

# The AZREIA Advantage

Arizona Real Estate Investors Association Newsletter

"AZ Real as it Gets"

January 2019

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## Arizona Real Estate Investors Association

1841 North 24th Street  
Suite 10  
Phoenix, AZ 85008

480.990.7092  
fax 480.990.7017  
www.azreia.org

## Learn, Practice, Do: "The Future of AZREIA"

by Troy Miller



It has been a pleasure and an honor to join the AZREIA team. Since October, I have been like a "kid in a candy store" working alongside Alan, Maureen and the entire staff, putting into place the future of AZREIA and our industry. A little about me, I have been in this industry indirectly all of my life, growing up with a father who was a general contractor and a mother who was a property manager. Twelve years ago, I came to the real estate investing industry and started working for National REIA continuing my career in meetings and

conferences. My primary task began with helping REIA leaders around the country rethink the way they offered information and content to participants with varied learning styles in their respective classrooms. Fast forward to my immediate past role as Executive Director of Colorado's REIA. My advisory board was made up of three Eagle Scouts, who impressed upon me the unique way the Boy Scouts honed in and demonstrated their education model. The Boy Scouts took a page from one of the countries principle thought-leaders, philosophers, and inventors, Benjamin Franklin, who said, "Tell me, and I forget. Teach me, and I remember. Involve me, and I learn." The Boy Scouts believed that you

must "LEARN-DO-TEACH" to earn your badges and move up in the ranks through a set pathway to learn the skill, practice to master the skill, and in return teach those around or below you for skillset mastery.

So, I began asking myself, what is the Real Estate Industry's "Boy Scout Manual"? What are our badges, and more importantly what does our "LEARN-DO-TEACH" model look like? How can we change the classroom

so that the focus isn't on the transfer of information but the practice and application of information... "THE HOW." So flipping the script from learning the theory behind the skillset to now PRACTICING THE SKILLSET, and

ultimately adding the ability to DO THIS ON YOUR OWN or what has been coined as "experiential learning!" As I began to look at all of the elements, the first piece was the old "Sage-from-the-stage" model: Where subject matter experts gets on stage and dish out information that has worked for them. I don't know about you, but my attention span these days keeps getting shorter and shorter. Add on to that, how social media has affected the way we interact in the form of a conversation. Meaning that we are moving to an environment where those who do the talking, do the learning.

So, I thought what if we incorporate several

**Phoenix January 14th  
Expert Panel, Market  
Update & John Burley**

**Tucson January 15th  
Networking, Market  
Update & John Burley**

Continued on page 2

subject matter experts who can discuss multiple points and include the participants in the day to day application through case studies to see real-life practice? Did I mention that these subject matter experts are professionals who are actively practicing this skill by being, both, in the market day-in and day-out and product or service provider? Having this type of educator is an important component. They are working with clients just like you, allowing them to use real-time market data. They use their existing clients as case studies to give you practical information tailor-made for you. So, now you’ve learned the theory, practiced the theory on your own, and you have built up an arsenal of not only subject matter experts but also active resources to help you when you are in the trenches. Next, we have converted the classroom into a working lab, but then it becomes a marketplace with service providers who will eventually become resources for you at any point down the road when their assistance becomes applicable.

So, what does this mean to you, as an AZREIA member? Well, it’s time to bring this “Experiential Learning” model to Arizona and we have two outstanding opportunities focusing on key pain points for investors like yourself in the current Arizona Real Estate Market. Our first event, **The Out of State Investing Summit | February 23-24**, is focused on the inventory crunch that we see across the state, the opportunity that exists in other markets, and how to do your due diligence to remove the risk. The hardest part of this strategy is time, how can you collect the data and resources to make an educated decision and comfortably execute in an unknown market. That is why we’re “bringing the mountain to Mohammad!” At this event, we are identifying four key markets where good-better-best opportunities exist for investing. We will provide you with a market expert who will, just like at our AZREIA meetings, present a detailed market study keying in on market indicators including major planning and development and a discussion on what is driving that market and its sustainability. Each market expert will provide recent case studies for you to learn and practice running numbers, estimating repairs, understand the market nuances. We’ll deep dive into each market including code, laws, and regulations, provide you with resources like attorneys, contractors, and property management. Plus, to sweeten the deal, we’re asking them to bring inventory that should a marketplace make sense to your criteria or investment portfolio, you’ll be able to walk away with your next deal.

