

SAN DIEGO COUNTY CRIME FREE MULTI-HOUSING PROGRAM

KEEPING ILLEGAL ACTIVITY OUT OF RENTAL PROPERTY



A Project of the San Diego County Sheriff's Department

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**Edited for the San Diego County Sheriff's Department by
The Crime Prevention Unit and
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**Special Thanks to Kathleen Belville-Ilacqua
from the Law Offices of Kimball, Tirey, and St. John
for her contributions and legal expertise on landlord/tenant issues.**

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FOREWORD

The CRIME FREE MULTI-HOUSING PROGRAM (CFMH) is successful because it approaches crime on many fronts. Law enforcement cannot solve crime problems alone. Neither can the management or residents of rental properties. However, by working together, the end result has been the most successful approach to crimes in rental communities.

There are three ways criminal activity comes into a rental community:

- 1) The criminal lives there.
- 2) They visit friends there.
- 3) They come to the property to commit crimes.

The CRIME FREE MULTI-HOUSING PROGRAM addresses all three of these possibilities. By implementing the principles of the program, property owners and managers not only reduce the likelihood of crime in the community, they also reduce the number of visitors who come to the property with criminal intent (i.e., to purchase or sell drugs).

For the opportunistic criminal, the use of C.P.T.E.D. (Crime Prevention Through Environmental Design) has been used to combat crimes that might occur in the parking lots or common areas. This includes assaults, robberies, drive-by shootings, and auto thefts.

If law enforcement, property managers and residents will make a dedicated effort to crime prevention and the CRIME FREE MULTI-HOUSING PROGRAM, the outlook for success is extremely high. We appreciate your efforts to make our community a safer place to live and enjoy for many years to come.

William D. Gore, Sheriff
San Diego County

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Overview

Rental properties present a unique challenge for law enforcement. The typical “Neighborhood Watch” approach to residents in single family homes is not easily adapted to rental communities. In single family homes, owners generally have a large cash investment in the purchase of their home. Rising crime rates can lead to safety issues, lower property values, and a decreased quality of life. This motivates owners to be more concerned about crime in their neighborhoods and become pro-active community members.

Typically, single family homeowners have a thirty-year mortgage for their property and may be looking at long term residency. Home is the apex of their lives and often where they raise a family. For the most part, they have pride of ownership. When crime problems begin to appear, owners tend to organize “Neighborhood Watch” activities to protect the future interests of their families.

In rental properties, the communities tend to be much more transient. Most often, residents sign a six-month, nine-month, or a twelve-month lease for a rental property. In many cases, owners do not require leases, and residency is based on a month-to-month agreement. This enables an occupant to move easily if they feel crime has reached an intolerable level. It is easier to move away from crime than to confront it.

The Sheriff’s Department sought a new direction in addressing crime in multi-family rental properties. It adopted and now uses the Crime Free Multi Housing Program (CFMH) to help reduce crime in rental properties.

Mesa, Arizona, introduced the **CRIME FREE MULTI-HOUSING PROGRAM** in July of 1992. This bold, new program had no precedent. The program’s concept embraced a multi-faceted approach to crime prevention. CFMH is comprised of a unique partnership of law enforcement agencies, rental property owners, managers, and tenants. It is a voluntary, solution oriented, training and certification program that is widely used to keep illegal activity out of rental property. This can be accomplished through implementation of its three-phase approach to address the opportunities for crime in rental property.

The program’s design includes a certification process, never before offered by law enforcement agencies. With the local law enforcement agency providing signs, certificates, and advertising privileges, the program has drawn interest nationally and internationally.

The development of the **Crime Free Lease Addendum** proved to be the backbone of the **CRIME FREE MULTI-HOUSING PROGRAM**. This addendum to the lease agreement lists specific criminal acts that, if committed on, or about, the property, will result in the immediate termination of the resident’s lease.

The **CRIME FREE MULTI-HOUSING PROGRAM** achieved almost instant success. In rental properties with the highest crime rates, the immediate results showed up to a 90% reduction in police calls for service. Although results vary, even the best properties saw reductions of 15% to 20% in calls for service and criminal activity.

The **CRIME FREE MULTI-HOUSING PROGRAM** began to spread nationally in its first year, and internationally after the second year. The **CRIME FREE MULTI-HOUSING PROGRAM** has been successful across the United States and Canada.

PART ONE

CRIME PREVENTION

DOES IT WORK?

Many people feel helpless against crime, because crime is often seen as an inevitable part of our society. It has been said, "If a criminal WANTS to get you, he'll get you." This belief leads to helplessness, fear and apathy. Apathy is one of the most dangerous elements in society today. When law-abiding citizens refuse to go outside after dark, they have voluntarily turned over their neighborhoods to the ones who commit the crimes.

Criminals Are Like Weeds

Many times, a community will not fight crime because its members feel they will not be successful. Often, people view dangerous criminals like large rocks that cannot be moved, or even budged. Dangerous criminals are NOT like rocks; they are more like weeds. Unlike an

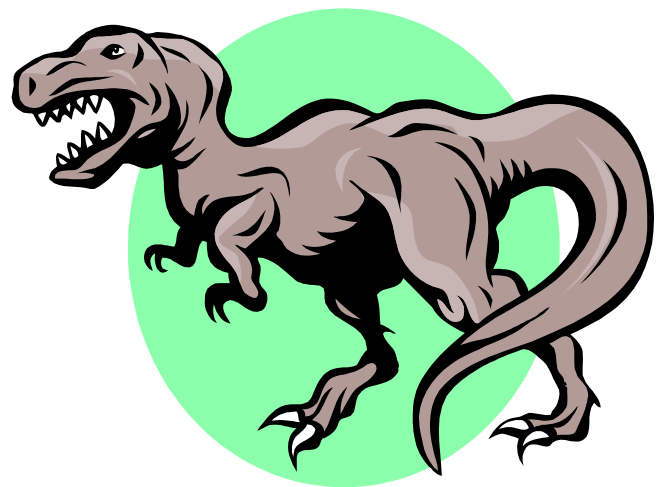


inanimate rock, a weed will grow. As a weed grows, it roots, sprouts, and chokes out healthy plants. A single weed quickly overtakes an entire garden. When criminal activity is allowed to flourish, the effect is the same.

The typical law enforcement approach to crime is **REACTIVE**. Once a crime has been committed, law enforcement responds, writes a report and begins the preliminary investigation. It is certainly more humane and cost effective to prevent a crime from occurring. **Crime Prevention** is the **PROACTIVE** side of law enforcement. Crime Prevention is more desirable because it addresses the potential for crime before it becomes a serious problem.

Unfortunately, many people do not address crime situations until it is too late. A good example is a burglary victim who suddenly becomes interested in home security systems (locks, alarms, security screens, etc.).

Once a crime problem has become too large, it is often easier to run away from it than face it. Equate a crime problem to killing a dinosaur. The easiest way to kill a dinosaur is while it is still in the egg. If the dinosaur has had the opportunity to grow, it becomes progressively harder to defeat. The same is true about criminal activity.



UNDERSTANDING CRIME PREVENTION

In order to prevent crime, you need to understand crime, and the criminal mind. When you think of criminals, think of predators. Most criminals are like predators, looking for the easy victim.

When you think of predators you might think of the lion. When the lioness is hungry, she will go out to stalk her



prey. The lioness knows the watering hole is a good place to find food, because this is where all the animals go to get water. The lioness is a skilled hunter. She knows the best approach is downwind so she can smell the herd, but they cannot smell her.

The lioness is also careful to approach slowly, staying low in the tall grass to avoid detection.

At just the right moment, the lioness pounces into the herd. The lioness does not run past the injured, the diseased or slowest ones in favor of the strongest one at the lead of the pack. In fact, it usually is the one that is injured, sick, or simply **NOT PAYING ATTENTION** that gets attacked. This is called “survival of the fittest” or “thinning the herd.”

The two-legged urban breed of predator, the criminal, works the same way. He stalks his victims, looking for the easy prey. To be successful against an attack, you do not necessarily have to be the **strongest** one, but you certainly do not want to be the **weakest!**

Lions hunt when hungry, but criminals are always a danger. This is the reason that crime prevention is so important. Crime prevention is a **shared** responsibility, not just that of the Sheriff’s Department. **Crime is a community problem -- Crime Prevention must be a community effort.**

RISK (LOSS) MANAGEMENT

When assessing the potential for crime, it is important to decide whether to accept the risk (risk acceptance), without investing in counter measures, or, take steps to reduce the risk (risk transference). Transferring the risk may involve spending a little money now to save much more in the future.

There are other inexpensive ways to prevent crime, including the removal of the elements necessary for a crime to occur (risk avoidance). There are also ways to reduce the risk, or distribute the valuables to reduce losses. The following page demonstrates the types of risk management.

