Condo bylaws may ban canines

I reside in a condominium where they don't allow dogs. Is there anything in the law that prohibits a condominium from banning dogs?

REAL ESTATE QUERIES

ROBERT M. MEISNER

This is a controversial topic in many housing developments but especially in attached condominiums.

I presume that you live in Michigan. The Michigan Condominium Act allows a condominium association and/or a developer to impose reasonable restrictions, and these may include pet restrictions.

If you are a dog lover, you may wish to move to California, which recently passed a "pet bill" which permits every owner and tenant to keep at least one pet in a condominium unit.

Opponents to the new law suggest that, as a result, neighbors will be subjected to smelly dogs, flea-infested common areas and poop in the corridors of hallways.

I am interested in buying a home in Naples, Fla., and I understand that the prices are still appreciating as much as 20 percent per year. Do you have information on that?

Having reviewed the Naples real estate market recently, it appears to me that prime properties are appreciating between 15-30 percent on an annual basis.

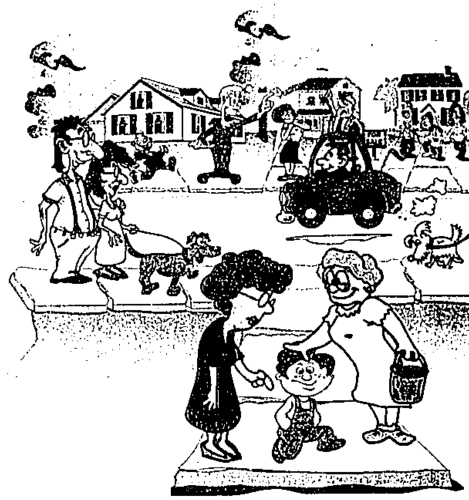
Many homes of 5,000-6,000 square feet in the Port Royal District on the water are selling for $6 million-$8 million. Many homes are being torn down, with re-builts following.

Consult with a licensed real estate broker and consider procuring an independent appraiser.

Robert M. Meisner, a lawyer, concentrates his practice in the areas of condominiums, real estate, corporate law and litigation. This column provides general information and shouldn't be construed as legal advice.

HOME SEEKER'S CHECK LIST

- ✓ SELLER DISCLOSURE STATEMENT (REQUIRED BY LAW)
- ✓ LEAD DISCLOSURE STATEMENT (REQUIRED BY LAW)
- ✓ HOME SUMMARY FEATURE SHEET (ROOM DIMENSIONS, ETC.)
- ✓ SCHOOL DISTRICT SERVING NEIGHBORHOOD (WHERE EXACTLY ARE BUILDINGS, BUS STOPS)
- ✓ AGE OF MAJOR MECHANICAL/STRUCTURAL COMPONENTS (FURNACE, WATER HEATER, SHINGLES, WINDOWS, ETC.)
- ✓ APPLIANCES INCLUDED?
- ✓ PROPERTY TAXES (BASED ON SELLING PRICE, NOT CURRENT RECORDS)
- ✓ MUNICIPAL SERVICES PROVIDED (TRASH COLLECTION, LEAF PICK-UP, SNOW REMOVAL, LIBRARY)
- ✓ CONDITION OF NEIGHBORING PROPERTIES



Vibrant Neighborhoods:

How to find them, how they evolve

BY DOUG FUNKE
STAFF WRITER
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It's people who make or break neighborhood. A good neighbor is like sizzle on the steak, fragrance on the flower, colors with the sunset.

Neighborhoods on the upswing aren't all that rare, but you have to know what you're looking for before you find them.

"To me, a vibrant neighborhood would include young people, single people and elderly people," said Susan Tedesco, co-owner of RE/MAX Showcase Homes in Birmingham.

"I live in a neighborhood like that and love it," she said. "I see people walking dogs. The little school bus stops in front of my house. We have a grocery store, shopping, nearby."

Louise Bisogni, a Realtor with Coldwell Banker Schweitzer, Clarkston, finds that schools are very important.

"That's probably at the top of the list," she said. "Next is when you see people out. That makes a big difference. Curb appeal is very important. The entrance to the sub is important."

Nancy Mahlin, an associate broker with Cranbrook Associates Franklin, currently has a listing in Westwood Commons, Beverly Hills, which she described as an energized community.

"They have created certain activities that bring it together to make it vibrant," she said.

"They have a progressive dinner. They're also part of the Franklin Garden Walk. They have a ladies book club — not to exclude guys. They also have a sleep over for kids and a picnic," Mahlin said.

It all starts with a sense of community and a strong association, she said. And that means people.

But vibrancy goes beyond special events for Mahlin.

"I like to see people out taking care of the house, gardening — that vitality of people being involved with homes," she said. "It can be people of all ages. It can be that older person raking the lawn, or kids and mom out and about."

> 'To me, a vibrant neighborhood would include young people, single people and elderly people.'
>
> *Susan Tedesco*
> *— co-owner of RE/MAX Showcase Homes in Birmingham*

Sharp Realtors will make a note of a neighborhood's vibrancy in their listing tickets, Mahlin said. Word-of-mouth endorsements from family and friends also work.

But nothing impresses more than a first-hand look.