In April, look forward to the **Creative Deal Making Academy | April 13-14th!** This event answers the opposite to a hot market, and that is making offers that stick. Being able to look at a deal and proposing multiple offers for the same deal including offering over asking price by offering terms that make sense to the buyer and seller. In addition to making

offers, Creative Deal Making’s foundation is understanding partnerships and joint ventures that ultimately allow you to use one or more strategies to alleviate tying up your working capital. We are assembling a stable of some of the most creative real estate minds across the country to help you build your creative deal-making financing-toolbox to include Seller Financing, Raising Private Money, Leveraging Retirement Accounts, Options, Wrap Mortgages, and Subject To’s. The best part of this event is day 2, a full day hands-on lab. You will work in a group setting to analyze deals to practice strategies you’ve learned, understand and incorporate multiple strategies into one deal, and you will network with participants through these exercises to find your future deal partners. It will be the best speed networking and learning event you’ve ever seen!

We couldn’t be more excited, and based upon preliminary response it sounds like you are as well. Without a doubt these events will be at capacity, so save the dates and register early. We’ll see you there!



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## FROZEN WATER PIPES, Here in the desert? YES, RIGHT HERE!!



**Clark Sanchez,**  
**Insurance Agent**

1555 E. Glendale Ave.  
Phoenix, AZ 85020

(602) 277-2655  
clark@clarksanchez.com

by  
**Clark  
Sanchez**

### Think it doesn't happen here? Think again!!!

If you have never experienced frozen water pipes, perhaps you do not understand the severity of this situation. When water pipes freeze, the water expands and splits or cracks the pipe. Then, when the water under pressure, finds that crack, the water runs until someone notices and shuts it off. Your investment rental property has fallen victim to a major catastrophe, but it wasn't a flood, a hurricane, or a tornado. Frozen pipes aren't just an inconvenience: about 250,000 homes are ruined each winter because of water pipes that freeze, burst, and then destroy property.

Worse yet, many of your fellow investor-owners and property managers mistakenly think that frozen pipes do not happen in the metropolitan Phoenix area, or in warm desert areas around the state. They are mistaken! Almost every year there are frozen pipe incidents in cities where they were never expected.

Certain frozen pipe claims are not covered by insurance. That's because virtually all insurance companies have one requirement and if that is not met, there is no insurance coverage. That requirement is that *"the heat must be turned on in the building."* Most insurance companies do not set a temperature requirement for that heat, but a minimum of 55 degrees (12 degrees Celsius) is recommended by some sources. Read your insurance policy or call your insurance agent, just to be sure you do not have a specific temperature requirement.

Since you are not living in your rental property, your objective is to communicate the heat requirement to your tenant and make sure it is implemented. Some landlords and property managers add the heat requirement to the lease. At the same time, they recommend or require, "renter's insurance" for the tenant themselves. Fact is, 8 inches of water on the floor of the house from a frozen pipe leak, is going to be as much of a problem to your tenant as it is to you as the owner or the property manager.

Higher risk properties include those that have been re-plumbed. Usually, the new pipes are run from above and more likely to freeze in the cold attic, than the original pipes under the floor. Having the heat turned on in the house, often provides just enough heat that rises upwards to keep attic pipes from freezing.

Another high-risk situation is condos or other multi-unit buildings, where seasonal residents may be away and did not leave their heat turned on. It only takes one un-heated condo in a building with 8 units (for example), to have a frozen pipe leak that flows into the neighboring units and causes extensive damage to every unit in the building.