**3% to 5% OF SERIOUS
HABITUAL OFFENDERS
ARE RESPONSIBLE FOR
A MAJORITY OF
“VIOLENT CRIMES.”**

**Typical responses to crime
may include:**

**Fear, withdrawal, distrust,
over-reaction, and denial.**

**Suspicion and fear prevent
the development and
growth of healthy
apartment communities.**

RISK MANAGEMENT

(TO MANAGE LOSSES)

- RISK AVOIDANCE
- RISK REDUCTION
- RISK TRANSFERENCE
- RISK ACCEPTANCE
- RISK SPREADING

RISK TRANSFERENCE

(SPEND MONEY TO SAVE MONEY)

- INSURANCE
- MONEY SAFES
- SURVEILLANCE EQUIPMENT
- ALARMS
- SECURITY PATROLS
- GOOD LOCKS/DEVICES

RISK AVOIDANCE

(AVOID RISKS BY:)

- ACTIVE MANAGEMENT
- WRITTEN RULES/LEASES
- WRITTEN POLICIES/PROCEDURES
- TENANT SCREENING POLICIES
- WRITTEN EVICTION POLICIES
- MAINTENANCE/REPAIR POLICIES

RISK ACCEPTANCE

(ACCEPT RISK)

- ACCEPT ALL RISKS
- ACCEPT REMAINING RISKS YOU CAN'T MINIMIZE

RISK REDUCTION

(REDUCE YOUR LOSSES BY:)

- ENGRAVE VALUABLES
- SECURE INTERIOR ROOMS
- EMPTY COIN BOXES REGULARLY
- LIMIT PETTY CASH BOXES
- FREQUENT BANK DEPOSITS
- "NO CASH" POLICIES

RISK SPREADING

(SPREAD VALUABLES AROUND)

- MULTIPLE CASH STASHES
- REDUCE LIKELIHOOD OF LARGE LOSSES

FEAR OF CRIME IS NOT ALWAYS BASED ON ACTUAL
CRIMES, BUT RATHER ON
PERCEIVED CRIMES...

WHILE ADOLESCENTS ARE MOST LIKELY TO BE
VICTIMS OF "VIOLENT CRIMES" AND THE ELDERLY
ARE LEAST LIKELY, IT IS THE ELDERLY THAT
GENERALLY HAVE A GREATER
FEAR OF CRIME...

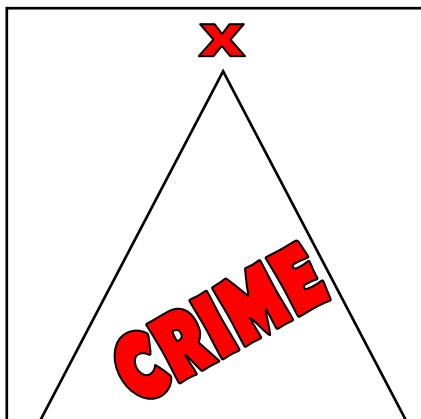
THERE ARE 3 NECESSARY ELEMENTS TO ANY CRIME:
TARGET, DESIRE, AND OPPORTUNITY

IF YOU ELIMINATE JUST ONE OF THE 3 ELEMENTS
YOU CAN AVERT A CRIME.



CRIME SCENARIOS

SCENARIO ONE (Eliminate the **TARGET**)



DESIRE **OPPORTUNITY**

If a car thief comes to an apartment community to steal a Corvette, the **DESIRE** is there. If all of the residents are inside their rental units then the **OPPORTUNITY** is there. But if there is not a Corvette on the property, no crime will occur because there is no **TARGET**.

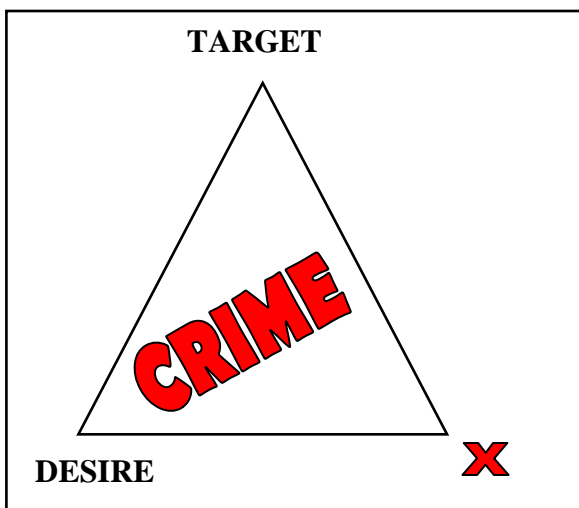
SCENARIO TWO (Eliminate **DESIRE**)



X **OPPORTUNITY**

If a person sees a Corvette, the **TARGET**, and all of the residents are in their apartments, that will allow the **OPPORTUNITY** for crime, but the person who sees the Corvette has no **DESIRE** to steal the car, again, you will have no crime.

SCENARIO THREE (Eliminate the **OPPORTUNITY**)



DESIRE

If a person comes to the property with the **DESIRE** to steal a Corvette, and sees the perfect **TARGET**, but the residents of the apartment community are out in the recreation and common areas, this will reduce or eliminate the **OPPORTUNITY**.

The **CRIME FREE MULTI-HOUSING PROGRAM** is effective because it addresses all three elements: **TARGET**, **DESIRE** and **OPPORTUNITY**. To eliminate the **TARGET**, we teach how to “target harden.” To eliminate **OPPORTUNITY**, we train residents to be the “eyes and ears” of the community. To eliminate the **DESIRE**, we make concerted efforts to keep those with criminal intent from trespassing, visiting or living at the property.

SET RULES

If a person knows that rules are clearly stated and enforced, they are less likely to move into a community to commit criminal activity. Have a back-up plan to discourage the more determined individuals.

By careful screening and active management principles addressed in the **CRIME FREE MULTI-HOUSING PROGRAM**, the criminal activity among residents and visitors can be greatly reduced.

Safety Socials, which incorporate the principles of Neighborhood Watch, will encourage residents to become an organized group of “eyes and ears” for the property.

It is not uncommon to see once distressed properties show a 70% - 90% *decrease* in calls for service, as a result of the **CRIME FREE MULTI-HOUSING PROGRAM**.

EVERYONE WANTS MORE LAW ENFORCEMENT PATROLLING “THEIR” AREA

Even if deputies turned off their service radios and never answered a single 9-1-1 call for help, we would not have enough patrol cars to provide adequate security patrols for every rental property. Now consider that the majority of residents live in single family homes. They also want more patrols up and down their streets and alleyways. Then there are the grocery store managers who want more patrol because a customer got her purse stolen, or an automobile in the parking lot was stolen. Consider all the mini-malls, flower shops, and movie theaters. Everybody wants more law enforcement patrol, but there are not enough personnel. Managers must take their own steps to promote safety, and the residents of rental properties must also be aware of their role in preventing crime.

TARGET HARDENING

Sometimes you cannot remove a target. However, you can harden the target. Target hardening involves the use of locks, electronic devices, or other hardware that will **DETECT**, **DENY**, **DELAY** or **DETER** the criminal (away from the intended target). Target hardening applies to all structures, vehicles and personal property within the rental community.

❖ **DETECT:**

By utilizing good security techniques, you can cause the person to take more risks, which will **increase the risk of detection**. This may also deter the person from committing the crime.

❖ **DENY:**

By engraving or marking valuables, using electronic security equipment, or by moving valuables out of view, you can **remove the rewards received from a crime opportunity**. If the rewards are not there, this may persuade the person not to commit the crime.

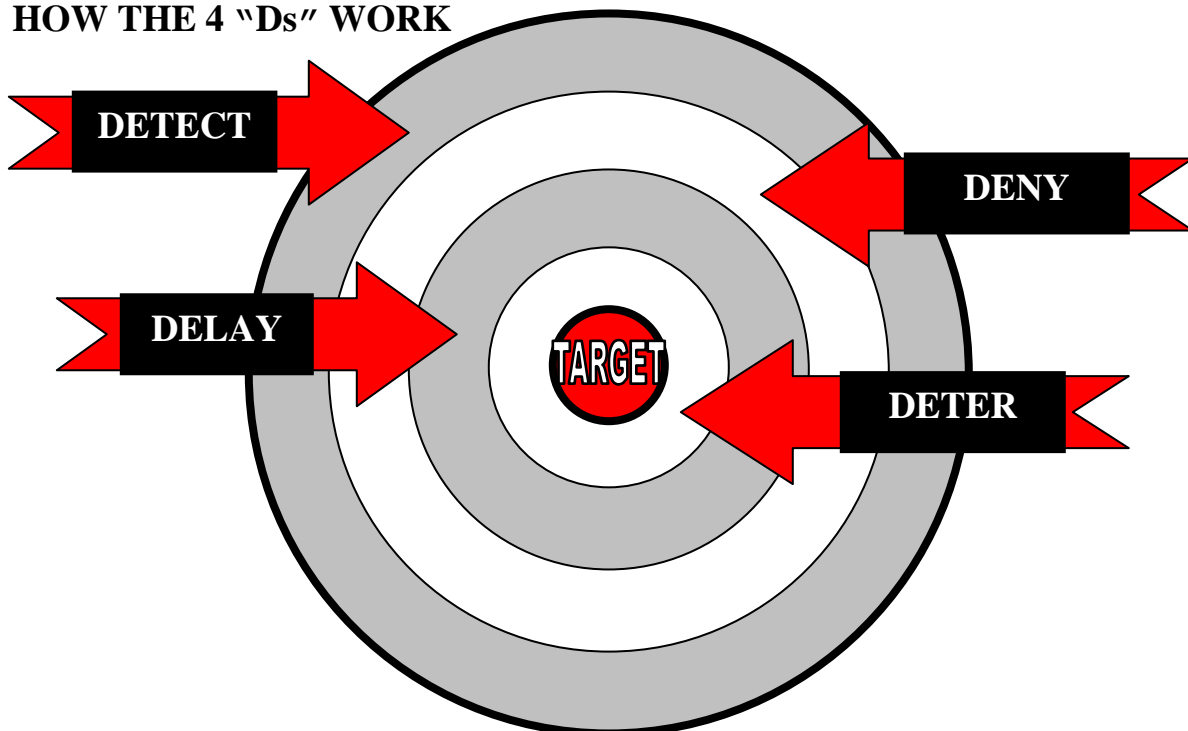
❖ **DELAY:**

Many times crimes are committed because of an easy opportunity. By using good crime prevention techniques you can **increase the time and effort needed to commit the crime**. This may dissuade the person from committing the crime.

