The Farmington Observer

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REAL ESTATE

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HOME SEEKER'S CHECK LIST

- SELLER DISCLOSURE STATEMENT (REQUIRED BY LAW)
- LEAD DISCLOSURE STATEMENT (REQUIRED BY LAW)
- HOUSE SPEC SUMMARY SHEET (ROOM DIMENSIONS, ETC.)
- SCHOOL DISTRICT SERVICING NEIGHBORHOOD (WHERE EXACTLY ARE BUILDINGS, BUS PICK-UP)
- AGE OF MAJOR MECHANICAL/ STRUCTURAL COMPONENTS (FURNACE, HOT WATER HEATER, SHINGLES, 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

Cat owner may have to pay for carpeting

REAL ESTATE QUERIES

ROBERT M. MEISNER

Q. I recently bought a condominium. The previous owner had two cats. As it turns out, the cats repeatedly went to the bathroom on the carpeting to the point of rotting the carpeting.

I have had the carpeting cleaned twice, the padding replaced and the floor beneath the carpet cleaned and sterilized twice and still cannot get rid of the odor.

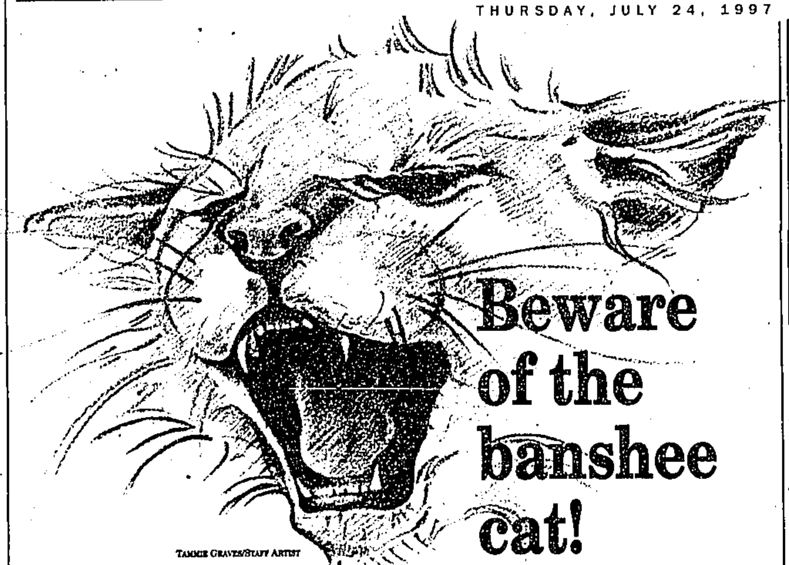
Is there any way I can get reimbursement from the previous owner for replacement of the carpet?

A. You should refer to your disclosure statement to determine whether in fact there was any disclosure concerning the condition of the carpeting. Obviously, to the extent that you could have observed or otherwise determined the condition of the carpeting prior to the time of your purchase, you would probably be precluded from pursuing the owner if your purchase agreement provided that you were buying "as is" which is usually the case.

However, if the defect was latent and was not disclosed, you may have a claim. Obviously, if you have to replace your carpeting, that could be significant.

It may be advisable to consult with an attorney and have the attorney write a letter to your seller indicating your situation and requesting reimbursement.

Robert M. Meisner is an Oakland County area attorney concentrating his practice in the areas of condominiums, real estate, corporate law and litigation. You are invited to submit topics that you would like to see discussed in this column, including questions about condominiums, by writing Robert M. Meisner, 30200 Telegraph Road, Suite 467, Bingham Farms MI 48025. His email address is bmeisner@ mich. com and his web site is http:// www.meisner-law.com



TAMMIE GRAVES/STAFF ARTIST

Beware of the banshee cat!

Realtors relate bizarre tales

BY DOUG FUNKE
STAFF WRITER

Time again for another installment of the unusual, humorous and bizarre in the world of real estate.

Remember, it's always funnier when it happens to someone else. Everyone gets caught sooner or later. And, as the song goes, it only hurts for a little while.