Even with the heat turned on, there are no guarantees. Since garages are seldom heated, water pipes in garage walls and ceilings (including fire sprinkler pipes) can be the "weak link" in some cases. In one actual case, the motor heat from the two parked cars when the owners came home from work each day, was just enough to prevent freezing. When the family left on vacation, and there was no car engine heat, the pipes in the garage froze and disaster struck.

Now would be a great time to add something about frozen pipes to your billing notices or any other tenant communication you utilize. We also make available a small hand-out about frozen pipes and can provide multiple copies. Frozen pipes can be prevented!

\*\*\*\*\*

CLARK SANCHEZ has been an Arizona insurance agent for over 38 years and has been a Vendor-Affiliate with AZREIA for over 14 years. You can contact Clark if you have any insurance related questions at clark@clarksanchez.com or (602) 803-2179



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1555 E Glendale Ave.  
Phoenix, AZ 85020  
clarksanchez.com  
clark@clarksanchez.com

A-G



# AZREIA Advantage: Title Expert

## FIRPTA and the Real Estate Investor



by  
**Jill Bright**

**Jill Bright**  
AVP/Sr. Sales Executive

**Chicago Title**  
**Maricopa County**

Phone (602) 525-0790

BrightJ@ctt.com  
[www.ChicagoTitleArizona.com](http://www.ChicagoTitleArizona.com)

It is important you understand the rules of the Foreign Investment in Real Property Tax Act for Investors. FIRPTA is a tax law that requires buyers to withhold payments to sellers on US real estate unless an exception applies. The duty is on the buyer to deduct and remit a portion of the sale price along with the appropriate forms.

The number one thing to know is to consult a licensed CPA who understands and specializes in FIRPTA transactions. There is a huge misconception in the real estate community that the paperwork and filings are the responsibility of the Title Company. Escrow Officers are not licensed to perform tax filing or to give tax advice. In reality if

your Escrow Officer is handling this for you they are adding to your liability and with FIRPTA the fines and penalties can be in excess of 15 percent of your sales price.

Per the IRS regulations, the buyer or transferee is legally responsible for any withholding due. The IRS website is full of info and you should educate yourself on the regulations.

Visit: [www.IRS.gov](http://www.IRS.gov)

Many investors do not work with licensed real estate agents and do not use the AAR contract. A licensed agent would request disclosures from the seller that would include language about FIRPTA. The AAR contract also has language that limits liability for the buyer regarding FIRPTA.

As an investor it is important to know that FIRPTA may apply because it is the US person that has the responsibility of the tax for purchasing from the foreign seller.

I cannot stress the need for you to get the proper tax advice from the proper source, a licensed CPA who is familiar with FIRPTA.

There are several exceptions or exemptions to FIRPTA and they can be found on the IRS website but again, best to be familiar with the rules but rely on your expert.

The sooner you identify that your seller is foreign, the better. Sometimes processing can take several weeks to several months for the seller to apply for a withholding certificate which is one way to apply for a lesser or no liability amount.

Also remember to alert your Escrow Officer if you feel FIRPTA will apply as soon as you find out. Although the Escrow staff cannot prepare the tax documents, they still have to take your direction to collect the funds for payment to the IRS and may have additional company guidelines to follow.

If you would like further info on FIRTPA such as common exemptions or info on rates of withholding, please reach out to us! As the largest title company in the nation and a Fortune 500 company, Chicago Title is committed to protecting you and providing resources to do just that!

Happy Investing!



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**Jill Bright**  
Cell: (602) 525-0790  
Email: [brightj@ctt.com](mailto:brightj@ctt.com)  
[www.chicagotitlearizona.com/bright](http://www.chicagotitlearizona.com/bright)



**CHICAGO TITLE AGENCY**





# AZREIA Advantage: Lending Expert

## Important Topics and Tips in Lending



by  
**Andrew  
Augustyniak**

**Andrew Augustyniak**

**Branch Manager  
Prime Lending**

NMLS: 911628

Office (602) 601-3863

Mobile: (480) 735-4095

Fax: (866) 908-2760

1820 E. Ray Rd., Ste. A114  
Chandler, AZ 85225

diligent in requesting documentation as regulations have tightened even more. The rules put pressure on lenders to verify that borrowers have the ability to repay their loans. Keep good records of your finances, including bank statements, tax returns, W-2s, investment accounts and any other assets you own. Be ready to explain any unusual deposits to your accounts. Yes, the \$500 cash repayment from your buddy who you previously loaned money to can delay your loan closing if you can't prove where the money came from.