❖ **DETER:**

By utilizing the previous three techniques, you may prevent a crime from happening by **detering the criminal from the property** to an easier target elsewhere.

HOW THE 4 "Ds" WORK



COMMUNITIES CAN ENCOURAGE

HOW TO ENCOURAGE CRIME...

- EXPECT SOMEONE ELSE TO CALL THE POLICE
- DO NOT GET INVOLVED
- DO NOT CARE ABOUT OTHER PEOPLE RESIDING ON THE PROPERTY
- GIVE UP HOPE
- EXPECT CRIMINAL BEHAVIOR
- FEAR RETALIATION

OR... DISCOURAGE CRIME

HOW TO DISCOURAGE CRIME...

- REPORT CRIMES AND FOLLOW THROUGH
- FORM SUPPORT SERVICES FOR VICTIMS
- PROVIDE VICTIM ASSISTANCE SERVICE
- ESTABLISH AND USE HOTLINES
- SEEK HELP FOR "AT RISK" RESIDENTS
- EMPHASIZE COMMUNITY VALUES

MAKING HOUSING CRIME- FREE at PARK PLACE APARTMENTS

Editor's Note: *Each month Apartment News will spotlight an AMA-member community that has reduced criminal activities thanks to the Crime Free Multi-Housing Program. This month we feature Park Place Apartments in Glendale.*

The Crime Free Multi-Housing program is more than a crime prevention program for apartments—it's an attitude. It challenges landlords, managers and tenants to rethink their management style: STOP THINKING "US VS. THEM!" START working together to eliminate criminal activity in the neighborhood.

In late 1990, my husband and I became managers at the 20-year-old Park Place Apartments in east Glendale. It was a 159-unit, one-, two- and three-bedroom community over-whelmed by years of untrained management and crime with tough neighborhood problems.

When we arrived, Park Place had regular, major violent crime--96 police visits in a 3-month period! Crimes included drug-related activities, heavy gang activity, intimidation, stabbings, rape, prostitution, shootings, a domestic-hostage situation, tenants packing guns to the pool to sunbathe and much more.

Tenants ran and hid from management. They pulled their children indoors, closed their blinds and locked their doors. They were fearful of being evicted because they had no place to go.

The previous management solved the problem of no hot water to over half the property by installing a community hot-water heater in one apartment and then loaning the keys to tenants so they could take a shower! The air-conditioning was broken in many of the apartments and roof leaks were abundant. The occupancy rate was barely 65 percent. Most tenants were involved in criminal activity, but they refused to pay rent because of inadequate

services.

We were totally unprepared to handle the criminal problems. All we did for the first 6 months was crisis control. We waited each day for something to happen, and it surely did! Convinced there HAD to be a better way, we contacted our neighboring properties to see what they were doing. We discovered that everyone was struggling. We contacted the Glendale Police Department for help.

Suddenly, we found ourselves with an organized group of managers who met once a month with the police department to discuss strategies to improve our properties. After many monthly meetings and mini-training sessions, the police department produced the Landlord Training Manual and Glendale's Crime Free Multi-Housing Program was born! In one day's time, managers now could have the training it took years to get!



Does the crime-prevention program work? YOU BET!

Using the Crime Free Multi-Housing Program guidelines, we lowered our police visits by 90 percent within a year of taking over Park Place. We still have some criminal activity because of the neighborhood. But we, the landlord and tenants, are pulling the same way-toward a safe, crime-free community.

Does the program work fast? It

can, if you and the owner are willing to evict everyone from the get-go. We didn't. We never let our occupancy drop below 80 percent (after we built-up). We tried to work with the tenants to help them understand how to change their behavior. Of course, there's ALWAYS the hard cases, and you cannot do much with them.

We were firm, consistent and fair with our evictions. We quickly gained a reputation for honest management with impartial community rules, which still are working 5 years later.

The present owner recently survived a Chapter 11 bankruptcy because of, I believe, our strong tenant base and the concept of the Crime Free Multi-Housing Program. We were the first on our block to qualify for the crime-prevention program. It took approximately 6 months with management and tenants working together.

Was it expensive? We had to add peep holes and change dead bolt locks on all 159 doors! The total cost came to under \$2,000. Compare that to being 100 percent occupied with a pleasant, tenant-involved community!

By Pat Butler
General Manager
Park Place Apartments

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A Success Story at Stanford Court Apartments in Phoenix: Involvement Equals Results

Editor's Note: *This new feature of Apartment News will spotlight an AMA-member community that has reduced criminal activities through its participation in the Crime Free Multi-Housing Program, which the AMA strongly supports.*

Stanford Court, a 436-unit apartment community, was better known as "HELL TERRACE" before it was purchased by Stanford Court Limited Partnership in 1991. Its occupancy rate was 56 percent. The neighborhood disliked many of the residents, as did the police department. Officers were called almost daily for domestic violence, drugs, gun shots and other criminal activities. Maintenance workers would make graffiti clean-up a daily routine. The law-abiding residents and staff feared for their personal safety.

Today, Stanford Court is a different community. Crime activity is rare. Occupancy is 100 percent with a waiting list. The Crime Free Multi-Housing Program made the difference.

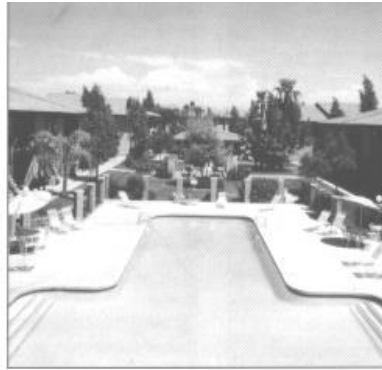
The residents and staff at Stanford Court are very fortunate to reside and work where Stanford Court Limited Partnership's philosophy is to provide a community with a safe, home-like atmosphere. The owner's plan is to do this through customer service and caring about residents as people.

When we began cleaning up "HELL TERRACE," we did not have many of the crime-fighting programs available today. We began with better tenant screening.

We also started a two-person Resident Services Department.

Their daily job was to not only talk with residents, but listen to the problems they were having with their neighbors. Our team also looked for ways to solve problems and find evidence to use in evictions.

From this program evolved our resident Neighborhood Watch Program. One captain and at least one assistant



Photograph courtesy of For Rent Magazine

were assigned to each building. This arrangement worked and helped to recruit new volunteers who have limited time to participate in Neighborhood Watch activities. It has been through this program that residents meet and welcome new neighbors into their community. Our outreach efforts foster a friendly, neighborhood feeling at Stanford Court. By early 1994, we began to see more "good" tenants move in as we expanded the lock Watch efforts.

In April of last year, we learned of the Crime Free Multi-Housing Program, and the staff and owners of Stanford Court completed the training taught by Phoenix Police Officer Connie Stine.

As a result of the Crime Free program, Stanford Court changed all the doorplate screws to the required 3-inch size; removed several trees and installed additional security lighting. The Crime Free Lease Addendum was made poster size and displayed next to the leasing table where prospective tenants could read it. They also are told about our Neighborhood Watch program and its involvement by the entire apartment community and staff.

For many new renters, knowing that Stanford Court participates in Crime Free is the deciding reason why they move in.

Stanford Court also hosts the New Neighborhood Watchers on Patrol training program taught by Officer Ed Patterson.

Our Neighborhood Watch captains are sponsoring and planning a pancake breakfast and ice cream social to raise money for shirts, scanners and a cellular phone. They have already planned this year's National Night Out on August 1. They plan to top last year's attendance of 500 people.

Because of our Neighborhood Watch efforts, we helped police find a juvenile who was shooting an air gun in the neighborhood. One of the shootings occurred in Stanford Court. Our Neighborhood Watchers distributed a flier to all residents and a few Neighborhood Watch groups. Within a couple of days a suspect was apprehended by police from information received from Stanford Court's Neighborhood Watchers. The Crime Free Lease Addendum was used to evict the family from the community.

Stanford Court houses over 394 children. We provide them the Neighborhood Watch training and programs geared to their needs. Because of this, there is a drastic drop in graffiti and vandalism in our community.

