

NAHP Update

10 Common Tenant Problems and How to Resolve Them

BY CATHERINE A. SMITH

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To ensure a safe, clean environment for tenants and protect buildings and investments, onsite property managers need to settle tenant problems swiftly and effectively. Here are 10 common problems and tips on how to resolve them.

Keep in mind that each state has its own tenant/landlord laws and guidelines in addition to those at the federal level. For a state by state list, go to <http://portal.hud.gov>.

1. The screening process doesn't weed out problem tenants. Proper tenant selection is the first line of defense against potential conflicts down the road. Just because owner/agents (O/As) use the Enterprise Verification System (EIV) to verify annual income and benefit information doesn't mean they qualify as good tenants.

According to HUD, prospective tenants may not pass a screening if they have a record of failing to meet financial obligations, have a history of property destruction or disturbance of neighbors, have been involved in criminal activity, have been noncompliant with



a lease, or have misrepresented information relating to rental eligibility. Really research your prospective tenants because, often, past is prologue: problems that have occurred in the past may rear their ugly heads again.

2. Disruptive tenants.

Ensuring that rental agreements clearly explain property or house rules can help tenants understand what behavior is prohibited. In addition, it can provide onsite property managers a concrete reference if an issue, like frequent parties or loud noise, arises. If you



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receive a complaint from a tenant's neighbors, make a record of the complaint in case the situation is brought to court.

3. Late or non-paying tenants. If tenants fail to pay their portion of the rent, you

to accommodate a renter's (hopefully temporary) financial crisis: Set up a flexible payment plan that allows a tenant to make partial payments, and prorate the incurred late fees throughout the remainder of the lease;

record their observations in a letter. Then, have them send you and the police station the letter. But remember: if the police take legal action for the tenant's illegal activity, it doesn't automatically evict the tenant. You are required to evict the tenant following a separate process if you determine that a tenant's behavior threatens the health, safety, or right to a peaceful enjoyment of the premises by other residents and/or has been convicted.

5. Abandonment. If rent has not been paid for a consecutive number of days and it appears as if the tenant has moved out without prior notice, this is called abandonment. If state or local law does not address abandonment of a rental unit, you may establish a rule for declaring a unit abandoned. In cases of abandonment, the property manager can send the renter a Notice of Belief of Abandonment. For example, the California Judicial Branch says the notice must include the date the landlord is ending the lease or rental agreement; this date must occur at least 15 days after the landlord serves the notice in person, or 18 days if the notice is served by mail.

6. Damage to property. When injury to property goes beyond the normal depreciation, this is classified as damage—the consequences of which should be outlined within the rental agreement. Your first step is to ask the tenant to fix the damage, either by email or in a note. (Remember to keep this cor-



can serve a Non-Payment of Rent Notice. This document informs the inhabitant(s) that they are required to pay the rent or face eviction. Visit the HUD portal to know what the notice should include. The amount of time a tenant has to make their rental payment can vary by state, but if the renter does not pay, the consequence is always eviction. If a tenant becomes temporarily unemployed, onsite property managers can suggest a few rental payment methods

move tenants to a lower-rate or smaller unit, etc.

4. Illegal activity. If you suspect illegal activity, like the distribution, sale, manufacture or use of controlled substances, you should contact the Public Housing Agency in your area to obtain criminal records. They can tell you if your property or the tenant in question has been implicated in any drug-related activity. If other tenants approach you with observations about suspicious activity, ask them to

responsibility for your records.) If the destruction is beyond the tenant's abilities, you'll have to arrange to fix it yourself. After repairs have been completed, send the tenant the bill, referring back to the rules established in the rental agreement about tenant responsibility for damaged property. If the renter refuses

clearly explained in the rental agreement. Pet rules do not apply to assistance animals and their owners.

8. Additional roommates. All residents living in the unit must be accounted for. Ensure this is stated in the rental agreement so that it is crystal clear.

9. Your building garners a

changes, like repainting, landscaping or even changing the property's name, can help restore a reputation.

10. Eviction. When you've exhausted resolutions to clear up your tenant issues, eviction may be your only option. To uphold proper eviction processes, maintain a record of all the interactions

PETS CAN CAUSE MAJOR DAMAGE and be a nuisance to neighbors, which is why pet policies should be clearly explained in the rental agreement. Pet rules do not apply to assistance animals and their owners.

to pay, this is another instance in which a Cure or Quit Notice should be delivered.