2. **Be proactive with your credit** – Credit standards have become more lenient recent years, but if you are planning to get a mortgage or refinancing, monitor your credit practices until your loan closes. I can't tell you how many times I have had a big purchase on credit during the loan process be the reason a borrower loses a home. No big purchases, cars, or new credit while in the loan process!
3. **Keep track of debts and spending habits** - Lenders don't want to give loans out to borrowers who will have

little money left each month after they pay all their monthly debt obligations; it's always good to show residual income. Try to keep your monthly debt obligations including your mortgage, insurance and property taxes around 45% to 50% percent of your income. When I talk about your monthly income, I am referring to gross monthly income. On some loan programs, you can go as high as 57% to even 60% debt to income ratio; but it's always good to have the goal of stay below 50%.

If you have any questions or need any advice, don't hesitate to reach out!

### QUICK TIPS:

1. Don't open new debts while in contract
2. Don't quit your job
3. Don't deposit substantial amounts of cash into your bank account.
4. Disclose all debts



Like always, we are seeing constant changes in our world of real estate. Whether it be lending, buying, renting, investing, flipping etc., there will always be something changing (sometimes for the better, and sometimes for worse). I wanted to touch on different topics this month that may apply to any given person. Here are three topics to think about, remember, or just have good practice on when preparing to obtain new mortgage financing.

1. **Pay attention to your finances depending on what you plan to do in the future** - Lenders are being very

## Home Loans Made Simple®



**Andrew Augustyniak**  
**Branch Manager**

NMLS: 911628

Office: 602-601-3863

Mobile: 480-735-4095

Fax: 866-908-2760

1820 East Ray Road  
Suite A114  
Chandler, AZ 85225



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[andrew.augustyniak@primelending.com](mailto:andrew.augustyniak@primelending.com)

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**Dawn Kirkpatrick,**  
SFR, CLHMS, CNE

**Chris Kirkpatrick,**  
CRS, ABR, CRIR, CSSN, CSSPE, e-Pro, SFR, RSPS

21040 N. Pima Road  
Scottsdale, AZ 85255  
Bus: (480) 585-0101

Chris' Cell: (480) 326-2454  
chris.kirkpatrick@realtyexecutives.com

Dawn's Cell: (480) 600-0010  
dawnkirkpatrick@realtyexecutives.com



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# AZREIA Advantage: The Real Estate Investment Specialists

## The Importance of Rental Comps



by  
**Laura  
Leatherdale**

**Laura Leatherdale**

The Equity Finders/  
Realty One Group

Cell (602) 384-0744  
Office (480) 699-3400  
2141 E. Broadway, Ste 101  
Tempe, AZ 85282  
TheEquityFinders.com

Are you overlooking the importance of rental comps when evaluating potential investment properties?

I know that many would be investors, especially wholesalers and fix and flippers might be thinking to themselves that taking the time to evaluate rental data is a waste of time. "After all, I'm only interested in rehabbing and flipping this house. I have no interest in holding onto the property for any length of time."

Unfortunately, this is where we see too many investors, especially newbies, run into trouble and put their financial futures at risk. In a best case scenario, you've done all your research, you know the ARV, you've completed all the necessary repairs, completely rehabbed the property and now it's time to put the property back on the market. Miraculously, it sells in one day!

But in some cases a property can simply become a deadweight deal with a negative cash flow every month. In the worst case, one could end up losing some or all of their investment.

Fortunately, this is something which can easily be avoided by considering renting as an alternative exit option if your first plan doesn't work out. Renting out your investment property is a great way to enter the real estate investing world. But many people have no idea how to go about determining whether or not a specific property would be a profitable rental or not.

Here at The Equity Finders, we feel that this is something you should definitely know before purchasing any investment property.