Making an apartment community a safe place to live requires involvement by everyone -- owners, management companies, on-site staff and all residents. We constantly remind ourselves and others that Neighborhood Watch is a necessity in today's society. It's a training you will use the rest of your life. You become alert and aware of your surroundings, which could save a life or protect someone's property.

By Goldie Wilson, Manager
Stanford Court Apartments

(Reprinted with permission from the Arizona Multi-Housing Association Apartment News, Vol. 32 No. 6, June 1995.

CRIME FREE MULTI-HOUSING “SUCCESS STORY IN FALLBROOK”



Fred Chase photos

Sheriff's Deputy Craig Hyer (left) and Crime Prevention Specialist John McLelland (right) present the sign certifying "Turnagain Arms Apartments" as 'Crime Free Housing' to Property Administrator Rigo Estrada (center).

Apartments achieve 'crime free' status

Debbie Ramsey
The Village News

Turnagain Arms Apartments Manager Rigo Estrada says back in 1997, when he assumed his position at the 80-unit property on East Mission Road in Fallbrook that is called home by 200 adults and close to 100 children, it was 'encrusted with gang members and drug users. On November 19, Estrada was proud to accept the first 'Crime Free Housing' property certification given by the Sheriff's Department in recent years to a multiple housing site in town.

"The Sheriff's Department COPPS program helped me clean up this complex," Estrada said. "My goal was to have a crime free complex and I needed their help to clean it up."

It has taken a few years, a firm commitment, and a close working relationship with law enforcement for Estrada to reach his goal.

"The first step a property manager takes, to become involved in making their complex crime free is to attend one of the eight-hour Crime Free Multi-Housing seminars we hold," said Sheriff's Dept. Crime Prevention Specialist John McLelland. "This year, we held two one on June 12 and another on September 21st.

"The second step is to arrange for a physical inspection of the property with the Sheriff's Department so that we can see what would need to be done to achieve a crime free status," McLelland said. "Mainly, we focus on enhanced physical security, tenant involvement, and management training. We look at things like adequate lighting, visibility and secure doors and windows."

"The Sheriff's Department even helped us with problems we were getting from properties that surround ours, especially with vandalism issues," Estrada said.

For the residents of Turnagain Arms, life is more tranquil now and many say they feel a heightened sense of community within their living environment.

"They have gotten rid of a lot of drug people," said Marilyn Payton, a resident of the complex since 1984. "There was a lot of drug activity going on in here. Our manager has done a real good job cleaning it up."

Residents of the family complex, 96% of which are Hispanic, attend informational meetings that are offered on an ongoing basis, to keep communication channels open.

"We are a family," Estrada said. "We want everyone to be involved and offer our meetings in English and Spanish."

The complex, built in 1973, now has strict screenings potential tenants must agree to in order to be considered for residency.

"Of course, because we are HUD property, we have the standard HUD rules that have to be followed," Estrada said. "We also do a credit check and a criminal check." If evidence arises that a resident is a suspect in any type of criminal activity, through an addendum in the lease agreement, management has the right to evict them. A criminal conviction is not required.

"That addendum in the lease agreement is an excellent deterrent," McLelland confirmed.

"I would say it is much better now," said Evelyn Brown, a resident of the complex since 1993. "I am very happy with what the management has done."

"This program ensures a better quality of life for the tenants and the town," McLelland noted. "This is a milestone and the beginning of something wonderful for Fallbrook."

The Sheriff's Department defines multiple-unit housing as properties with four or more units at the same site. Any property owner or manager interested in obtaining more information on the Crime Free Multi-Housing program is encouraged to call John McLelland at (760) 451-3124.

Crime-free complex is first for Sheriff

By Wally Pickford
Daily Californian staff writer

LAKESIDE — Coleen Sears said she and her teen-age daughter feel "really secure for the first time in five years" and Tom Sorric, an eight-year resident, said he likes the new-found neighborliness at the 94-unit Marilla Sundance Apartments here.

Sears and Torric are among the more than 300 residents of the first property designated a "Crime Free Multi-Unit Housing Community" by the County Sheriff's Department.

Key to the transformation,

according to sheriff's officials, was resident manager Becky Robertson's decision to enroll in an eight-hour class last January.

Although she had managed Marilla Sundance for four years, Robertson admitted Thursday that she learned a lot about how to do her job more effectively.

"Especially with the screening of applicants," she said. "Not only do I do credit and reference checks, but criminal backgrounds as well."

Robertson said she received

Please see **CRIME**, page A6



Jon Moo/The Daily Californian

The owner, manager and residents of Marilla Sundance Apartments in Lakeside have forged an alliance against criminal activity in their 94-unit complex. From left: Sheriff's Sgt. Margaret Sanfilippo; Joel Meriwether, sheriff's crime prevention specialist; Becky Robertson, resident manager; and prevention specialist Ronda Truesdale.

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CRIME

continued from page A1

wholehearted support from the complex owner, J.L. Davidson, and the management company of Irving and Marie Sanders.

Sgt. Margaret Sanfilippo, commander of the area COPPS unit that runs the program, said "having an alliance with the sheriff's department benefits all concerned — the residents first and foremost, because they will have a safer place to live and raise their children. But also the apartment owners, who benefit from having more marketable rentals."

Robertson agreed: "We're 100 percent occupied."

Several years ago, the complex routinely had vacancies and sheriff's deputies were called there two or three times a week to deal with domestic assaults, suspected drug dealing and other problems.

"Now we don't just respond here after a 911 call," Sanfilippo said. "We stop by periodically to say hello and visit for a bit, making sure the peace is being kept."

The second phase of the certification process, said crime prevention specialist Joel Meriwether, is a thorough on-site inspection of the complex to make sure it's properly lighted, that there are no lairs where criminals could hide and that

the tenants aren't unduly exposed to outside risks.

In phase three, recently implemented without a hitch, every tenant is asked to sign a lease addendum pledging to cooperate by obeying the law and making sure that everyone in their units — family and guests — obeys the law and apartment regulations.

Violation of the crime-free pledge constitutes violation of the lease and qualifies the tenants for eviction.

The crime free community certification program, Meriwether said, began in Mesa, Ariz. in 1995, and was adopted by the El Cajon Police Department in 1997 with encouraging results.

"But this was a first for the sheriff's department," he said, listing six other apartment communities that are in the process of being certified.

Sometime this week, the Marilla Sundance complex will display new signs, on the street to passers-by and inside the complex, to remind everyone that the tenants have zero-tolerance for illegal activity.

And if that doesn't work perfectly, perhaps they could post signs warning of the complex's 100 resident dogs, including German Shepherds and a Great Dane.

"They belong to the program, too," Sanfilippo said. "As back-up."

PART TWO

WHAT IS THE CRIME FREE MULTI-HOUSING PROGRAM?

WHERE IT BEGAN

The CRIME FREE MULTI-HOUSING PROGRAM began in Mesa, Arizona in July 1992. Designed to be law enforcement-driven, it spread across the United States and into Canada in a very short time.

HOW IT WORKS

The CRIME FREE MULTI-HOUSING PROGRAM is a unique, three-phase certification program for rental properties of all sizes, including single family rental homes. The first phase requires the completion of an eight-hour training program taught by attorneys, law enforcement and fire personnel. Frequently, guest speakers will also address specific topics relating to rental properties. This law enforcement-sponsored program is designed to be easy, yet extremely effective, at reducing criminal activity in rental properties.

The CRIME FREE MULTI-HOUSING PROGRAM addresses these topics:

- ❖ Understanding Crime Prevention
- ❖ Crime Prevention through Environmental Design (C.P.T.E.D.- Safe By Design)
- ❖ Resident Selection
- ❖ Common Sense Self Defense
- ❖ Community Rules/Policies
- ❖ Building Apartment Communities
- ❖ Good Property Management
- ❖ Partnership with the Sheriff's Department
- ❖ Partnership with the Fire Department
- ❖ Dealing with Non-Compliance
- ❖ Federal Fair Housing Laws

The CRIME FREE MULTI-HOUSING PROGRAM is taught during two four-hour, or one eight-hour, training session(s) sponsored by the San Diego County Sheriff's Department. Facilitated by the Crime Prevention Unit, the program is designed to be flexible to accommodate the varying needs of many communities.

WHO SHOULD ATTEND?

Property owners, managers, leasing staff, maintenance personnel and others on the management team should attend the entire 8-hour training program. It is also recommended that sworn officers attend the training to understand the civil nature of rental communities, and to establish a rapport with managers of rental properties.

PHASE ONE: TRAINING

After completion of the eight-hour training program, each participant will receive a certificate, which is signed by representatives of the Sheriff's Department, including the training coordinator. Managers of certified properties should attend a CFMH training every other year in order to retain the property's status. Additionally, if the owner replaces the manager, the new manager must take the eight-hour training in order to keep the property's CFMH status.

This green certificate should be framed and displayed in the leasing office, or in a prominent place where applicants will see it. **Prospective residents should be informed as soon as possible that their property management is working with the Sheriff's Department** to keep the community healthy. If there is no leasing office, a certificate can be displayed in a 3-ring notebook with other materials used in the CRIME FREE MULTI-HOUSING PROGRAM. The manager or owner should show the notebook to prospective residents.