Marilyn Chicorel Megdell, an associate broker with Century 21 Today in Bingham Farms, once fell for a client in a big way during the showing of an unfamiliar house.

"In the sump pump," she recalled. "It was about three years ago. There was no light, no power. It was a vacant house. It was dark and I didn't see where I was going.

"You try to be professional, walk around with high heels, but there I was," Megdell said. "I lost my shoe, the heel was off. I was limping around. Nothing was bruised except my ego. Fortunately, I had sold the man several properties so he knew I wasn't a lunatic."

Chris Knight, a Realtor with Coldwell Banker Schweitzer Bake in Plymouth, describes a "scary-funny" experience during a showing early one Saturday evening.

"We rang the doorbell forever, knocked on the door. We're saying helloooo. We go in the lock box.

"We find kids sleeping in each bedroom. We quietly walk around.

"We get to the family room and older parents or grandparents are sleeping on reclining chairs. We're talking right to them. We're there next to them eight to 10 minutes and they never wake up," Knight said.

"We didn't know what was going on. We thought they were dead. We called the Livonia police and told them something might be wrong."

> **'I 'It's one thing to see a cat unexpectedly, another to have it come out with a banshee cry."**
>
> *– Michael Judge*
>
> *A Realtor with Real Estate One in Livonia*

The entourage left before police arrived, but Knight later found out that everyone was fine. Just a little sleepy, apparently.

Then there was the time Knight sold the house of a couple going through a divorce to another young couple, who, themselves, divorced four or five years later. The "new" buyers – the original couple that had broken up. They subsequently remarried.

"That was just a shocker," Knight said.

Michael Judge, a Realtor with Real Estate One in Livonia, remembers the guard cat he and a couple of prospective buyers came upon during a showing.

"All of us thought the house was empty. The cat kind of blended in with the furniture. It must have been an older cat sleeping. Suddenly the cat was there. When it showed itself, it scared the bejabbers out of all of us.

"It's one thing to see a cat unexpectedly, another to have it come out with a banshee cry," Judge said. "It isn't an earthly sound. The lady let out a scream. I think somebody wet their pants."

The bottom line – no offer.

"I think it left kind of a negative impression," Judge said.

Phyllis R. Soper, a Realtor with ERA Country Ridge in Farmington Hills, once had a client who demonstrated an unusual way of detecting tobacco smoke.

"We came in the front door and stopped in the foyer," Soper said.

"The lady rushed into the living room and ran her hands up and down the wall. She started yelling, 'Someone has been smoking in this house.' She stood there a good five minutes rubbing her hand up and down the wall.

"I was so startled," Soper continued. "I said, 'Why don't you paint over it?' She said, 'No way,' and just rushed out.

"I'm a non-smoker. I never smelled smoke. I never found out how she found it on the wall," Soper said.

In the end, no sale of any kind to that particular client.

Norma Keller, a Realtor with Ralph Manuel Associates in Birmingham, had a bizarre experience of the occult kind.

"I was in a home. It looked kind of like a medieval castle. I was there with three people. They were buyers. I was showing the house. It was in the MLS, in their price range.

"I had shown the first floor. I lost two people. They went outside. The other fellow followed me.

"I noticed paintings with upside down crosses on them. In the lower level, the whole area was set up with black and red tablecloths with candles on the tables."

Keller said she didn't make anything of the unusual decor.

"When we got upstairs, there was a satanic ritual book in the bathroom," she said.

"It was open and highlighted in yellow. The person I was with had taken classes and told me it was devil worshiping. He said, 'It's time for us to leave.'

"When we got outside, he said he would recommend to me never to be in the home alone again," Keller said.

"I've never been back. I called the listing agent and she said she didn't believe that was going on. I never did find out what happened to the home."

Scoping it out

Where are residential builders looking in Southeast Michigan? Here's a breakdown by county of share of single family permits issued regionally through the first quarter of this year. Houses and condominiums were tallied.