Obviously, you want to look at many of the same factors for rentals as sales comps, such as living area square footage, number of bedrooms, bathrooms, property condition, pools,

parking spaces, and of course, location.

There are a lot of online tools for pulling rough rental comps including, Trulia, Hotpads, Craigslist, Zillow and Rentometer. But in many cases, the prices can be inaccurate due to overpriced rental listings no one is willing to pay. These tools also do not take into consideration the types of renovations done or the number of days on the market.

For example, if a comparable property across the street from yours is asking \$1,300 a month and it has been on the market 90 days, it's a pretty good indication that the market is not willing to pay that. There can be a huge difference between asking rents and actual rents. In short, one house might be asking \$1,300 a month, while an identical unit next door could have just leased for \$1,000 a month. The market will always let you know whether or not something is too high or what the area will command.

It's hard to know online because the data isn't provided like actual recorded sales comps. Obviously, the best way to know what your property can rent for is by knowing the actual rents being charged for like properties in the area by using actual rental comps.

Having the ability to access and evaluate accurate rental comps and data is vital for all investors. And this is exactly what our Smart Map ARV and Rental Comping System provides!

Don't chance getting stuck with a dead-weight deal and a negative cash flow by failing to do your due diligence on rents and rental demand. Smart Map Systems is provided as a free service to our clients.

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# AZREIA Advantage: Legal Expert

## Dealing with Dog Bites and Attacks – The Dog Must Go



by  
Mark  
Zinman

**Mark B. Zinman,**  
Attorney

**Williams, Zinman  
& Parham P.C.**

(480) 994-4732  
www.wzplegal.com

Whether its due to an influx of assistive animals or because landlords are becoming more pet-friendly, anecdotally we have seen an increase in the number of animals in rentals. As a result, we are seeing an increase in incidents involving dog bites and attacks. In Arizona, the *owner* of a dog is strictly liable for injuries and damages caused by the dog; however, that doesn't mean the property owner is liable as well. Whether a landlord is liable for damages caused by resident's dog depends on whether the landlord knew that specific animal was vicious.

Generally, in Arizona the dog owner's *landlord* is not strictly liable for dog bites occurring on the landlord's property, because the landlord does not own the dog. But, the landlord *can* be liable for injuries and damages if the landlord has prior knowledge that a dog is dangerous and does not take steps to ensure that it is removed. To be liable for injuries or damages related to a dog attack on rental property, the landlord must

have "actual knowledge" that the dog has "dangerous propensities" before the attack/injury occurs.

Whenever I get a call from a client who advises me that a dog has attacked either a person or other animal at the property, I tell the client to *immediately* remove the dog and maybe the tenant from the rental property. Usually this requires serving the tenant with an immediate termination notice that describes the dog attack and states that the tenancy is terminated, and then filing the eviction. Sometimes tenants are willing to remove their dog in exchange for keeping their tenancy. This is an acceptable resolution, *as long as the landlord can be sure that the dog has been removed from the property, and can provide documentary proof of such removal.* In these cases, the landlord might enter into a contract with the tenant where the tenant agrees to immediately remove the dog; provide the landlord with proof that it has been removed and agree that the tenant will be evicted immediately if the dog is seen

back on property. Or, the landlord might file the eviction action and then ask the tenant to stipulate to a judgment in the eviction and sign an agreement not to execute, agreeing that the dog will immediately be removed, providing proof that the dog has been removed, and agreeing that the writ of restitution will issue immediately if the dog is seen back on property.

If the tenant is simply unwilling to remove the dog, then I advise the landlord to follow through with the eviction action. Even if the landlord is unsure that it will prevail, this is the safest route to attempt to avoid liability later. Again, when a landlord knows that a dangerous dog – one that has attacked others or displayed dangerous propensities – is living on its property, then the landlord can be liable for any injuries and damages that it causes.



