

# Landlord-Tenant Law: Lease Agreements, Defaults, and Collections

Allentown, PA - April 4, 2017

Early Registration

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- PA CLE 6.5 including 1.0 ethics
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- NY CLE 8.0 including 1.0 ethics
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  - NASBA CPE 8.0

See inside for details.

**PRESENTED BY:**

**Scott L. Feldman**, *Law Offices of Scott L. Feldman*

**Leslie A. Margolies**, *The Real Estate Law Group*

**Andrew J. Monastra**, *Wolf, Baldwin & Associates, P.C.*

(See complete biographies inside)

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## AGENDA

- I. Lease Agreements, Tenant Issues, and Documentation**
  - A. Screening and qualifying prospective tenants
    1. Basics
    2. Verifying the applicant (and keeping all records safe from identity theft)
    3. Written screening criteria
    4. Avoiding discrimination
      - a. Basics
      - b. Reasonable modifications
      - c. ADA accommodations, animals assisting people with disabilities, therapy assistance animals
      - d. "Restoration agreements"
      - e. "Reasonable accommodations"
      - f. Federal Fair Housing Act
      - g. Open housing laws
    5. Rental application
    6. Credit checks
    7. Rejecting an applicant (legally)
  - B. Rental documents
    1. Rental agreement
    2. Rules and regulations
    3. Nonstandard rental provisions and prohibited rental agreement provisions
    4. Tenant inspection/acceptance form (check-in/check-out)
    5. Disclosure of information on lead-based paint
    6. Pet agreement
- II. Tenant Default, Notice of Default, and Lease Termination**
  - A. Notice of default: issuance, service, and specificity
  - B. Lease termination and surrender
  - C. Enforcement of accelerated rent and default clauses
  - D. Abandoned property
  - E. Tenant defenses: SCRA protections, retaliatory eviction action, habitability, and others
- III. Landlord-Tenant Evictions and Litigation**
  - A. Case studies and current trends in litigating landlord-tenant disputes
  - B. The summary proceeding
  - C. Answer, defense, and counterclaims in landlord-tenant litigation
  - D. Settlement and post-judgment issues
  - E. When, if ever, is a judgment final?
- IV. Discussion Topics in Pennsylvania Landlord-Tenant Law**
  - A. The pros and cons of using the PA Real Estate Commission's approved standard lease
    1. For tenants: does it protect you?
    2. For landlords: does it fit your situation?
    3. Is it understandable to all parties? What rights are you giving up?
  - B. Consumer protection issues for tenants
    1. Who is representing you? Can the lease terms be changed?
    2. Red flag consumer issues; what rights do I have?
  - C. Other landlord-tenant questions and issues
- V. Collections: Enforcing Your Judgment**
  - A. When a tenant files bankruptcy: what can you do?
  - B. Considerations before pursuing judgment: is it worth it?
  - C. Obtain necessary information to collect judgment early in the rental process
  - D. Taking judgment
  - E. Docketing the judgment
  - F. Financial disclosure forms
  - G. Supplemental examination
  - H. Garnishments
  - I. Absconding
- VI. Ethical Considerations in Landlord-Tenant Law**
  - A. Ethical situations
  - B. Conflicts of interest, un-represented, dual representation, and competency
  - C. Negotiating with a *pro se* tenant at court
  - D. Fee arrangements, getting paid

## DATE & TIME

**DATE:** Tuesday, April 4, 2017  
**REGISTRATION:** 8:00 a.m.  
**PRESENTATIONS:** 8:30 a.m. - 4:30 p.m.  
**LUNCH:** 11:30 a.m. - 12:30 p.m.  
*Lunch is on your own*

## LOCATION

Wingate by Wyndham Allentown  
4325 Hamilton Boulevard  
Allentown, PA 18103  
610-366-1600  
*Map available online*

## WHO SHOULD ATTEND

- Property Managers
- Real Estate Brokers
- Housing Authorities
- Developers
- Building Owners
- Leasing Agents
- Other Real Estate Professionals
- Attorneys:
  - Landlord-Tenant
  - Leasing and Contracts
  - Evictions
  - Real Estate
  - Transactional
  - Litigation
  - Bankruptcy/Debtor-Creditor
  - General Practice
  - Sole Practitioners

## SUMMARY

Home ownership and rental vacancy rates haven't been as low as they currently are for more than thirty years. That can be great news for landlords, but it also means that finding the best tenants for your property (and protecting yourself when bad tenants slip in) is more important than ever. Uncertain economic conditions and the influx of more baby boomers and families into the rental market mean that you and your clients need strategies in place to write solid leases, provide accommodations, and evict when necessary. Our faculty are familiar with the issues you're facing every day, so put their knowledge and experience to work and make the most out of the growing rental markets. **Register today!**

Please bring your license number, ID, or other necessary information to the seminar to ensure proper reporting of continuing education credit.

