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ROCHESTER

Democrat and Chronicle

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ECONOMY IN CRISIS

Home sales ascending

Buying here is up as U.S. sees largest monthly rise since July '03.

MARY CHAO
STAFF WRITER
Home sales are on the rise nationally and in Rochester, with consumers jumping at low interest rates and the government's first-time home-buyer tax credit.

The National Association of Realtors said Monday that sales of existing homes grew 5 percent to an annual rate of 4.72 million units last month, from 4.49 million in January. It was the largest monthly sales jump since

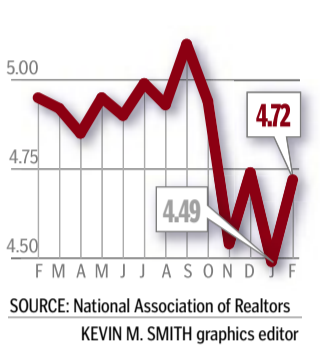
July 2003, with first-time buyers accounting for about half of all transactions. Sales had been expected to dip to an annual pace of 4.45 million units, according to Thomson Reuters. The results, which came after a steep decline in January, mean that sales activity has returned to December's levels but still remains lower than most of

last year. Although first-quarter home sales figures for the Rochester area won't be released until mid-April, business has been up significantly in March, said Armand D'Alfonso, president of Nothnagle Realtors, which has 24 offices locally. He said he has seen more traffic at open houses and more purchase offers, and

that Nothnagle's Pittsford and Greece offices have been particularly busy. Real estate sales in Rochester slowed last year, with sales down 13 percent for 2008. But the median home price remained flat at \$117,000, according to the Greater Rochester Association of Realtors.

HOUSING, PAGE 4A

Home sales rise
Existing home sales increased an unexpected 5 percent in February, the largest jump since July 2003.
U.S. home sales
Seasonally adjusted
5.25 million homes sold



Foreboding preceded domestic homicide



ANNETTE LEIN staff photographer
The family of Maria Rivera has spoken publicly about her life and death. They are, in front, sister Gabriela Rivera, son Andres Stewart and sister Lourdes Santiago. In back are sisters Margarita Perez, left, and Alma Vazquez.

Family recalls life of woman slain last month

CLAUDIA VARGAS
STAFF WRITER
Maria Rivera had some hint that she was in danger. After dating Jermaine Canty for about two years, Rivera sent her sisters an e-mail with his description, his license plate number, and his grandmother's address. Rivera wanted them to know how to find Canty in case something happened to her. Exactly a year after that e-mail was sent, Rivera, 35, was shot and killed inside her Rochester house at 16 Cliffmor St. about 4:45 a.m. Feb. 2. But the information she had left her family was useless — Canty, 36, turned the gun on himself after shooting Rivera at least twice. The murder-suicide shocked the community, but it didn't surprise Rivera's son and four sisters, who all knew Canty.



Provided photo
Maria Rivera and Jermaine Canty in a photo taken several years ago. Canty killed Rivera and himself Feb. 2.

Rivera is the only victim of domestic homicide so far this year. Last year there were six homicides in the city that were classified as domestic, in which an intimate partner or relative was suspected of having killed the victim. Such incidents accounted for 14 per-

Domestic homicides
The number of domestic homicides in the city has remained steady in recent years, the crime now accounts for a larger percentage of total homicides.
Domestic vs. total homicides
Within the city

Year	Domestic homicides (Percent of total)	Total homicides
2004	5 (12%)	43
2005	3 (6%)	54
2006	4 (8%)	52
2007	6 (12%)	50
2008	6 (14%)	44

SOURCE: Rochester Police Department
KEVIN M. SMITH graphics editor

Date violence Teens need protection, **4A**
cent of homicides in Rochester last year, compared with 12 percent in 2007. In New York state, **VIOLENCE, PAGE 4A**

Banking bailout plan a hit this time

TOM RAUM
THE ASSOCIATED PRESS
WASHINGTON — The Obama administration aimed squarely at the crisis clogging the nation's credit system Monday with a plan to take over up to \$1 trillion in sour mortgage securities with the help of private investors. This time, Wall Street cheered. The announcement, closely stage-managed throughout the day, filled in crucial blanks in the administration's financial rescue package and formed what President Barack Obama called "one more critical element in our recovery."