**Williams, Zinman & Parham P.C.**  
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### Landlord Issues

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### Investor Issues

Suits against trustees  
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Drafting lease option agreements

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# Monthly Meetings

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## **AZREIA Phoenix Meeting**

Monday, January 14  
Celebrity Theatre

## **AZREIA Prescott Meeting**

No Meeting  
Yavapai Title

## **AZREIA Tucson Meeting**

Tuesday, January 15  
Tucson Assn. of Realtors

## **Phoenix Real Estate Club**

Tuesday, January 22  
24th St. Conference Center

January's AZREIA meeting is always exciting and we are sure this year's meeting is no exception. Understanding where our market is headed from market leaders is not only important, but it is a great way to start out your investing year. AZREIA's Prescriptions and Predictions Expert Panel kicks off our 2019 meetings. John Burley returns to get us up to date on his investing and what he is teaching his students going into the new year. Of course, we will have the full Market Update with all new data and the Market News. Another meeting not to miss? Yes!

## **Phoenix Workshop – Prescriptions & Predictions: Expert Panel Discussion on the 2019 Greater Phoenix Investor**

Join us for our annual in-depth discussion on the Greater Phoenix real estate investor market. What will work in 2019 and why. Where the market is heading and how you should participate. Hearing from market leaders and experts is an exceptional way to learn. This session is designed to get you informed and help you succeed throughout 2019.

## **Market Update & Market News with Alan Langston**

The latest in trend analysis including existing and new homes. Full analysis of Fix & Flip and Rental markets. Plus, the latest Market News affecting your business. This is must know information for the serious real estate investor.

## **Phoenix & Tucson Main Meetings – SPECIAL! Two Sessions with John Burley: #1 for Current Burley Followers and, #2 for New Investors Who Don't Know John Burley**

**Session #1:** AZREIA has plenty of members who stay up-to-date on what John is doing. This session is specifically for you. John will cover during the first 45 minutes or so:

- New Paperwork challenges on creative financing deals
- Advanced discussion on current marketing activities and why it's working
- Advanced discussion on high return deals and where to find them
- Current deal case studies

**Session #2:** If you've never heard John Burley speak, or attended one of his trainings, then this session is for you. You will learn how to buy and sell as many properties as you want without ever having to "borrow" money from a bank. John will cover:

- How to Get Paid \$10k Upfront on Every Deal
- The Secrets to Raising Private Money
- How to Get Money Coming to you for Deals
- The Private Equity Model
- The "Cash Flow" Model
- How to Maximize Income and Profits on Every deal

## **Phoenix Real Estate Club – The Best Real Estate Investing Networking Anywhere!**

Haves & Wants, Structured Networking activities and the Market Discussion all combine to make the Club an integral part of any active investor's month. There will be a timely presentation or discussion topic, too!

## **Prescott Main Meeting – No Meeting in January**

### **Phoenix Agenda**

5:15 – Workshop  
6:00 – Trade Show & Guest Orientation  
6:45 – Main Meeting – Market Update & Featured Presentation  
9:00 – Adjourn

### **Tucson Agenda**

5:15 – Open Networking  
5:45 – Networking: Investor-to-Investor, I Have – I Want, Tucson Market Discussion  
7:15 – Main Meeting  
9:00 – Adjourn

## **Prescott Agenda – No Meeting in January**


### **Phoenix Real Estate Club**

5:30 – Open Networking  
6:00 – Networking: Investor-to-Investor, Haves & Wants, Market Discussion  
7:30 – Main Meeting  
8:30 – Adjourn



# AZREIA Calendar of Events

Check [www.azreia.org](http://www.azreia.org) for the current schedule.