County	% of Permits
Oakland	30%
Macomb	21%
Wayne	13%
Livingston	10%
Washtenaw	8%
Genesee	6%
St. Clair	5%
Monroe	3%
Lapeer	2%
Lenawee	2%

Source: U.S. Housing Markets

HELEN FURCEAN / STAFF ARTIST

Financing for home remodeling

MORTGAGE SHOPPING

DAVID C. MULLY

When considering the choice between moving up to a larger home or remodeling your home, the first and probably most decisive issue is financing. Since you have more options today than ever, it can be an imposing process and a daunting challenge to reach a satisfactory decision.

Before settling on a plan of action, take a moment to assess your current situation. Begin by looking at your neighborhood. Observe whether other homeowners are making improvements. If so, they probably are planning to stay in their homes for at least a few more years. What this may mean to you is that a stable neighborhood is an excellent environment in which to raise a family.

"If remodeling is the direction you are leaning, determine if making improvements will satisfy your immediate requirements," says Glen Miller, president of Southfield-based Mortgage Institute of Michigan. Will the improvements even meet your long-range needs?

Consider these other questions when factoring your decision to remodel:

- Do you like the neighborhood and your neighbors?
- How much equity do you have in your home?
- What is the interest rate for your mortgage?
- What is your home improvement budget?

Naturally, some will have the preference to move up, and if conditions permit, use the equity in their current house to find a larger home. This would be the case when residents have outgrown their "starter home."

Consider these other questions when factoring your decision to move up:

- How much can you afford for a down payment and mortgage payments?
- Is your family growing, stable, or will you soon become "empty nesters"?
- Will you be able to afford the taxes and how good is the school system?

"There are advantages to both situations, but perhaps your decision will be more greatly influenced by your borrowing needs," Miller says. "In some instances, a home equity loan requires zero down, some provide you with the ability to borrow up to 100 percent of your equity and often the interest may be tax-deductible."

Miller adds, "A home equity loan allows you to make all your improvements at the same time." If you should decide to move, chances are you will probably want to upgrade various elements in the new house (fixtures, furniture, tile, carpeting, etc.). These will likely have to be spread over time; maybe over the course of a few years.

Whether you choose to remodel or move up, you should comparison shop to locate the best possible financial arrangements. More than ever, lending institutions offer a wide variety of flexible plans to meet the needs of specific borrowers.

So why should there be any question about remodeling instead of moving up?

Please see MULLY, G4

Tips for cleaning up after storm

People facing the enormous task of cleaning up after the recent storm may call the state if they have questions concerning contractors, insurance agents or other state licensed professions and facilities.

- Home repair services, builders, or contractors: 1-888-290-4569.
- Structural safety of day care, foster care or adult foster care facilities: 1-517-373-8614
- A nursing home: 1-517-335-8558.
- Insurance: 1-517-335-2068.
- Power problems: 1-800-292-9555

Recent studies indicate that more people are injured during the cleanup after a storm than from the actual storms. SIHL Incorporated, the manufacturer of the world's largest-selling brand of chain saws and other outdoor power equipment, offers these tips on the use of chain saws in your cleanup efforts.

- Before you begin to clean up, analyze your surroundings. If there are downed power lines, you must call in professional utility workers. Do not go near such lines until you have verified that power is cut off.
- Do not operate a chain saw when you are overtired. Take frequent breaks. Fatigue may result in loss of control of the saw.
- Always use protective apparel such as sturdy footwear, snug-fitting clothing, protective gloves, and eye, ear, and head protection.
- Make sure the area in which you are cutting is free of bystanders and animals.
- Do not start cutting until you have a clear work area, secure footing, and a planned retreat path.
- Use extreme caution when cutting small-size brush and saplings because slender material may catch the saw chain and be whipped toward you or pull you off balance.
- When cutting a limb that is under tension, be alert for spring back so that you will not be struck when the tension in the wood fibers is released. Cut in small increments in several places to release such tension slowly.
- When sawing, be sure that the saw chain does not touch any foreign materials such as rocks, fences, or nails. Such objects can be flung off, damage the saw chain, or cause the saw to kick back.
- Never "drop start" a chain saw.
- Try to untangle and drag logs into a clear area before cutting.
- Always thoroughly read and understand your owners manual prior to operating your saw.