More inside

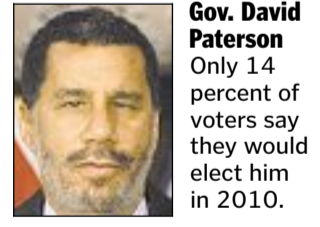
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- Fed plans bigger role for itself, **5B**

The coordinated effort by the Treasury Department, the Federal Reserve and the Federal Deposit Insurance Corp. relies on a **BANKS, PAGE 4A**

New Yorkers sour on Paterson, poll shows

ALBANY BUREAU
ALBANY — Gov. David Paterson's support among voters continues to fall, with only 14 percent of voters prepared to elect him in 2010, according to a poll released Monday. The Democratic governor's job-performance rating is 19 percent positive and 78 percent negative, a Siena College poll found. And Paterson is viewed unfavorably by twice as many voters as those who view him favorably — 29 percent favorable and 58 percent unfavorable. Last month, a Siena poll showed Paterson with a favorability rating of 40 percent. Sixty-seven percent of voters said they would prefer "someone else" in 2010, when Paterson plans to seek a full term. Also troubling for Paterson in the poll is that he would lose in a hypotheti-



Gov. David Paterson
Only 14 percent of voters say they would elect him in 2010.
cal Democratic primary matchup against Attorney General Andrew Cuomo by nearly four-to-one. "Governor Paterson is standing up and making the hard choices" on the state budget, said Paterson spokesman Errol Cockfield. "When you stand up for change and reform and when you fight to make government accountable to taxpayers, you get attacked by special interests." The poll of 626 New York voters was conducted March 16-18 by telephone. It has a margin of error of 3.9 percentage points. **JSPECTOR@Gannett.com**

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States called remiss in protecting teens

Housing

FROM PAGE 1A

■ Advocacy group says victims of dating violence often lack recourse.

DAVID CRARY

THE ASSOCIATED PRESS

NEW YORK — Only a few states have responded to teen dating violence with laws enabling the youthful victims to obtain protection orders on equal terms with adults, an advocacy group says in a new national survey.

The report on state laws by Break the Cycle, a teen-violence prevention organization that has worked with the Justice Department, gave A grades to only five states. Twelve states got D's and 11 failed. New York, 12 other states and the District of Columbia received C's.

Grades were based on various comparisons between the legal treatment of adult victims of domestic violence and teen victims of dating violence. Failure was automatic for states where protective orders are unavailable for minors, or where dating relationships are not explicitly recognized as valid for obtaining such orders.

"It is essential that dating violence and the needs of minor victims be specifically addressed within state domestic violence statutes," said Marjorie Gilberg, executive director of Break the Cycle. "Lawmakers have a responsibility ... to pro-

pose legislation that will ensure the protection of all victims of domestic violence — regardless of their age."

National surveys have estimated that one in three youths experiences dating abuse at some point during teenage years — incidents ranging from a slap on the cheek to homicide. Despite the high rate of abuse, Break the Cycle and other advocacy groups say too many states do not treat dating violence with appropriate seriousness.

"Some states feel that if they have good child abuse laws, minors are protected," Gilberg said.

Break the Cycle contends that all young people older than 12 should have the right to petition for protection on their own be-

half and that domestic violence protection orders should be available even against abusers who are minors.

The new report gives states lower grades if their laws block minors from seeking protective orders on their own, without parental involvement.

Sheryl Cates, CEO of the National Teen Dating Abuse Helpline, said parental involvement is a challenging issue.

"If you're a parent, you want to know if your child is in danger, but on other hand, teens want the anonymity, to not have to tell their parents," she said. "It's very complicated, trying to find a balance between a victim's rights and parents' right to know."

Kristina Korobov, an attorney

with National Center for the Prosecution of Violence Against Women, said it's sometimes crucial for teens to be able to seek protective orders on their own. They may have strained relationships with their parents or come from a home where domestic violence already is occurring.

Korobov, a former prosecutor, said it's important in such instances for courts to provide an attorney or other expert to guide the youth through the legal process.

