

CRIME FREE MULTI-HOUSING FREQUENTLY ASKED QUESTIONS (FAQ)

1. I only have one unit, why does the ordinance apply to me?

Laws regarding rental properties and eviction proceedings can be complicated. Most small property owners operate their rental unit as an investment and may not have the background, information, or experience that would assist them in preventing or dealing with problems on their property. The Village has had various incidents related to rental properties both single and multi-family, which can impact the quality of life of surrounding neighbors and tenants. In some of these incidents, the property owner, manager or agent was unaware of the incident or unable to quickly or effectively resolve the matter. One has no way of knowing if the next renter will become a nightmare for you and the community. The Crime Free Multi-Housing Program can help you be prepared to prevent problems or be ready to quickly and effectively deal with problems should they occur.

2. Why is the seminar required?

The Crime Free Multi-Housing (CFMH) program was developed in 1992 by the Mesa, Arizona Police Department. Over 1,700 communities in 44 states and 4 Canadian provinces have been trained in CFMH. The information contained in the seminar is a compilation of experience and proven methods from professional rental property managers, lawyers, and police officers. This vast experience can be passed on to the rental property owner or representative, possibly saving you money or a decline in property value.

Seminar topics include:

- Explanation of the Elk Grove Village residential rental ordinance
- Overview of community policing and village resources available to assist you
- Explanation of the Crime Free Lease Addendum with samples provided
- Crime Prevention and Risk Management
- CPTED (Crime Prevention Through Environmental Design) overview
- Applicant Screening
- Active Property Management and Working with the Police
- An overview discussing leases and evictions
- Elk Grove Village rental issues/inspections/miscellaneous ordinance

3. What opportunities will be available for me to attend a training session?

In an effort to provide the rental property owner, manager or agent an opportunity to attend the seminar with the least amount of difficulty, we are offering several sessions throughout the year. These seminars can be scheduled on weekdays during the day or evening and on Saturdays. Specific dates will be listed on the Village website, www.elkgrove.org.

4. I live out of state. Do I have to attend?

Not necessarily. If you live out of state, you most likely have a local individual that handles matters for you related to the rental property, an agent. With this in mind, the ordinance does allow the rental property owner, manager **OR** agent to attend a CFMH seminar.

5. I own more than one unit in the Village. How many seminars do I need to attend?

The property owner, manager or agent, under normal conditions, needs to attend only one seminar regardless of the number of rental units that you own or operate in the Village.

6. Does the ordinance require a criminal background check for rental applicants?

No. Thorough applicant screening is recommended and discussed in the seminar, however, the ordinance does not require criminal background checks.

7. Does the ordinance require me to evict a tenant for one criminal incident?

No. The ordinance does require the use of a Crime Free Lease Addendum or similar wording in the body of the lease that makes criminal activity a cause for eviction. The ordinance does not require an eviction based on criminal activity. It simply provides the rental property owner the tools and ability to address the problem. The Crime Free Lease Addendum was developed by HUD and is used in section 8 leases utilized by housing authorities. Evictions based on this concept were upheld by the U.S. Supreme Court in 2002 (see Oakland Housing Authority v. Rucker and Department of Housing and Urban Development v. Rucker).

8. How can I be held responsible for the actions of my tenant?

A rental property, regardless of size, is in fact a business operation. While the Village has the power to declare certain businesses a nuisance, it has the right and responsibility to do the same for troublesome rental properties. The ordinance is designed to provide education and tools to rental property owners, managers or agents that will assist and empower them to reduce the chance of problems and be prepared to quickly and effectively deal with problem tenants. This will not only assist the Village and local neighborhoods, but may also protect the rental property owner from potential loss of rent during a protracted eviction and costly repairs to damaged units.

9. How is the water bill handled?

Property owners may choose to keep the water bill in their name and delivered to the mailing address of their choice *or* have the bill placed in the name of the tenant delivered directly to the property. Under either method, both parties will continue to receive any applicable delinquent notices. Please keep in mind that in the event that the Village is unable to collect from the tenant, any remaining balance owed is the responsibility of the owner.

10. Will my rental license be suspended or revoked any time a crime happens?

No. A unit that becomes identified because of criminal activity or the amount of nuisance activity (as noted in the ordinance) that impacts the quality of life of a neighborhood will be notified. The owners that actively work with the police department in an attempt to resolve the problem should have no concern. The Village *will not* automatically suspend or revoke a rental license for a property that meets the nuisance standard. The Village Manager, upon specific recommendation, may review the situation and may suspend or recommend revocation for a small percentage of rental property owners who fail to resolve problems on their property.

11. Does this apply to me if I have family members and/or friends living in a property I own but do not reside at and am not collecting rent?

Yes. The ordinance will apply as defined under tenant in Ordinance #3377.

12. Does Crime Free Multi-Housing really work?

YES!!! Crime and drug plagued properties around the country have seen dramatic decreases in calls for police service after CFMH was implemented. Through the training provided, and active communication between you and the police, you should experience these same results.