## CONTINUING EDUCATION CREDIT

### PA CLE

This seminar has been **approved** by the **Pennsylvania CLE Board** for **6.5 credit hours** including **1.0 hour of ethics**. SES is a PACLE Accredited Provider.

### DE CLE

This seminar has been **approved** by the **Delaware Commission on CLE** for **6.7 general credit hours**, including **1.0 hour of ethics**.

### NY CLE

This transitional and nontransitional CLE program has been **approved** in accordance with the requirements of the **CLE Board of New York** for a maximum of **8.0 credit hours**, of which **7.0 hours can be applied toward the professional practice requirement** and **1.0 hour to ethics**.

### NJ CLE

**New Jersey attorneys** who take courses approved in another state will receive **1:1 credit for courses approved in that jurisdiction through reciprocity**. Please call if you have questions.

### BOMI

This program qualifies for **7.0 hours of BOMI International CPD credit** for RPA, FMA, and/or SMA graduates.



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**CPE Credit: Maximum Credit Hours: 8.0** each session (based on a 50 minute credit hour). Field of Study: **Specialized Knowledge & Applications**. Prerequisite: None. Level of Knowledge: **Basic**. Delivery Method: Group-Live. Advance Preparation: None.

\*No CPE credit will be granted for home study with the purchase of the seminar audio recording. SES is only approved for "Group/Live" programs. For more information regarding administrative policies such as refunds, cancellations and complaints, please contact SES at 715-855-0498.

## MEET THE FACULTY

**SCOTT L. FELDMAN**, of the Law Offices of Scott L. Feldman in Doylestown, has a general law practice with emphasis on landlord-tenant law and consumer and commercial collections and litigation. Now in his twenty-fourth year of practice, Mr. Feldman represents several large apartment complexes and advises their rental managers and corporate personnel. He is a frequent lecturer on collection law at continuing education seminars. Mr. Feldman is an active member of the Bucks County Bar Association; he serves on the board of directors, served as chair of the Lawyer Referral Service Committee, and is editor of its quarterly publication, *The WRITS*. Mr. Feldman received his B.S. from the Tepper School of Business at Carnegie-Mellon University and his J.D. from the Widener University School of Law, where he was a two-year member of the Moot Court Honor Society.

**LESLIE A. MARGOLIES**, founder of The Real Estate Law Group in Wyncote, is a licensed Pennsylvania attorney, a licensed Realtor®, and a long-time consumer advocate. The Real Estate Law Group is based upon the principle that legal services should be accessible to all, and they provide affordable legal representation for people with property problems. Prior to founding The Real Estate Law Group, Ms. Margolies was founder and executive director of a non-profit legal services organization for over a decade. She has devoted her thirty year legal career to helping others in need of legal advice and guidance. Ms. Margolies received her B.A. from Northwestern University and her J.D. from the Temple University School of Law, where she received the Wapner Newman Award for Excellence in Civil Trial Litigation skills.

**ANDREW J. MONASTRA**, of Wolf, Baldwin & Associates, P.C. in Pottstown, centers the majority of his practice on handling residential and commercial real estate transactions and business formations, resolving complex title issues, and serving as underwriting counsel to many federal credit unions. Mr. Monastra also handles estate planning, administration, and probate matters. He is a member of the Association of Title Examiners, the Berks County Bar Association, the Pennsylvania Bar Association, and the Montgomery County Bar Association. Mr. Monastra received his B.S., *cum laude*, from Villanova University, his M.B.A. from Drexel University, and his J.D. from the Widener University School of Law.

