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Valuable Legal Information from Jordan, Gfroerer & Weddleton



Long Term Care Insurance

As the average age of the population in the United States grows older, more and more people are concerned that they may spend an extended period of time in a nursing home. People fear that such a stay will exhaust their savings. In response to that concern, many insurance companies offer long term care insurance.

Long term care insurance is not for everyone.

If you have sufficient monies to pay for long term care out of your own pocket, without doing any significant damage to the standard of living of your spouse or children, purchasing insurance against that risk may not be a prudent use of money.

The flip side of that consideration is when you have so little money that the Government will pay for almost all of the long term care. The Medicaid eligibility rules allow the spouse of a nursing home resident to keep half of the family assets but not less than around \$16,000 nor more than around \$80,000 of "countable assets." For persons who do not have many assets, purchasing long term care insurance may not be a prudent use of current income.

If you are going to spend your hard-earned money to buy long term care insurance, you need to exercise great care to be sure that you are getting what you think you are getting. You need to ask lots of questions, and listen very carefully to the answers. You need to review the insurance policy. If it does not say in plain English that you will receive a particular benefit, then the benefit probably does not exist. With long term care insurance, the phrase "get it in writing" is very important.

Some questions that need to be answered before you buy a policy are:

1. What conditions do you need to satisfy before the insurance company will pay? Do you have to go into the nursing home directly from a hospital? Do you have to receive Medicare benefits first? Do you have to be unable to perform certain of the "normal activities of life?" How many? How is that inability defined? For example, does your ability to give yourself a sponge bath mean you can bathe even though you can't get in and out of the tub or the shower?
2. Can the premiums for the long term care insurance go up over time?
3. Will the insurance policy cover home care or assisted living in addition to nursing home care?
4. How are the benefits calculated? So much a day over a set time or for life? A total amount over a set time or for life?
5. Is the payment of premiums suspended while benefits are being paid by the insurance company?

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FACTOIDS

It was an accepted practice in Babylon 4,000 years ago that for a month after the wedding, the bride's father would supply his son-in-law with all the mead he could drink. Mead is a honey beer and because their calendar was lunar based, this period was called the "honey month" or what we know today as the "honeymoon."



In English pubs, ale is ordered by pints and quarts. So in old England, when customers got unruly, the bartenders would yell at them to mind their own pints and quarts and settle down. It is where we get the phrase "mind your Ps and Qs."

The only 15 letter word that can be spelled without repeating a letter is uncopyrightable.

The Maine Library at Indiana University sinks over an inch every year because when it was built, engineers failed to take into account the weight of all the books that would occupy the building.



FACTOIDS

No NFL team which plays its home games in a dome stadium has ever won a Super Bowl.



There are an average of 178 sesame seeds on a McDonald's Big Mac bun.

The world's termites outweigh the world's humans 10 to 1.

When Heinz ketchup leaves the bottle, it travels at a rate of 25 miles per year.



Ten percent of the Russian government's income comes from the sale of vodka.



On average, 100 people choke to death on ball-point pens every year.

In 10 minutes, a hurricane releases more energy than all the world's nuclear weapons combined.

Tips to Save a Landlord from the "Tenant From Hell"

Lately, we seem to be dealing with a lot of evictions by clients who own just one or two rental units. Too many of them have turned into nightmares because the tenant simply won't leave. The important point to keep in mind is that eviction must go through the court system and the procedure must be followed precisely or the matter will be thrown out and you will have to start all over again. If you run into a tenant that won't leave voluntarily, get a lawyer immediately.

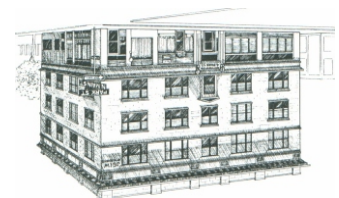
Here are some tips to avoid the "tenant from hell:"

1. **Screen** all potential tenants with a detailed rental application and credit check. References are not always reliable since another landlord may want a problem tenant out of their hair.
2. Use a **written lease** that has been prepared especially for you by an attorney. The forms at Staples, etc., are not adequate if the tenant fights eviction.
3. Take **pictures** before the tenant moves in and after the tenant moves out along with a **written checklist**. Otherwise it is your word against theirs about the condition of the property.
4. Never give the keys to the tenant until the **first month's rent and security deposit are paid**. Also, make sure the **check clears** first.
5. Make sure you provide the **necessary warnings** to potential tenants of the dangers of **lead paint** using the prescribed notice form and abate any existing lead paint.
6. Take **appropriate legal action** to rid yourself of a delinquent tenant before the rent is in arrears more than 60 days.
7. If you are going to do evictions yourself, have your attorney provide you with the **correct forms for a notice to quit and demand for rent** along with a step by step outline of the **exact procedure** to follow. However, my advice is bite the bullet and let the lawyer do the eviction.
8. **Don't** become the bad guy by **ignoring the proper eviction procedure**.
9. Make sure your rental unit **conforms to all building codes** and all the operating systems are functional. Otherwise, you are potentially giving the tenant a good defense.

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