The report commended New Hampshire as the only state where the law specifically allows minors of any age to go to court by themselves to request a protection order. It received an A along with California, Illinois, Minnesota and Oklahoma. □

Violence

FROM PAGE 1A

17 percent of all homicides were classified as domestic, according to the New York state Division of Criminal Justice. Out of the total 135 domestic homicides, 53 percent of those victims were killed by an intimate partner.

The number of domestic homicides has not been on any noticeable upward trend in New York state, said Amy Barasch, executive director of the New York state Office for the Prevention of Domestic Violence. The public's perception of domestic violence as a whole is changing and more people are talking about such incidents, Barasch said.

So why do people kill their loved ones? Experts say it is often a control issue and the perception of loss.

"He might reach a point in which he realizes he might lose her," said Terri Weaver, associate professor of psychology at Saint Louis University. "There's this thought that 'If I can't have her, no one should have her.'"

Standoff begins

Andres Stewart, 19, was sound asleep when his cell phone rang about 4 a.m. Feb. 2.

His mother, Rivera, was in the bedroom upstairs and wanted to know if Stewart was at the front door. She was listening to someone struggling with a key trying to get in.

"I went and grabbed my BB gun," Stewart said. Then he went downstairs to check on the noise but the door had already been opened.

Canty, who had a copy of Rivera's house key, had let himself in and was in Rivera's room in the attic.

Maria Rivera's sister, Gaby Rivera, was living at the Cliffmor Street house with her toddler and 13-year-old daughter and also was awakened by the noise at the front door.

Gaby Rivera and Stewart went upstairs to the attic, where they could hear arguing, and they knocked on the door.

They heard Canty say that Rivera had been lying to him about something. Stewart said he opened the door slightly and peeked inside — to this day he can picture the scene.

"He is holding the gun to the

side looking at her." Stewart mimics Canty's expressionless face with his head tilted to the side. "She is holding it away and telling me to go downstairs."

At that point, Stewart rushed downstairs and called police.

Gaby Rivera put her kids in the car and was waiting for Stewart to come outside when four police cars arrived.

Rivera's family told police that Canty was inside with a shotgun but Stewart said officers could not "get a visual" of Rivera or Canty and therefore could not go in the house. The area surrounding Cliffmor Street was blocked off and several units of the Rochester Police Department were on Cliffmor Street during the four-hour standoff.

About 5:30 a.m., Stewart and Gaby Rivera heard two shots fired.

"I freaked out, I was like 'Oh my God, he shot my mom,'" Stewart said. Police were then able to take Rivera out of the house. "They pulled her out in a stretcher and put her in an ambulance but the ambulance did not move. I thought 'Oh, maybe it's not that bad.'"

Inside the house, police found Canty dead with a self-inflicted gunshot wound to the upper body and the shotgun near him.

Stewart and Gaby Rivera were quickly escorted to police headquarters to be questioned and just after 9 a.m. they found out Rivera and Canty were dead.

More than 600 people attended Maria Rivera's funeral four days later and only one row was taken up by her family, they said. Friends of Rivera could not believe that the woman with "the gorgeous smile" who loved to dance to Merengue and Bachata was gone.

Maria Rivera's family is waiting for the spring to bury her. In the meantime, her ashes are in the living room of her sister Margarita Perez.

Abusive relationship

Rivera's family said she had been trying to end her relationship with Canty for some time and while most of her relatives supported that decision, it was not easy for Rivera.

"It was a complicated situation ... the two had met in middle school," Gaby Rivera said. They would run into each other now and then. About three years ago, they started formally dating but it quickly turned into an "on-



ANNETTE LEIN staff photographer
The ashes of Maria Rivera are kept at the home of her sister, Margarita Perez, and will be interred in the spring.

and-off" relationship.

Maria Rivera was born in Mexico but her parents moved to Rochester when she was 8 months old. She and her siblings grew up off Joseph Avenue and she attended School 3, where she first met Canty. She went on to graduate from Edison Technical High School. Soon after high school, she married then boyfriend and the father of her son, Andres Stewart, but the couple divorced six years later.

Since then, Maria Rivera had a few boyfriends, none of whom Stewart particularly liked, he said. However, once Canty started dating Rivera, Stewart got a really bad feeling. He said the way he would look at her made him uncomfortable.

"Knowing that this dude is kind of creepy and has a gun, she was scared to break it off," said Stewart.

Pat Huntington-Sigel, chairwoman of the Monroe County Domestic Violence Consortium, said that often women are scared to report an abusive relationship to police.