"When I'm with clients and they ask about kids, I suggest people drive through an area after school is out or on a weekend and see for themselves," Mahlin said. "You can pretty much tell if almost every other house has a playscape or (basketball) hoop."

Thriving neighborhoods flow from knowing directly what's happening and getting directly involved in charting a course, said Walter Gamble Jr., a Clarkston councilman and member of that city's lake board.

"Become aware of what's going on so you have a voice in the community," he said.

Robert Campbell is president of the Sheltering Pines Condominium Association in Westland and vice-president of the umbrella group Westland Condominium Directors Organization.

"We pay our bills. We maintain the property," he said of his association.

But a vibrant neighborhood goes beyond that, he added.

"Reach out to people, try to help a little bit," Campbell said. "It can't be one track — me, me, me or I, I, I. A lot of people complain. It's just as easy to get out there and do something, put back into the community."

Neighborhood Watch and Eyes and Ear patrol are good ways to get involved, he said. Condominium associations always need volunteers to serve on committees like buildings and grounds and maintenance.

Quality municipal services also add to the mix.

"Our garbage pick-up, police and fire are top-notch," Campbell said. "We've got great shopping and we're close in from the city of Detroit to go there for sporting events."

Campbell also calls for direct observation in scoping out potential places to live.

"You have to see a neighborhood in all different times — nights, weekends, when kids are out playing," he said.

"It doesn't hurt to walk up and down the street. If you see someone doing something, talk with them. Ask them what they like, don't like. Ask them to tell you about the city. People are more than willing to talk."

Crime prevention bureaus of local police departments may be able to provide specific information by neighborhood "depending on their computer system," said Jamie Senkbeil, community resource officer in Plymouth Township.

Active Neighborhood Watch programs can be a good sign, she added.

"One thing about crime prevention is you can't scale it," Senkbeil said. "But at least it shows concern and an organization when you have Neighborhood Watch. It shows they're paying attention."

Block parties and yard sales often follow from active associations and Neighborhood Watch, indicators of a vibrant neighborhood, Senkbeil said.

Don't despair if you're neighborhood isn't what if could be, activists say. Get a few neighbors together and make it happen. Organize a block party or neighborhood yard sale. Collect for private snow removal service on your block.

"People need to take time to say hello to each other, neighborly conversations," Campbell said.

"Send up a mailing, get up a newsletter," Tedesco added. "People like to be involved, they like to be asked. It's amazing how people will step up to the plate and hit a home run."

"You'd be surprised at the difference a few people can make," Bisogni said.

Mortgage options help 'nonconformers'

In a perfect world, everyone would qualify for a mortgage with the lowest interest rate and the very best terms. If you discover that world, please let me know.

MORTGAGE BITS

TIM 'TIMBO' PHILLIPS

In the real world – that's where we live most of the time – there are things that can negatively affect a borrower's ability to qualify for a conventional, conforming mortgage.

Couples get divorced, people lose jobs, and borrowers sometimes overlook bills. Credit blemishes and a shortage of funds are two key reasons many people feel they are destined to a life of renting.

A borrower with dreadful circumstances will probably have to resort to a "nonconforming" loan to gain home ownership. This almost always means a slightly higher interest rate and usually a prepayment penalty, but it also means owning a home instead of renting one.

Incentives

With so many lenders vying for nonconforming business, many now offer incentives to entice brokers to send them business. One such lender has a prepayment penalty, but offsets it with a "timely rewards" program that allows borrowers to qualify for cash "rebates" if they make their monthly payments on time.

Others let borrowers "buy out" of the prepayment penalty, or accept a higher interest rate to avoid it.

While I almost always try to figure out a way to get my clients into a FHA loans (for better rates and no penalties) instead of a nonconforming mortgages, non-conforming products do have some advantages over the FHA.

Nonconforming mortgages can sometimes have slightly lower closing costs, and they generally have a shorter approval period. Unlike, FHA loans, non-conforming products often have "mortgage insurance" factored into the interest rate resulting in a beefier tax-deduction.

Most people are eligible for a mortgage of some sort. The question is whether these people can accept the terms of the loan for which they qualify. My roommate in pilot training, an old Arkansas boy, used to say, "you can't buff a turd." While I am generally inclined to agree with him, in the mortgage world there are ways to make an ugly situation a bit prettier.

For free e-newsletters, credit assessments or mortgage pre-qualifications, go to www. vlender. com /p /phillipshq or call (734) 797-5522 [24 hours]. Tim Phillips is a mortgage loan officer in Plymouth. Homebuyers should always consult a professional for guidance specific to their situation.

HOT GROWTH STATES

This exclusive market hotness indicator represents a running 12 month count (as of Oct. 1, 2001) of residential building permits issued per 1,000 population.

1. NEVADA	17.3
2. COLORADO	13.0
3. ARIZONA	11.5
4. GEORGIA	11.0
5. FLORIDA	9.9
6. N.CAROLINA	9.8
7. IDAHO	8.9
8. UTAH	8.2
9. S.CAROLINA	7.5
10. VIRGINIA	7.0
23. MICHIGAN	5.0

SOURCE: U.S. HOUSING MARKETS

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