Additionally, participating managers should begin implementing the Crime Free Lease Addendum, which is the backbone of the CRIME FREE MULTI-HOUSING PROGRAM. This addendum to the lease cites specific actions that will be taken by management if a resident, or someone under the resident's control, is involved in illegal or dangerous activity on or near the rental property.

If the management is conducting a background check that includes credit and criminal information, the applicant should be informed before they turn in the application or pay any fees or deposits. It is advisable to get legal advice regarding the current requirements for "investigative" credit reports. Every prospective resident must be treated exactly the same as the others. It is important to develop office policies to ensure this.

PHASE TWO: (C.P.T.E.D.) INSPECTION

In the second phase of the program, a Crime Prevention Specialist from the San Diego County Sheriff's Department will inspect the rental property to assess physical security and general appearance of the property. Crime Prevention through Environmental Design (C.P.T.E.D.) principles are used to incorporate safety into the existing environment. If the property meets the department's requirements, a second certificate in the name of the apartment community will be issued. The property must be re-certified annually by having a C.P.T.E.D. assessment.

In spite of laws and the risk of apprehension, some people are still criminally motivated. C.P.T.E.D principles can be used to DETECT, DENY, DELAY, and DETER crime by using physical security devices and psychological signals to make an area less vulnerable to crime.

This red certificate will certify that the property has met the minimum security requirements of the CRIME FREE MULTI-HOUSING PROGRAM. The minimum security requirements are:

1. DEAD BOLTS ON ALL ENTRY DOORS.
2. 180-190 DEGREE EYE VIEWERS ON ENTRY DOORS.
3. ANTI-LIFT/SLIDE DEVICES ON SLIDING DOORS & WINDOWS.
4. 2"-3" SCREWS IN STRIKE PLATES.
5. PROPER TRIMMING OF TREES AND BUSHES.
6. ADEQUATE SECURITY LIGHTING.

In some cases, one or more of these standards may not apply to your property. In these cases, some exceptions can be made, depending on the overall security of the rental community. Note that this inspection does not address compliance with state or local rental housing security requirements.

PHASE THREE: Safety Social or Neighborhood Watch meeting

In the third and final phase of the program a Crime Prevention Specialist from the San Diego County Sheriff’s Department will conduct a meeting for the residents, such as a Neighborhood Watch, at the rental property. Here, the Specialist will provide information about general safety principles and crime prevention, including Neighborhood Watch information. This will give the specialist the opportunity to explain the CRIME FREE MULTI-HOUSING PROGRAM to the residents of the rental community.

Sometimes the management provides food, non-alcoholic drinks and entertainment for this event (i.e, a potluck, barbeque, swim party). It is necessary to conduct at least one (1) meeting per year to maintain membership in the CRIME FREE MULTI-HOUSING PROGRAM.

A certificate will be issued to the apartment community at the Safety Social to demonstrate to the residents that management is committed, and has completed all three phases of the program.

FULL CERTIFICATION

Once fully certified, the property manager will receive a gold certificate. (This certificate is the only certificate that has an expiration date. It must be renewed each year after the subsequent Safety Social has been conducted.)

After completion of the first safety social, the management can post the CRIME FREE MULTI-HOUSING PROGRAM signs on the property. It is recommended that one sign be posted at each entrance to the property where prospective residents will see them.

The sign is the property of the San Diego County Sheriff’s Department, and permission to display the sign can be revoked if the property is sold, the management no longer wishes to participate in the CRIME FREE MULTI-HOUSING PROGRAM, a new manager takes over and refuses to be trained, or the rental community no longer meets the C.P.T.E.D. requirements of the program.





An added incentive to reach full certification is the use of the **CRIME FREE MULTI-HOUSING PROGRAM** logo in all appropriate advertisements, company letterheads, business cards and associated paperwork.

This logo has achieved a high level of recognition in the United States and Canada. It has proven effective in attracting honest residents looking for safe housing. It has worked equally well to **discourage** those with the intention of conducting criminal activity on rental property.

PHONE-IN REQUESTS

An additional advantage of being fully certified is that people can call the Sheriff's Department for a list of fully certified properties.

MAINTAINING CRIME FREE SIGNS

It is the responsibility of the rental community to maintain and replace all lost or damaged signs. Contact the Crime Free Program Coordinator if this occurs. For maintenance, use car wax on signs to prevent them from fading or cracking in the sun.

Carefully consider how each sign is installed to prevent easy removal. Through bolts can be bent or stripped to prevent removal. Signs can be attached with Liquid Nails and/or bolted to a building at a height that is difficult to reach.

CERTIFICATES and CRIME FREE SIGN



Phase I Certificate



Annual Certificate



Phase II Certificate

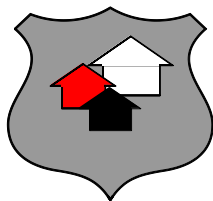


Phase III Certificate

Crime Free Multi-Housing Sign



CRIME FREE SIGN AUTHORIZATION



Name of Property: _____

Management Company/Owner: _____

Address of Property: _____

Date/Time of Agreement: _____

San Diego Sheriff Representative: _____

Number of Signs: _____

In consideration for the use of the **San Diego County Sheriff's Department Crime Free Multi-Housing Program** copyrighted sign to be used in our advertisements, or posted on our property, I/We agree to abide by the **San Diego Sheriff's Department's** following guidelines:

1. The sign and its wording is not to be changed, rearranged, or in any way altered.
2. No additional seal, emblem or wording is to be used in conjunction with the sign.
3. No guarantee is to be stated or implied that a property is "Crime Free" by virtue of this program.
4. It is agreed the San Diego Sheriff's Department grants the use of this copyright sign, and permission to use the sign can be revoked if abused, altered, or used in any way not consistent with the program guidelines.
5. If this property, manager or its agents are no longer current members of the **San Diego Sheriff's Department's CRIME FREE MULTI-HOUSING PROGRAM**, use of the signs, symbols, and all references to the program may not be used or displayed.
6. After completion of the **San Diego Sheriff's Department's CRIME FREE MULTI-HOUSING PROGRAM**, it is necessary to conduct at least one crime prevention oriented meeting with the residents per year to maintain the rights to use and display all signs and symbols associated with the program.
7. Each year the property owner or responsible party must apply to the **San Diego Sheriff's Department's** to renew their membership in the **San Diego Sheriff's Department's CRIME FREE MULTI-HOUSING PROGRAM**.
8. If membership in the **San Diego Sheriff's Department's CRIME FREE MULTI-HOUSING PROGRAM** is terminated, the property management is responsible to turn over to the **San Diego Sheriff's Department's** all signs associated with the program. The **San Diego Sheriff's Department's** reserves the right to confiscate the signs, and is not responsible for consequential damage if signs are not surrendered when requested.

Signature:

Title:

Signature:

Title:

PART THREE

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

SAFE BY DESIGN

Crime Prevention Through Environmental Design (C.P.T.E.D.) comprises four key elements: **Surveillance**, **Access Control**, **Territoriality**, and **Activity Support**. C.P.T.E.D. is used to incorporate safety into design. Property crimes can be substantially reduced by using C.P.T.E.D. principles.

IMPROVE SURVEILLANCE

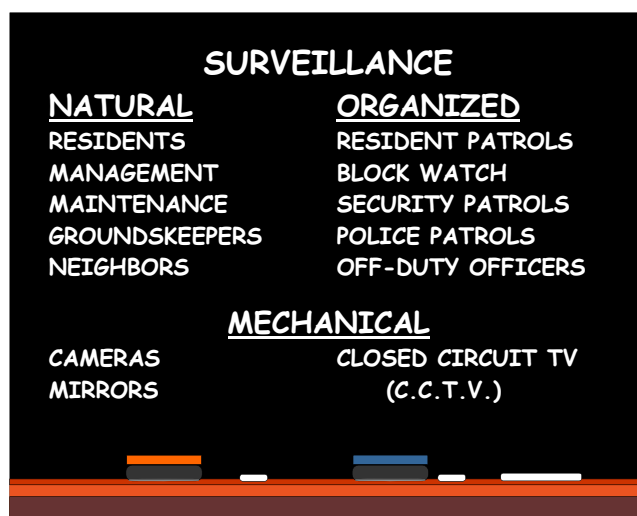
SURVEILLANCE is the first element of C.P.T.E.D. **Surveillance is the ability to look into an area, and the ability to look back out.** It can be formal or informal. **Formal surveillance** is generally organized, while **informal surveillance** is naturally occurring. Among the objects that inhibit surveillance are overgrown trees and shrubs, fences and poor lighting. The goal of surveillance strategies is to keep intruders under observation and undesirable behavior under control. To improve surveillance, trim trees and shrubs, use fencing appropriately and utilize proper lighting techniques.

There are three types of surveillance to consider. *Natural*, *Mechanical*, and *Organized*. The best plan will involve some combination of all three types of surveillance.

