, a notice to enter the property, a notice to perform inspections, a notice regarding an illegal pet, illegal tenants, etc. These tenant violations may be in the form of a letter or a legal notice form. Often these notices are simply to correct minor tenant problems and most tenants comply.

Tenant problems

Seek Legacy has years of experience handling the myriad of tenant difficulties that can occur. The Seek Legacy policy is to obtain good tenants, thus eliminating many tenant problems in the future. However, even good tenants can have problems. Seek Legacy treats each problem with the commonsense approach, follows landlord/tenant law, and uses the appropriate documentation. If the situation becomes serious, Seek Legacy will contact the owner and work to find a solution for the problem. One of the reasons you hired a property manager is for "peace of mind."

Maintenance

The best approach to maintenance is "preventative maintenance." We want the tenant to know from the beginning of their tenancy how the landlord expects them to "care for the property." This approach can prevent costly maintenance.

Preventative Maintenance

At the beginning of the tenancy, Seek Legacy has already started with educating the tenant by:

- Completing a detailed Seek Legacy Rental Agreement, which includes a thorough outline of what tenant responsibilities are regarding maintenance as well as other obligations.
- Completing a move-in photo journal documenting the condition of the property before the tenant takes possession.
- Supplying tenants with the "Seek Legacy Maintenance Addendum," which provides additional instructions on how to care for the property and how to report maintenance issues.

Next, we use "preventative maintenance" techniques when work is required and utilize competent contractors. Often the minor expenditures save the most money such as doorstops, new filters, checking appliances, testing smoke alarms, adjusting doors, window latches, deadbolts, caulking and grouting and more. Many small repair items can prevent maintenance that is more expensive. Consider the cost of repairs like holes behind doors, clogged heaters and air-conditioners, appliance problems, dry rot, safety issues and more. Then of course, there are the significant issues in a home such as the roof, the exterior condition of the building, carpeting, interior and exterior paint, etc. When left to deteriorate, it usually means the owner will have to spend more in the future. It is equally important to keep up with maintenance while the tenant occupies the property. Often people think no news is good news; this can be just the opposite. Instead, "delayed news can become very bad news." This is why, according to our tenant instructions, we require them to report maintenance issues immediately.

The Seek Legacy management teams contact owners regarding maintenance above the current \$500 minimum that is listed in the Seek Legacy Management contract, unless the situation is an emergency or the owner has given directions to be notified at all times.

Over the years as fuel costs and inflation rise, Seek Legacy reserves the right to adjust the maintenance minimum as needed to properly maintain an owner's property.

Emergencies/Disaster

When an emergency and/or disaster strikes, Seek Legacy has policies in place for the property and tenants. Seek Legacy notifies the property owner as soon as practical. The nature of the emergency and/or disaster determines the action needed by Seek Legacy. Seek Legacy property managers are aware of emergencies that can arise and operate a 24/7 emergency maintenance line.

There are times when a property manager must "act" in order to prevent great financial risk to the owner. For example, when a property is flooding, immediate action is necessary whether the property owner is available or not.

When the Tenant Vacates

Notice to Vacate

When there is a notice to vacate, the move-out procedures with tenants are as critical as when Seek Legacy moves in a tenant. The preparation for this really began when the tenant moved in with a detailed rental agreement, photo journal and Maintenance Addendum. These documents communicate the landlord's expectations on how to leave the property when they move out.

Communication with Owners and Tenants

Seek Legacy notifies the owner when a tenant gives notice to vacate. Seek Legacy also responds to the tenant's notice to vacate with a letter detailing and reminding them of the steps to complete a successful move out. Rent is required until the last day of occupancy. Security Deposits cannot be applied towards last month's rent.

Changing the Locks

Seek Legacy will always re-key the premises after a tenant vacates to limit liability. This re-key is considered as maintenance on the property.

Pest Control Inspection

Seek Legacy will always conduct a Pest Control Inspection between tenants. This inspection is done by a contractor and provides a detailed inspection of the Pest "health" of your property. This inspection is considered as maintenance on the property. Seek Legacy also encourages landlords to contract for a monthly pest management service to be included in the rent.

Tenant Move-Out Photo Journal

Seek Legacy conducts a move-out photo journal similar to the one performed when the tenant moved into the property. Seek Legacy records any maintenance required and discloses a list of damages to the vacating tenant. Digital photographs taken when the tenant moves out are compared to move-in media to document the condition of the property and support any deductions from the security deposit.

Security Deposit Refunds

Proper handling of the security deposit refund is crucial. Any tenant deductions are determined in a timely manner, and a security deposit transmittal is prepared in accordance with state laws. Law requires that we return all security deposits with the proper accounting for any deductions within 14 business days of tenant returning possession of the property. We make it a practice to return deposits via Certified Mail through USPS system.

Collections

Once a tenant vacates our leased premises, Seek Legacy's rent collection efforts will conclude with the preparation of a final statement of claim sent to the last known address of the tenant.

Seek Legacy's contractual management service does not include debt collection after a tenant vacates the leased premises. Within 30 days after a tenancy ends, Owners can request the collection account to be sent to companies with expertise in debt collection and Seek Legacy will supply consumer collection companies with the necessary documentation needed to collect.

Cancelation of Property Management

It is the goal of Seek Legacy to satisfy your management needs and engage in a successful business relationship, but some things do change over time. Owners sell properties; people give notices. If this happens, the Seek Legacy cancellation policy is to resolve your account in a professional, timely, and pleasant manner. There is a fee if property management is canceled within the initial 6-month period. Please review the following policies for cancellation.

Written Notice

Owners are advised that lease renewals are frequently negotiated with tenants during the 10th month of a lease, and advertising for new tenants will not begin until the current tenant has passed their Move Out Inspection. Cancellations of the management contract may be subject to any lease renewal and new leases. For this reason, it is imperative that Owners give written notice of cancellation as early as possible to avoid any conflict.

Notice to Current Tenants

Seek Legacy will notify current tenants of the date Seek Legacy will no longer manage the property and that Seek Legacy will forward all security deposits to the owner. It is the owner's responsibility to advise tenants where to make future rental payments and work requests after the notice period.

Distribution of Documents

Seek Legacy will supply current tenant documentation to the owner. If the owner has employed new management, it is the owner's responsibility to instruct them to pick up documents, keys, and any other necessary materials at the Seek Legacy office.

Final Distribution of Funds

Seek Legacy will distribute funds, including security deposits, and final statements to the owner all within thirty-five days of the terminating date of management, except for monies needed for unpaid obligations incurred during the property management term. Seek Legacy will issue 1099 for funds collected during the current tax year when the tax year ends.

Welcome to the Seek Legacy Family!

We hope you have found the Seek Legacy Owner Manual informative and useful. If you feel there is any other information we can provide, please let us know so we can include it in the future. Again, we want to thank you for your business, and we look forward to a successful management relationship.