JANUARY MONTHLY MEETINGS	SUBGROUPS	
<ul style="list-style-type: none"> <li>• <b>AZREIA – Prescott</b> <i>No meeting in January</i></li> <li>• <b>AZREIA – Phoenix</b> <i>Monday, January 14</i></li> <li>• <b>AZREIA – Tucson</b> <i>Tuesday, January 15</i></li> <li>• <b>Phoenix Real Estate Club</b> <i>Tuesday, January 22</i></li> </ul>	Subgroups are an important benefit of <b>AZREIA PLUS</b> membership. Join like-minded investors, share ideas, network, and learn.	
	<ul style="list-style-type: none"> <li>• <b>Income Property Owners</b> <i>Thursday, February 7</i></li> <li>• <b>Burley</b> <i>Tuesday, January 8</i></li> <li>• <b>Beginners</b> <i>Thursday, January 17</i></li> <li>• <b>Notes</b> <i>Thursday, January 17</i></li> </ul>	<ul style="list-style-type: none"> <li>• <b>Fix &amp; Flip</b> <i>Wednesday, January 30</i></li> <li>• <b>Tucson New Investors</b> <i>Tbd</i></li> <li>• <b>Tucson Happy Hour</b> <i>Thursday, January 10</i></li> <li>• <b>Tucson Wholesaling</b> <i>Tbd</i></li> </ul>
<b>Out of State Investing Summit   February 23-24, 2019</b>		
Come hear directly from our national panel of experts, as well as insights from our local market experts, on the <b>WHAT</b> and <b>WHY</b> , so you can learn <b>HOW</b> to, and begin, immediately investing out of state. In this two-day Learning Lab and Marketplace, you will learn about 4 of the hottest emerging markets around the US. You will see and <b>PRACTICE</b> running numbers for yourself. Most importantly, you have the ability to leave this event <b>DOING</b> your first out of state investment. <i>“Live where you want to live, but invest where the numbers make sense.”</i>		
<div>  <div> <b>Wishing You a Prosperous, Healthy, &amp; Happy New Year!</b>            Alan, Joan, Troy, Dave, Lisa, Leslie, Molly, Micah and Maureen            INFORMATION &amp; REGISTRATION ONLINE AT <a href="http://WWW.AZREIA.ORG">WWW.AZREIA.ORG</a> </div> </div>		



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# Property Listings

Complete listings online:  
www.azreia.org

Single Family Detached	Address	City	Price	Beds / Baths	Contact	Telephone
Wholesale / FSBO	5521 W. Creedance Blvd	Glendale	\$499,000	4 / 3	Mark Boyer	602-935-1810
Wholesale / FSBO	323 E. Belmont Avenue	Phoenix	\$420,000	4 / 4	Lisa Bergen	480-462-4085
Wholesale/Owner/Agent	8342 E. Sells Dr	Scottsdale	\$395,000	4 / 3	Dan Holbert	602-790-4304
Wholesale/Owner/Agent	7338 E. Marlette Ave	Scottsdale	\$348,750	4 / 3	Thomas Lee	602-428-9049
Wholesale/Owner/Agent	4527 E. Montecito Ave	Phoenix	\$345,000	3 / 1	Luke Basler	480-798-9522
Retail / FSBO	1124 W. Heatherbrae Dr	Phoenix	\$340,000	3 / 2	Dustin DeFrates	602-529-3888
Wholesale / FSBO	3533 E. Hearn Rd	Phoenix	\$310,000	3 / 2	Belinda Li	602-391-7534
Wholesale / FSBO	3549 E. Cambridge Ave	Phoenix	\$270,000	4 / 2	Candace Brosemann	480-808-1888
Wholesale/Owner/Agent	1049 East Weber Drive	Tempe	\$239,000	2 / 1	Mike Del Prete	602-501-2426
Wholesale / FSBO	200 S. 95th Pl	Chandler	\$205,000	3 / 2	Larry Gardner	520-300-0566
Wholesale / FSBO	2758 N. Rugby Cir	Mesa	\$199,000	3 / 2	Perry Lowe	480-489-4297
Retail / FSBO	8301 N. 29th Ave	Phoenix	\$180,000	3 / 2	Dustin DeFrates	602-529-3888
Wholesale/Owner/Agent	4136 W. Orangewood Avenue	Phoenix	\$180,000	3 / 2	Dustin DeFrates	602-529-3888
Wholesale/Owner/Agent	4650 N. Paiute Trail	Rimrock	\$179,750	3 / 3	Thomas Lee	602-428-9049
Wholesale / FSBO	10496 E. Primrose Lane	Florence	\$149,900	3 / 3	Sean Reger-Flores	720-287-9167
Wholesale/Owner/Agent	2348 W. Poinsettia Dr	Phoenix	\$139,750	3 / 1	Thomas Lee	602-428-9049
Wholesale / FSBO	9939 W. Concord Ave	Sun City	\$136,800	3 / 2	Gene Moats	480-359-9721
Wholesale/Owner/Agent	141 W. Jones Ave	Phoenix	\$79,750	2 / 1	Thomas Lee	602-428-9049
Retail / Realtor	270 N. Arizona Avenue	Willcox	\$40,000	3 / 1	Paul McComb	520-615-4511