Natural Surveillance is naturally occurring. As people are moving around an area, they will be able to observe what is going on around them, provided the area is open and well-lighted. Natural Surveillance is typically free of cost, but observers may choose not to get involved in any situation that may pose a potential threat to themselves or others.

When considering surveillance of your property, remember that casual observers from neighboring properties might be willing to report suspicious activity. All you need to do is ask! It is a great idea to ask them to attend your Neighborhood Watch meeting and safety socials.

Mechanical Surveillance employs the use of cameras, mirrors and other equipment that allows an individual to monitor a remote area. Mechanical Surveillance can involve the purchase of moderately inexpensive mirrors to the more expensive electronic devices, such as closed circuit television (C.C.T.V.).



NOTE: Once the equipment is purchased, regular maintenance of the devices is necessary.

VISIBILITY OF RESIDENTS AND
RESIDENTS' ACTIVITIES ARE PERHAPS THE
GREATEST DETERRENTS TO CRIME

BY PUTTING COMMON AREAS AND OTHER
ACTIVITIES CLOSER TO UNSAFE AREAS,
THE LESS LIKELY YOU ARE TO
HAVE A CRIME



Organized Surveillance includes security patrols and other groups of people who are organized to watch a targeted area. While this is the most effective deterrent to crime, it is also the least cost effective. While it may be necessary to employ security patrols, once the patrols are discontinued there is generally nothing left to show for your investment.

IMPROVE ACCESS CONTROL

ACCESS CONTROL is the second element in C.P.T.E.D. Because many criminals look for an easy escape, **limiting access into an area and back out again is a great way to deter criminal activity**. Access Control can be demonstrated by having one way in and one way out of a location, such as a security post or the use of mechanical gates. Those who use "alternative" methods to enter an area look suspicious, risk detection and sense an increased risk of apprehension.

It is important to assess how the intended users are entering the property. It is equally important to assess how the non-intended users are entering the property as well. Inspect perimeter fencing for damage. Look for footprints in the dirt and gravel, and then check for wear patterns in grassy areas. Determining the weak points will be the first step in correcting the problem.

There are three (3) types of Access Controls to consider: *Natural* (or *Environmental*), *Mechanical* and *Organized*.

Natural/Environmental Access Control involves the use of the environment. To prevent trespassers from climbing over walls for instance, you could plant a hearty cactus in the area where it will be highly visible. The use of dirt berms or large rocks can also keep unwanted visitors from entering onto private property and vacant lots.

Mechanical Access Control includes the use of security gates, which have proven very effective at reducing auto thefts, burglaries, and drive-by shootings. Most perpetrators of these crimes do not want to exit the way they entered because it gives witnesses a better opportunity to record license plates and get better suspect information.

Organized Access Control enlists the use of security or courtesy patrols to control access to the property. Distribution of parking permits affixed to registered vehicles will identify which vehicles belong to the residents. Vehicles should not be allowed to back into parking spaces to make license plates visible for easier identification.



IMPROVE TERRITORIALITY

TERRITORIALITY is the third element in C.P.T.E.D. Territoriality is a psychological impression that people get when they look at the property. If management displays good territoriality, it will influence the community to respect the property. Good territoriality demonstrates a sense of "ownership," alerting potential offenders that they do not belong there and they may be seen and reported, because undesirable behavior will not be tolerated. **It has two principle components: Defensible Space and Maintenance.**

Defensible Space is divided into four categories:

Public, Semi-public, Semi-private, and Private.

1. **Public** areas are typically the least defensible. A car driving on a public street would not automatically arouse suspicion.
2. **Semi-public** areas might include a cul-de-sac. If there are only five homes in the circle, a driver would be expected to stop at one of the five homes or leave the area.
3. **Semi-private** areas might include sidewalks or common areas around residential neighborhoods. While most people may not confront a stranger in a common area, they are likely to call the police if the person does not appear to belong there.
4. **Private** areas are different in rental communities than in single-family home neighborhoods. In a typical apartment the private area may not begin until you actually enter the unit. This is especially true if several units share a common balcony or stairway. In single-family home neighborhoods, many owners consider their front yard to be private, or defensible space.

There are many ways to establish defensible space. By planting low growing hedges or bushes, you will show a defined property line. By posting signs such as "No Trespassing" or "No Soliciting," you have established the area as defensible space.

| | |
|--------------------------------|--------------------|
| TERRITORIALITY | |
| <u>DEFENSIBLE SPACE</u> | |
| PUBLIC | SEMI-PUBLIC |
| SEMI-PRIVATE | PRIVATE |
| <u>MAINTENANCE</u> | |
| CITY CODES | FIRE CODES |
| LITTER CONTROL | LANDSCAPE |
| REMOVE GRAFFITI | |
| BUILDING MAINTENANCE | |



**INCREASING A RESIDENT'S OWNERSHIP
AND CONTROL OF AN AREA WILL
ENSURE A HIGHER LIKELIHOOD OF
SUCCESS WITH CRIME PREVENTION
PROGRAMS.**

**INCREASE "DEFENSIBLE SPACES" TO
DECREASE CRIMINAL ACTIVITIES**



Maintenance is another key issue for Territoriality. **If a rental property is well maintained, it shows that management cares about and will defend the property against crime.** A property that is not well maintained may indicate that management is not concerned about the property, and might overlook or ignore criminal activity. A property that is clean and well maintained is more likely to attract legitimate users. A property that is not well maintained is more likely to attract deviant users.

If a property has several city or fire code infractions, a property manager may lose the ability to deal effectively with criminal activity. A person facing eviction may threaten to report the infractions to the city or county if the manager proceeds with the eviction process.

IMPROVE ACTIVITY SUPPORT

ACTIVITY SUPPORT is the fourth element in C.P.T.E.D. This involves the appropriate use of recreational facilities and common areas. The objective is to **fill the area with legitimate users so the abusers will leave.**

It may be difficult to believe that filling an area with legitimate users will cause the deviant users, or abusers, to leave. But the opposite is also true. If you fill an area with deviant users, the legitimate users will withdraw.

ACTIVITY SUPPORT

| | |
|---|--|
| <p><u>RECREATIONAL AREAS</u></p> <p>VOLLEYBALL</p> <p>TENNIS COURTS</p> <p>BASKETBALL</p> <p>SHUFFLEBOARD</p> | <p><u>PARKING LOTS</u></p> <p>DRIVE THROUGHS</p> <p>FOOT PATROLS</p> |
| <p><u>COMMON AREAS</u></p> <p>BBQ GRILLS RAMADAS</p> <p>PUTTING GREENS</p> | |



To promote Activity Support, utilize common areas effectively. By incorporating ramadas, picnic areas and other amenities into open areas, legitimate users will maintain ownership of the property.

In recreational areas, utilize proper lighting techniques and establish community rules to encourage the proper and safe use of the facilities. For laundry facilities, exercise and game rooms, maintain unobscured visibility for the intended users and install security hardware.

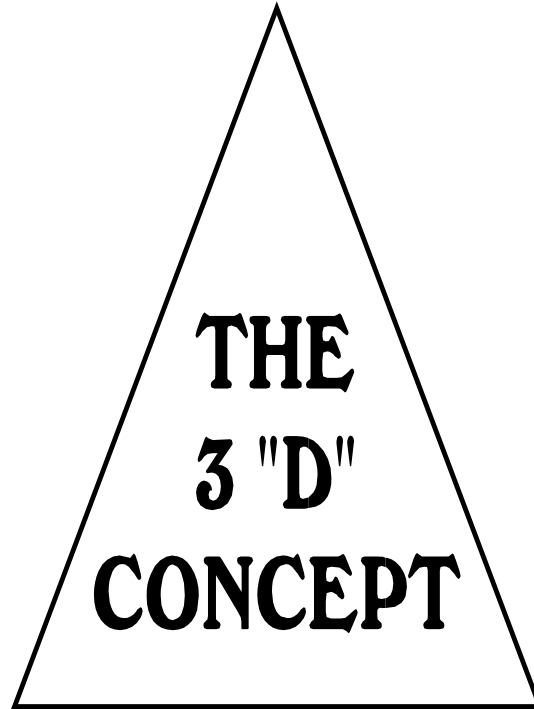
TROUBLESHOOTING

When you consider an area, ask yourself:

- ❖ Who are the intended users?
- ❖ Why are they not using the area?
- ❖ What will promote use of the area?
- ❖ Why is it inviting to deviant behavior?
- ❖ What will discourage criminal activity?

THE 3 "D" CONCEPT OF C.P.T.E.D.