7. Pets. Pets can cause major damage and be a nuisance to neighbors, which is why pet policies should be

bad reputation. Unsavory tenant behavior, like illegal activity, can yield a poor reputation for the entire property, thereby making it more difficult for property managers to entice quality tenants. Cosmetic

with your tenant that led to the eviction. These records will prove your cause for eviction in court. Remember to follow your state's specific laws for proper eviction procedures (which you can find on HUD's website). And no matter how quickly you want the tenant to vacate the property, never engage in any activities associated with self-help evictions, which are illegal. This can include turning off the utilities; changing the locks; threatening your tenant; or removing the tenant's belongings.

No matter what problems you may encounter with your tenants, always remember to be respectful. Simply listening to residents and acknowledging any issues they may have could help diffuse the situation, and show that you want to work together to peacefully solve any disputes. In the end, tenants and O/As want the same thing: a clean, safe living environment. **NU**

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Think Like a First Responder

BY KIM CLIFTON

The midst of a crisis is not the time to figure out what works and what doesn't. People will be caught off guard. Some will panic. In most instances, there will be chaos and confusion.

Dealing effectively with crises demands leadership, planned responses and efficient communications. You've got to think fast, work smart and make informed decisions. You've got to protect employees, protect your residents and protect your business.

When first responders aren't dealing with a crisis, they're preparing for one. A crisis at your workplace could suddenly thrust you into the position of first responder. It will be up to you to quickly gather information, assess the situation and make critical decisions.

Imagine for a moment that you and your co-workers suddenly find yourselves in a disastrous situation.

WHAT DOES IT LOOK LIKE?

Continuous training and practice keep first responders sharp and ready. Although they know to expect the unexpected, practice drills prepare them for the lay of the land.

Many cities periodically con-

duct area-wide disaster drills. First responders from across their region all converge in one location. They all understand that an actual event will vary greatly from the



drill. But the drill helps responders—and leaders—become familiar with the logistics and the look of a large-scale disaster and response. In these cases, familiarity doesn't breed contempt, it breeds confidence and competence.

Why mention this? You may have a plan, but do you put it in motion regularly? Have you ever put it in motion? Practice drills keep your plan and your responses fresh and familiar. They may not need to happen often, but they do need to happen.

HOW WILL YOU ASSESS THE SITUATION?

The onset of a disaster can be sudden or it can slowly emerge. The duration and aftermath are generally longer

than expected. Getting the word out is important. Lives may depend on it. Getting information in is important, too.

than expected. Getting the word out is important. Lives may depend on it. Getting information in is important, too.

Reliable details from different perspectives help you fully understand the magnitude of the event. It equips you for informed decision-making and reduces misdirected response efforts.

You may have an emergency communication plan, but does it include two-way communications? Your employees should be equipped and ready to provide crisis

leaders with information. And you should be able to retrieve it.

Mobile technology and social networks are proving to be great assets for crisis

response communications. By establishing a meeting site for your employees and residents, you're setting up a hub for retrieving reliable details.

WHICH MEDIUM ARE YOU GOING TO USE?

Land lines, mobile devices, texts, email, social media. Although most people use multiple communication mediums, everyone has their own personal favorite. In a crisis, the one that works quickly becomes the favorite.

Because some modes of communication may be down, it's important that your plan include all channels. And it's also important that your employees know how to access messages with all channels.

A good emergency plan poorly executed can mean the loss of lives, property and business. Think beyond your plan to fine tune the details of its implementation. It will give you a big advantage at a time when you need all the advantages you can get. **NU**

Kim L. Clifton is Marketing Coordinator for OneCallNow.com

Answers From Your Peers

Keeping Properties in Tip-Top Condition

Q: What are some of the most important things to consider in property maintenance?

A: Prevention is always better than the cure. Anticipating problems, avoiding problems, taking care of small problems before they get bigger—these are at the heart of great property maintenance.

What are the top tips maintenance professionals offer one another so that they are preventing rather than curing?

Here are some top tip contenders:

■ **Check for leaks:** Unwanted water can cause major expenses and headaches, among them being the chance of mold growth, destroyed ceilings and extensive wall damage. Check around windows, doors, sinks, showers, toilets, and water heaters in your units for signs of leakage. Look for water pockets on the walls and ceilings. Take note of cracks and loose tiles in bathrooms and kitchens, which could allow water to get in. Do regular re-caulking of showers and tile grout.

■ **Exterminate often.** Even if you don't currently have a rodent or insect problem, inspect units as if you think you might. Find them before they procreate and migrate, which they will do. If you have the

resources, consider exterminating monthly or bi-monthly.

■ **Test all smoke and carbon monoxide detectors regularly.** Check these monthly to make sure they're in working order. Both battery operated and hard wired devices should be tested. These devices save lives. If there is a fire or carbon monoxide leak in your building and these devices are not in working order, an owner could face legal action. Also, be aware that the average lifespan of a carbon monoxide detector is five years, so replace as necessary. Smoke alarms have a useful life of about 10 years.

