

# YOUR MANAGERS' REPORT

May/June  
2004



**Need Professional  
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For Your Clients?**

**The Worth Ross  
Management Co., Inc.  
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Commitment To You**

- ★ Free, no obligation, rental estimates for you and/or your client when needed
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- ★ When it's time for your client to sell, we will not compete for your client in the sales market

**Call Us Today!**

**Worth Ross  
Management Co. Inc.**

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Dallas, TX 75204

**1-800-522-9119  
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★★★

### **Our Services**

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## ***New Legislation for Service Members***

After 63 years, the Servicemembers Civil Relief Act of 2003 (SCRA), signed by President Bush in December 2003, replaced the previous Soldiers' and Sailors' Civil Relief Act of 1940 (SSCRA). The SCRA protects active duty military members and reservists, or members of the National Guard, called to active duty, starting on the date the military member receives active duty orders. It also protects, in limited situations, dependents of military members (ex: evictions).

This federal law covers such issues as: rental agreements, security deposits, prepaid rent, eviction, interest rates, mortgage interest rates, mortgage foreclosures, and much more. The SCRA has a definite influence on real estate and property management issues.

*A few highlights that affect housing are the following:*

### ***Delay of Court and Administrative Proceedings***

A significant change, provided by the SCRA, is that it permits active duty service members, who are unable to appear in a court or administrative proceeding due to their military duties, to postpone the proceeding for a mandatory minimum of ninety days upon the service member's request.

### ***Termination of Leases***

Previously the law only allowed the termination of pre-service leases. The new law allows termination of leases by active duty service members who subsequently receive orders for a permanent change of station, or a deployment for a period of 90 days or more.

### ***Eviction for Nonpayment of Rent***

The law does not automatically excuse military personnel from paying rent. However, if the military service creates payment difficulties, it does provide some relief. Additionally, as with the previous act, landlords must obtain a court order to evict military members and/or their dependents. Then the court will decide if there is a "material effect," or if the service member cannot earn sufficient income to pay the rent. If the court does decide there is reason for material effect, then it may stay the eviction three months unless the court decides less.

### ***Default Judgment Protection***

If military personnel receive a default judgment during their active duty service, or within 60 days thereafter, the SCRA allows the service member to reopen that default judgment and set it aside. In order to set aside a default judgment, the service member must show the inability to appear in person, as well as providing good and legal defenses to the claims against them. The service member must apply to the court for relief within 90 days of the termination or release from military service.

It is important to remember that the law is to protect *both* service members and property owners alike. Being informed, and working *with* our military personnel to work out reasonable solutions, is *the* key to resolving housing issues, and avoiding unnecessary litigation.

There is much more to this important legislation. For more information go to:

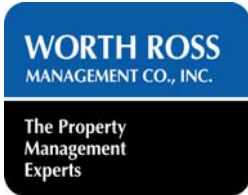
[www.usmilitary.about.com/library/mi/linfo/sscra/blchap2-2.htm](http://www.usmilitary.about.com/library/mi/linfo/sscra/blchap2-2.htm)

**WORTH ROSS MANAGEMENT Co., INC., PROPERTY MANAGEMENT AT ITS BEST**  
***WE PAY YOU REFERRALS AND YOU KEEP YOUR CLIENT!***

Worth Ross Management Co., Inc. specializes in residential property management in the greater Dallas area. We have years of experience in single family homes, duplexes, triplexes, fourplexes and apartments. A full-service Property Management company, we pride ourselves on “*professional Property Management*” and attention to our clientele. In our commitment to landlords that we constantly update within our company regarding legislation, rental market trends, maintenance issues, and have a commitment to keep our clients “*informed.*” The Worth Ross staff are proud members of NARPM®, the National Association of Residential Property Managers and NAR®, and the Greater Dallas Association of Realtors. Memberships in these organizations keep us in tune with all markets, which means greater assistance to landlords and real estate agents.

**To you, the professional Real Estate Agent, we make a commitment to serve your client and guarantee that when they are ready to sell, we will NOT compete for your sales business. You Lease, we Manage, and send you a referral fee - or - we Lease, we Manage, and send you a referral fee for both. You decide, but when the owner wants sales comps or tells us their thinking about selling, we will send your client back to you.**

This newsletter is intended to assist you with your client’s needs and to pass on to you important information in the rental industry, and therefore, benefits you and your clients. *Give us a call today and let us know how we can assist YOU!*



4145 Travis St., #204  
 Dallas, TX 75204

**\$\$ We Pay Referrals \$\$**

**WORTH ROSS & ASSOCIATES SUPPORT TEAM!**



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 EXPERTS**

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