**DEFINED
BORDERS**



**DESIGNED
PROPERLY**

**DESIGNATED
PURPOSES**

- **IS TERRITORY WELL DEFINED?**
- **IS THE DESIGN CONDUCTIVE FOR THE INTENDED PURPOSES?**
- **IS THE AREA USED FOR DESIGNATED REASONS?**

SOLVING CONFLICTS WITH C.P.T.E.D. CONCEPTS

| SURVEILLANCE | ACCESS CONTROL |
|--|--|
| <p>Concept:</p> <ul style="list-style-type: none"> ✓ Good lighting and landscape maintenance <p>Conflict:</p> <ul style="list-style-type: none"> ✓ No formal or informal surveillance by residents who stay indoors <p>Solutions:</p> <ul style="list-style-type: none"> ✓ Organize Neighborhood Watch ✓ Organize activities ✓ Organize training ✓ Organize alternative suggestions | <p>Concept:</p> <ul style="list-style-type: none"> ✓ Good security fencing and gates <p>Conflict:</p> <ul style="list-style-type: none"> ✓ Gates are propped open, locks and fences damaged <p>Solutions:</p> <ul style="list-style-type: none"> ✓ Educate residents ✓ Repair/maintain gates ✓ Repair/maintain fences ✓ Send notice to residents ✓ Evict problem residents |
| TERRITORIALITY | ACTIVITY SUPPORT |
| <p>Concept:</p> <ul style="list-style-type: none"> ✓ Buildings maintained, painted and addresses clearly marked ✓ Rules posted appropriately <p>Conflict:</p> <ul style="list-style-type: none"> ✓ Residents have no ownership or concern for dwelling unit ✓ Lack of private/semi-private space <p>Solutions:</p> <ul style="list-style-type: none"> ✓ Encourage gardening ✓ Encourage play areas ✓ Encourage ownership of areas ✓ Encourage litter patrols ✓ Encourage pride in their home and community | <p>Concept:</p> <ul style="list-style-type: none"> ✓ BBQ grills and tables in common areas ✓ Sports and recreational facilities well maintained <p>Conflict:</p> <ul style="list-style-type: none"> ✓ Little to no use of facilities by residents ✓ Area becomes a site for dangerous activities and non-intended users! <p>Solutions:</p> <ul style="list-style-type: none"> ✓ "Market" available amenities ✓ Organize events/contests ✓ Prizes/plaques ✓ Improve lighting ✓ Encourage annual Neighborhood Watch meetings and newsletters |

C.P.T.E.D. LIGHTING

Lighting by itself does not prevent crime. Lighting provides the opportunity for "**choice**"; the choice to walk forward because you can see clearly that the path is **clear AND free** of danger. **IF** the user can see a potential danger (person hiding, a gang of kids at the corner), they may choose to walk a different way.

Lighting can illuminate a target as easily as it provides an opportunity for a legitimate user to see a potential threat or criminal.

Lighting is a powerful tool the management and residents can use to control and reduce the "fear" and opportunity of crime.

Unless you have formal or informal surveillance of an area, lighting may not prevent crime. In fact, good lighting without surveillance may actually encourage criminal activity in some cases.

GOALS OF LIGHTING

UNIT LIGHTING SHOULD BE:

- Energy efficient (used consistently)
- Tamper-proof (use special screws)
- Break Resistant Lens (Polycarbonate-Lexan)

BUILDING LIGHTING SHOULD:

- Illuminate building numbers
- Illuminate building accesses
- Illuminate front and back areas
- Illuminate porch lights under control of building, not the apartment user.

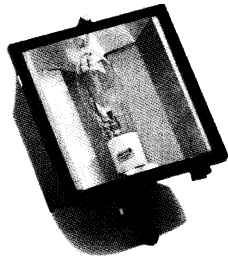
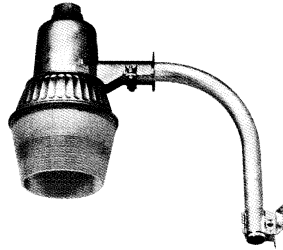
GROUNDS LIGHTING SHOULD:

- Provide a cone of light downward to walkways
- Provide a level of lighting between buildings to distinguish forms and movement.

TYPES OF OUTDOOR LIGHTING

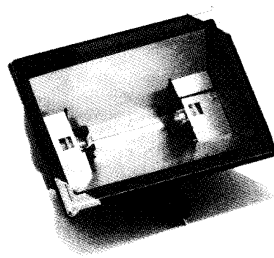
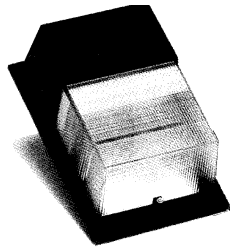
Energy-efficient lighting fixtures help to reduce your electric bill. Additionally, most products are easy to install because many models come pre-wired and pre-assembled. Each style comes with a lamp, and you can choose to add a photocell on some designs.

**Dusk-To-Dawn
High-Pressure Sodium**
150 watt



**High-Pressure
Sodium Flood**
150 watt

**High-Pressure
Sodium Wall Light**
70 watt



**Quartz Light Metal
Halide**
500 watt

TYPES OF LAMPS

High Pressure Sodium, Metal Halide, Mercury Vapor and Self-Ballasted Mercury Lamps are all high intensity electric discharge lamps. Except for self-ballasted lamps, auxiliary equipment such as ballasts and starters must be provided for proper starting and operation of each type, in accordance with American National Standards Institute (ANSI) specifications.

Low Pressure Sodium lamps, although technically not high intensity discharge lamps, are used in many similar applications. As with HID lamps they require auxiliary equipment for proper starting and operation. These lamps, which have efficacies up to 200L/W, have a mixture of neon and argon gas plus sodium metal in the arc tube and an evacuated outer bulb. When voltage is applied to the lamp the arc discharge is through the neon and argon gas. As the sodium metal in the arc tube heats up and vaporizes, the characteristic yellow amber color of sodium is achieved.

Nominal Wattage of Lamps

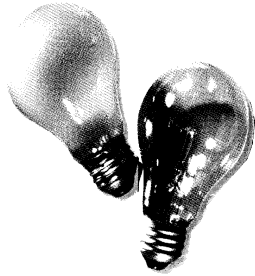
Lamp wattage varies during life, because of ballast and lamp characteristics. Ballast data should be reviewed for actual wattage levels.

Voltage Control

An interruption in the power supply or a sudden voltage drop may extinguish the arc. Before the lamp will relight, it must cool sufficiently, reducing the vapor pressure to a point where the arc will restrike with available voltage. Instant restrike lamps restrike immediately with the resumption of power providing approximately 5% of steady state lumens and a rapid warm-up. Other lamps require approximately one minute cooling before relighting. Still other HID types take 3 to 20 minutes, depending on type of lamp and luminaire.

Incandescent Bulbs

Supreme incandescent bulbs are rated to last 5000 hours compared to 750 hours for regular bulbs. They burn cooler with 85% longer lamp life, withstand voltage fluctuations, and the brass base offers reduced socket freezing. Frosted or clear are available in 40, 60, and 100 watt varieties.



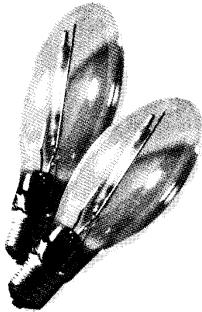
Flood Light

This type of bulb features a one-piece weatherproof construction with a brass base to reduce socket freezing and offers a cooler burn.



High Pressure Sodium

Hermetically sealed, this high pressure sodium lamp offers 24,000 hours of dependable life. Built for outdoor uses, it absorbs wind and vibration, is insulated against high voltage pulses, and has minimal freezing or rusting in the socket. Clear or coated, it is for use in high pressure sodium fixtures only.



COLOR RENDERING

Another key performance characteristic, *color rendering*, is the ability of a light source to represent colors in objects. The relative measure of this ability is color rendering index or CRI which rates lights sources on a scale of 0 to 100.

The higher the CRI, the more vibrant or close to natural the colors of objects appear. For example, a CRI of 0 would come from a source that provides light without color, much like a black and white television. A CRI of 100 would represent a source that has the rendering capabilities of incandescent light (for sources below 5000K) or 'day light' (for sources above 5000K). CRI is especially important when evaluating fluorescent and HID sources because they have a wide range of CRIs.

Fluorescent Tubes

Cast cool, bright, economical light indoors.

Pictured: Circular, one of the many fluorescent tubes available.



PROPER USE FOR VARIOUS LIGHTS

- METAL HALIDE: RECREATION AREAS, PARKING LOTS
- HIGH PRESSURE SODIUM: PARKING LOTS, COMMON AREAS
- FLUORESCENT: COVERED PARKING, PORCH LIGHTS, WALKING PATHS
- INCANDESCENT: PORCH LIGHTS, INSIDE UNITS
- LOW PRESSURE SODIUM: DUMPSTERS, MAINTENANCE SHOPS

PURPOSES OF SECURITY LIGHTING

- ***REDUCE CRIMES***
- ***REDUCE TRESPASSERS***
- ***REDUCE CONCEALMENT***
- ***INCREASES SECURITY***
- ***INCREASES CONFIDENCE***
- ***INCREASE TERRITORIALITY***
- ***INCREASE SURVEILLANCE***

LIGHTING TERMINOLOGY

- ***FOOT CANDLE - EQUALS LIGHT FROM 1 CANDLE AT 1 FOOT AWAY***
- ***LUX - EUROPEAN SCALE FOR FOOT CANDLE***
- ***LUMEN - QUANTITY OF LIGHT FROM SOURCE***
- ***WATT - AMOUNT OF ENERGY CONSUMED***
- ***LIFE - NUMBER OF HOURS BULB WILL LAST***