■ **Update electrical wires.** Keep your building(s) electric system safe and up-to-date so they'll last longer.

■ **Replace air filters.** Waiting for your air duct to get clogged and hiring a professional to clean it is costly. This can be avoided by replacing the filter in your central air or heating system on a bi-yearly basis.

■ **Examine shower caulking and grout between tiles.** Over time, the grout between tiles can crack and the caulk surrounding the tub can loosen. When this happens, you no longer have a waterproof seal, and water can leak through and damage the surrounding walls or floor below. As soon as you notice any cracks or holes,

you should replace the caulking or grout to prevent potential water damage.

■ **Flush water heaters.** Once or twice a year, drain your water heaters. This removes sediment that can build up in a unit from the municipal water supply that enters your property. If too much sediment builds up, it can reduce the efficiency of your water heater or clog the drain valve. Replacing a water heater is expensive! Be cautious and follow the specific procedures for draining your water heater. If you're not comfortable doing it yourself, hire someone who is.

■ **Inspect the property grounds.** Scan the entire property, from the street and from all angles. Look for problem areas such as inadequate lighting. Fix cracks and other irregularities in sidewalks or driveways, especially if your residents are elderly or disabled. Repair rotted or rusted fencing. Be sure your sprinkler or irrigation systems work properly.

■ **Inspect the building exterior.** Roofs, the foundation, trim, windows, the connections between structures—all of these benefit from paying regular attention to their condition. Make sure grab rails and stairs are solid, and fix any that are not, as these present potential liabilities.

■ **Inspect the interior.** Look for obvious signs of distress. Espe-

cially look at wall outlets. Are any black, scorched or dangling from the walls? Faulty electrical wiring is a leading cause of fires. Watch and smell for mold. Fix the underlying problem and hidden mold immediately. Inspect interior stairs carefully. Pull on railings to make certain they are strong. Notice any give in the steps and repair immediately. Replace damaged treads or other stair parts. Clean the coils on the rear of refrigerators, fireplace and chimneys, stove exhausts and similar items every fall.

■ **Inspect bathrooms.** Check toilets, showers and tubs for proper water flow. Press the floor, with your foot, around the tub and toilet. If the floor feels soft, it needs replacement. If there's moisture around the toilet, replace the seal. Test ground fault interrupters, commonly installed in the bathroom, to ensure they operate properly. Look for others throughout the residence, especially near water.

Property owners and managers want their properties to be safe, clean and solid. It's the maintenance professionals' job to see that this happens and report on anything that might endanger property or residents. Remember: an ounce of prevention is worth a pound of cure. **NU**



Caring About Individuals Is Priority #1

NAME: Kenneth Moe, FHC, SHCM, NAHP-e, CPO

MANAGEMENT COMPANY: The Columbia Property Group, Inc.

POSITION: Director of Property Management

YEAR OF CERTIFICATION: 2007

You could say Kenny Moe married into the property-management business. His wife Melanie's father first did property management for another company and then started his own. "Melanie worked for her dad, and after he passed on, the company was sold. She and her brother then started consulting, and she started her own company in

1995. I started working in the business in 1998." Melanie is co-owner of The Columbia Property Group, Inc., along with Bill Henley, and Kenny is director of property management, and does all of the IT work.

The company currently manages about 3,000 units in Mississippi, Florida, Georgia and Alabama. Some properties are as small as three units and others as large as 400 units. The company has carved out somewhat of a niche market, with about 60 percent of its portfolio being group homes for severely mentally and/or physically handicapped people. "A few of these homes have a 'house mother,' but most provide independent living," he said. The rest of their proper-

ties are apartments and co-ops.

Since their three regional property managers and the rest of the staff all operate out of their Ocean Springs, Mississippi, office, they end up doing a lot of traveling. But it works well: "Having a great staff in a central location is what makes it possible to manage sites that are pretty far from one another," he said. One of their regional property managers is the Moes' daughter.

What he enjoys most about his career is "seeing the reactions of our residents when they're able to get into affordable housing," Kenny said. "Since so many of them are physically handicapped, it's just fantastic when they are able to get out and get their own homes."

The Moes "are very much involved in the industry, and very glad." He has been "kept busy by SAHMA for several years," he said. He was the Mississippi state director for six years, has served on SAHMA's board, and is now on its leadership council. "We require our staff to go to SAHMA state meetings every year, and as new training comes up, we send them to that, too."

Columbia Property Management considers expanding, "but we kind of want to stay small. We want to provide personal attention to the families who live in the homes we manage. We are dedicated to them. Being available to them and having them know we care: that's our goal." **NU**

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS

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