## Mobile Home with/Land

Retail / Owner / Agent	915 S. 95th Way	Mesa	\$160,000	3 / 2	George Vinson	602-738-6608
Wholesale / FSBO	240 Page Springs Rd	Cornville	\$141,900	3 / 2	Casi Harris	928-985-0256

## Land

Wholesale	1811 E. Sheridan St	Phoenix	\$120,000	.25 acre	Luke Basler	480-798-9522
Wholesale	Woodland Valley Ranch Lot IV-545C	St Johns	\$13,500	20 Acres	Eric Boone	480-688-6383

## Condo / Townhouse

Wholesale/Owner/Agent	7820 E. Camelback Rd	Scottsdale	\$169,000	2 / 2	Mike Del Prete	602-501-2426
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Note: All real estate advertising in this newsletter and on our website is subject to the Federal Fair Housing Act of 1968. Please visit [www.azreia.org](http://www.azreia.org) for complete notice on fair housing and for additional information on each property listed.



**Q:** I texted my tenant that the rent was owed and sent a picture of the 5-Day Notice for Non-Payment of Rent. They responded by saying, "I will pay the rent." Is that valid service?

**A:** You have a decent argument you can make that notice was valid because they have actual knowledge of the notice. However, that is not a guarantee that your case won't be dismissed by a judge. In Arizona, a notice is guaranteed validly served when it is hand-delivered or sent certified mail. The law also says that it is served when the person "has actual knowledge of it." A.R.S. §

33-1313. Therefore, we can argue that the tenant has actual knowledge when they are sent a text, but a judge isn't bound by that. A judge could still find that the response doesn't actually acknowledge the notice, just that rent is owed. Also, it's possible that the picture didn't download properly on the tenant's phone. When serving notices, it's not worth the risk – simply hand-deliver it or send certified.

*Mark B. Zinman, Williams, Zinman & Parham P.C.*

*Information contained in this article is for informational purposes only and should not be considered legal advice. You should always contact an attorney for legal advice and not rely on information published here.*



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Meeting January 14, 5:15-9:00 p.m.

[www.azreia.org](http://www.azreia.org)



## AZREIA Monthly Meetings at a Glance

### ***Phoenix Workshop – Expert Panel Discussion on the 2019 Greater Phoenix Investor Market***

Join us for our annual in-depth discussion on the Greater Phoenix real estate investor market. What will work in 2019 and why. Where the market is heading and how you should participate.

### ***Market Update & Market News with Alan Langston***

The latest in trend analysis including existing and new homes. Full analysis of Fix & Flip and Rental markets. Plus, the latest Market News affecting your business. This is must know information for the serious real estate investor.

### ***Phoenix & Tucson Main Meetings – Two Session with John Burley: #1 for Current Burley Followers and, #2 for New Investors Who Don't Know John Burley***

**Session #1:** AZREIA has plenty of members who stay up-to-date on what John is doing. This session is specifically for you.

**Session #2:** If you've never heard John Burley speak, or attended one of his trainings, then this session is for you. You will learn how to buy and sell as many properties as you want without ever having to "borrow" money from a bank.

### ***Phoenix Real Estate Club – The Best Real Estate Investing Networking Anywhere!***

Haves & Wants, Structured Networking activities and the Market Discussion all combine to make the Club an integral part of any active investor's month. There will be a timely presentation or discussion topic, too!