Though Rivera's family is not aware that Canty ever physically hurt Rivera, Gaby Riverasaid "it was more mental abuse."

"He would say 'I help you with everything,'" Gaby Rivera recalled Canty telling her sister when she would try to break up with him. She added that in the last year, Maria Rivera tolerated the on-and-off relationship with Canty because he would fix her car or pay for it to be fixed.

"Out of necessity, last year she just hung out with him," Gaby Rivera said, adding that financial

help is sometimes hard to turn down. "A lot of times us women see it as an easy way out."

Rivera was a single mother who was working as a secretary in the presurgical screening department at Highland Hospital.

Weaver said that although in most domestic abuse cases the woman is seen as being dependent on the man, it is usually the other way around.

"It's actually the men that are very dependent on the relationship," Weaver said, citing that most men who are batterers don't like being alone.

Rochester police Sgt. Mark Freese said the majority of domestic homicide victims have usually been stalked for about a year.

Rivera's family said Canty would show up unexpectedly at social gatherings. And Stewart said for the last year, Canty would be at the Cliffmor house every day.

"Many people say 'well why doesn't she just leave?' Well it's not that easy," Freese said.

However, victims have a lot of resources to turn to, including the recently signed law that gives victims easier access to orders of protection from Family Court. The Fair Access to Family Court Act, signed by Gov. David Paterson last year, allows victims to get an order of protection against almost any person who is domestically abusing them — an intimate partner who doesn't live with the victim, someone of the same sex, and a teenage partner, all of whom were excluded from the previous law.

For help

Victims of abusive relationships are entitled to file a domestic incident report, which has a variety of behaviors or actions that can be checked off, from slamming a door to stalking and making verbal threats. Filing a domestic incident report is a good way to keep a "paper trail," advocates say. Even if there are no grounds for an arrest, at least police and the victim have some kind of record that there is an issue with the partner.

Keeping some kind of personal documentation, such as a calendar on which the woman can record when and what her intimate partner did to her, is also recommended. However, officials say to keep the documentation in a safe place where the man can't find it.

Contact a domestic abuse advocacy agency such as Alternatives for Battered Women, who have a 24-hour hotline, (585) 232-7353.

Develop a Safety Plan, such as the one listed on the Monroe County Domestic Violence Consortium's Web site, www.rmcdvc.org/SafetyPlan.htm.

comment DEMOCRATAND CHRONICLE.COM

Does more need to be done to protect victims of domestic violence? Click on this article to discuss.

"They don't need to be in this alone," said Huntington-Sigel who works in the crime victim prevention unit of the Rochester Police Department.

Gaby Rivera said her sister would sometimes not tell her about problems she was having with Canty out of embarrassment.

"She wanted to be independent and tough and not let guys run her life," she said. Gaby Rivera said even during her last moments, Maria Rivera thought she could handle the problem herself. When Canty went inside her room with the gun, she told her son and Gaby Rivera that she was fine but to call police just in case.

"She was a very strong person and in the end it was probably her biggest weakness," she said. □

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"Now is not the time to test the market," he said, adding that overpriced homes will languish on the market.

Homes priced at more than \$350,000 in the Rochester market are taking a little longer to sell, said Michael Haymes, president of ReMax Realty Group in Pittsford.

The affordability of homes has been a key factor in the rise in sales nationally, as first-time buyers took advantage of deep discounts on foreclosures and other distressed properties.

Many buyers and sellers were sitting on the housing market's sidelines late last year, Haymes said. "Everyone was waiting for the stock market to bottom out."

The stock market shot up Monday on news of the higher home sales and the government's proposed bank bailout plan.

The national home sales figures don't yet reflect the new \$8,000 tax credit designed to entice even more first-time buyers into the market. That should juice up early summer sales, but how much will depend on the overall condition of the U.S. economy.

"We're seeing a lot of first-time home-buyer activity," said Chuck Hilbert, president of the Greater Rochester Association of Realtors.

But inventory is down compared with last year.

"We need listings right now," Hilbert said. "What people don't realize is this is also a great seller's market." □

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Includes reporting by The Associated Press.