## SEMINAR HIGHLIGHTS

- Avoiding discrimination in tenant screening
- Do I have to allow service or emotional support animals?
- What to do when a tenant is in default
- Getting all the steps right in evictions
- The latest developments and cases
- How to handle abandoned property
- Discussing leasing topics in Pennsylvania
- Collecting what's owed to you after the tenancy
- Ethical situations and conflicts of interest

# Landlord-Tenant Law Allentown, PA - April 4, 2017

## Registration Fee: (includes manual)

- \$339 per person
- \$329 per person for 2 or more
- \$309 per person **if paid by February 21<sup>st</sup>**

## Reference Materials:

- Add audio to your registration for \$157\*
- Manual only \$95\*
- Audio only \$257\*
- Audio/manual package \$347\*

## Payment Information:

- Check Enclosed (payable to Sterling Education Services)
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\*Pricing listed includes \$6 shipping and handling. Please allow 2 to 6 weeks after program for delivery.  
†By providing this information you are agreeing to be added to Sterling's in-house contact lists.

## BOOKSTORE

Below is a selection of materials available from previous Sterling seminars. To order, please complete this form and mail with payment or call 715-855-0495. You can also find these and other materials online at <https://store.sterlingeducation.com/bookstore.php>.

### RESIDENTIAL LANDLORD-TENANT LAW: RENTALS AND REMEDIES

#### Seminar # 16PA08202

Commencement of the Tenancy; Tenant and Landlord Obligations During Tenancy; Termination of Tenancy and Tenant Remedies and Defenses; The Eviction Process; Impact of Casualty or Condemnation on Rental; Collecting Back Rent and Damages

#### PRESENTED BY:

Clifford L. Tuttle, Jr., Attorney at Law; Gina M. Zumpella with Walsh, Barnes, Collis & Zumpella, P.C.; Frank Kosir, Jr. with Meyer, Unkovic & Scott LLP; Andrew M. Menchyk, Jr. with Stepanian & Menchyk, LLP; and Peter L. Kogan with Reed Smith LLP

Audio & Manual Set \$155  Audio only \$95  Manual only \$75

### ESSENTIAL ISSUES IN RESIDENTIAL LANDLORD-TENANT LAW

#### Seminar # 16PA04104

Commencement of the Tenancy; Tenant and Landlord Obligations During Tenancy; The Eviction Process

#### PRESENTED BY:

Sean M. Burke with McQuaide Blasko, Inc.; Christopher T. Michelone with McQuaide Blasko, Inc.; and Jaime S. Bumbarger, McQuaide Blasko, Inc.

Audio & Manual Set \$119  Audio only \$79  Manual only \$55

## 4 Easy Ways to Register:

- **Web:** [www.sterlingeducation.com](http://www.sterlingeducation.com)  
Enter # in "Express Registration"
- **Mail:** Sterling Education Services  
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## WALK-INS

Walk-ins are welcome and payment is required at the door when registering. Materials will be available for walk-ins on a first-come first-served basis. **Please call ahead to confirm the schedule.**

## CANCELLATIONS

Substitutions or transfers to a future Sterling seminar are welcome anytime up to the day of the seminar.

**If you cancel 3 or more business days before the seminar you may:**

- 1) transfer your registration to another seminar,
- 2) receive the audio and manual package, or
- 3) receive a refund minus a \$25 service charge.

**PLEASE NOTE:** If you do not attend and do not cancel as described above you are not entitled to a refund.

## REFERENCE MATERIALS

### SEMINAR MANUAL:

The faculty has prepared a substantial reference work to accompany their presentation. This manual will serve as a valuable tool for future reference. Each attendee will receive a manual upon checking in at the seminar site; the price is included in the registration fee.

### AUDIO RECORDING:

This seminar will be recorded live and the audio recording and/or a reference manual is available for purchase separately or in conjunction with registration. Self-study credit may be available by purchasing the audio and manual package (varies by location). **Please call for details.**

## UPCOMING SEMINARS

- **Landlord-Tenant Law: From Lease to Eviction**  
Philadelphia, PA - February 16, 2017  
Harrisburg, PA - March 7, 2017
- **Residential Landlord-Tenant Law: Tenancy and Evictions**  
Altoona, PA - April 20, 2017
- **Essentials of Employment Law**  
Pittsburgh, PA - February 22, 2017
- **Workers' Compensation Law and Practice**  
Pittsburgh, PA - April 6, 2017

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