Online Extra

DEMOCRATANDCHRONICLE.COM

To find a database of local real estate transactions — addresses, buyers, sellers and prices — in Monroe County, go to DemocratandChronicle.com. Look for "COMMUNITIES" in the blue bar, pick a town and click on the green Real Estate icon.

comment DEMOCRATAND CHRONICLE.COM

Does this rise in home sales signal a rebound of the economy? Click on this article to discuss.

Banks

FROM PAGE 1A

mix of government and private money — mostly from institutional investors such as hedge funds — to help banks rid their balance sheets of real-estate-related securities that are now extremely difficult to value.

The goal, said Obama, is to get banks lending again, so "families can get basic consumer loans, auto loans, student loans, (and so) that small businesses are

able to finance themselves, and we can start getting this economy moving again."

It was a huge gambit and one that came like a tonic to Wall Street, which had panned an earlier outline of the program that lacked detail.

Stocks soared, the Dow Jones industrial average shooting up nearly 500 points, thanks to the bank-assets plan and a report showing an unexpected jump in home sales.

The introduction of the plan was closely choreographed so that the president — rather than

Treasury Secretary Timothy Geithner — would be the first administration official to appear on camera at midday to discuss it. Geithner met earlier in the day, before markets opened, with a group of reporters at the Treasury Department to go over specifics. But cameras and broadcast-quality audio recorders were barred.

It was the reverse of what happened Feb. 10. Then, after Obama had helped raise expectations toward Geithner and the plan, the treasury secretary went before cameras and

bombed. The Dow plunged about 300 points amid investor confusion about details.

The fleshed-out plan is designed to help fix a value on damaged mortgage loans and other toxic securities.

If the value of the securities goes up, the private investors and taxpayers would share in the gains. If the values go down, the government and private investors would incur losses.

"This will help banks clean up their balance sheets and make it easier for them to raise capital," Geithner said.

The plan will take \$75 billion to \$100 billion from the government's existing \$700 billion Troubled Asset Relief Program. The government will pair this with private investments and loans from the FDIC and the Fed to generate \$500 billion in purchasing power.

Geithner said purchases eventually could grow to \$1 trillion — roughly half of the estimated \$2 trillion of toxic assets on bank books now.

The treasury secretary is due to testify today before the House Financial Services Committee.

Under a typical transaction, for every \$100 in sourced mortgages being purchased from banks, the private sector would put up \$7 and that would be matched by \$7 from the government. The remaining \$86 would be covered by a government loan.

Geithner said taxpayers still could lose money on the deal to

Highlights of toxic assets plan

The Obama administration's plan to finance purchases of as much as \$1 trillion in toxic assets from banks will include programs supported by the Treasury Department's bailout fund, the Federal Reserve and the Federal Deposit Insurance Corp. Here is a look at how they will operate.

Public-Private Investment Program: The umbrella organization will support the effort to entice private investors to join with the government to purchase troubled assets.

Federal Deposit Insurance Corp.: The agency that insures deposits at the nation's banks will operate auctions of troubled mortgage loans and then provide financing to the winning bidders. The FDIC would also share the risks if the mortgages fell further in value.

Term Asset-Backed Securities Loan Facility: A Federal Reserve-operated loan facility will receive \$200 billion from the government's \$700 billion bailout program. That money will enable the Fed to support as much as \$1 trillion in loans to investors who want to buy securities backed by various types of consumer loans in an effort to make auto loans, credit card debt and student loans more available. The TALF will be expanded to allow the Fed to provide loans to investors buying securities backed by residential and commercial mortgages.

— The Associated Press

soak up bad assets, but there was no fixing the system without risk.

Other options, such as having the government purchase the securities outright or letting them languish on bank balance sheets, would pose even greater vulnerabilities, he said, and it was important to find the right blend of risk versus reward.

"I am very confident this scheme dominates all the alternatives for trying to find that balance," he said.

The sentiment was echoed by congressional Democrats, who said risk seemed inevitable with

any plan big enough to work.

But House Republican Whip Eric Cantor of Virginia called Obama's plan a "shell game" that hid the true cost.

He said he hoped the administration would consider instead an earlier Republican proposal to set up a government-sponsored insurance program for mortgage-related securities.

The administration plan "seems to offer little incentive for private investors to participate unless the subsidy is made so rich that it comes at the expense of the taxpayer," Cantor said in a statement. □

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