THREE TYPES OF LIGHTING

- ***INCANDESCENT***
- ***FLUORESCENT***
- ***HIGH INTENSITY DISCHARGE***

INCANDESCENT

- **LOW INITIAL COST**
- **HIGH OPERATING COST**
- **LOW EFFICIENCY**
- **SHORT BULB LIFE**
- **GOOD COLOR RENDERING**

FLUORESCENT

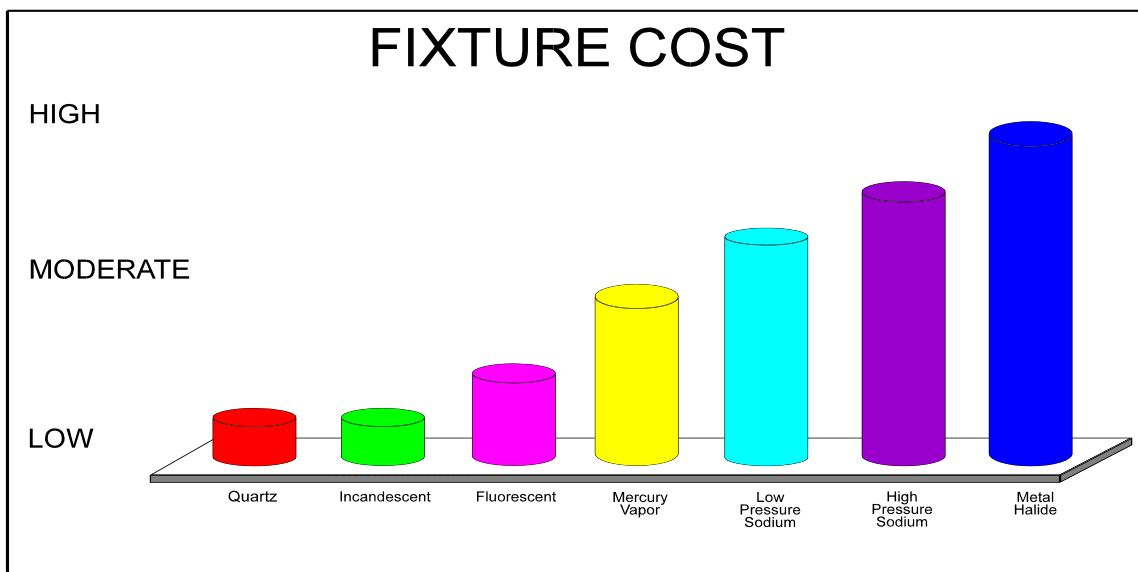
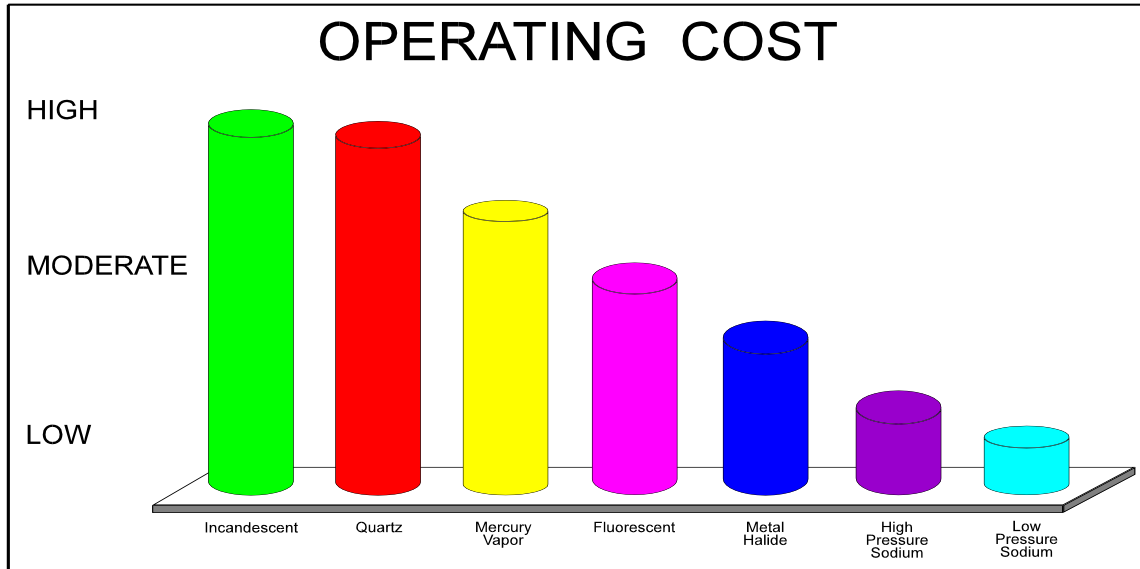
- **MODERATE INITIAL COST**
- **MODERATE OPERATING COST**
- **MODERATE EFFICIENCY**
- **MODERATE BULB LIFE**
- **POOR TO GOOD COLOR RENDERING
(DEPENDS ON PHOSPHOROUS IN TUBE)**

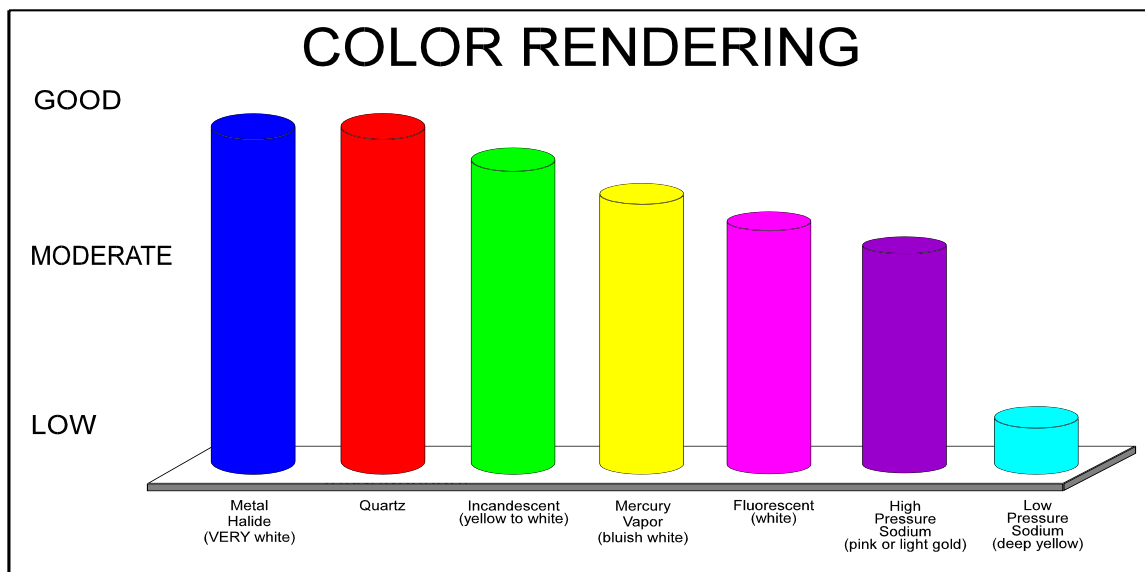
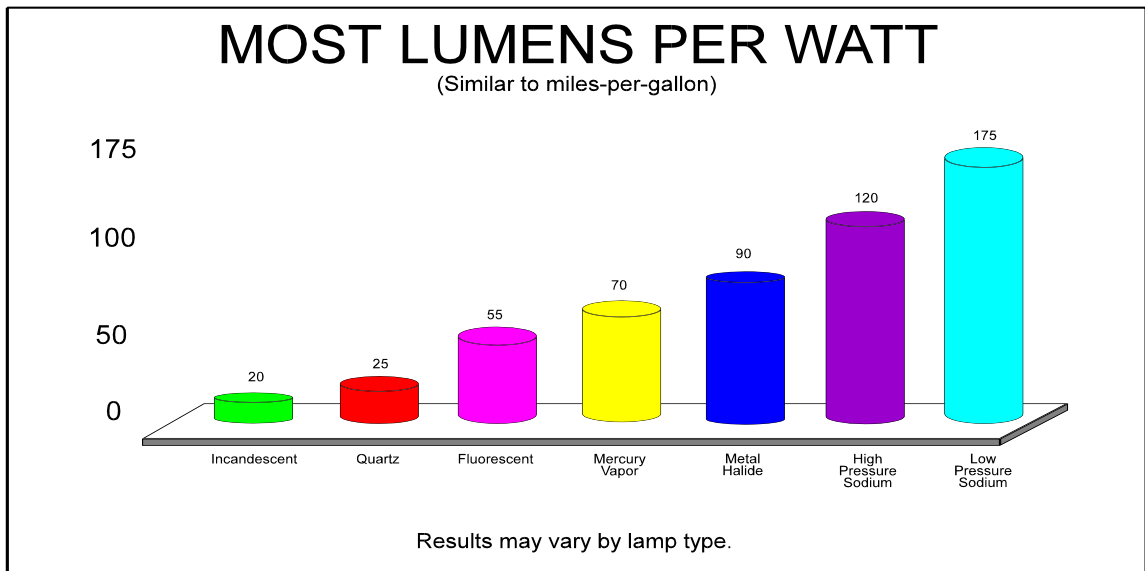
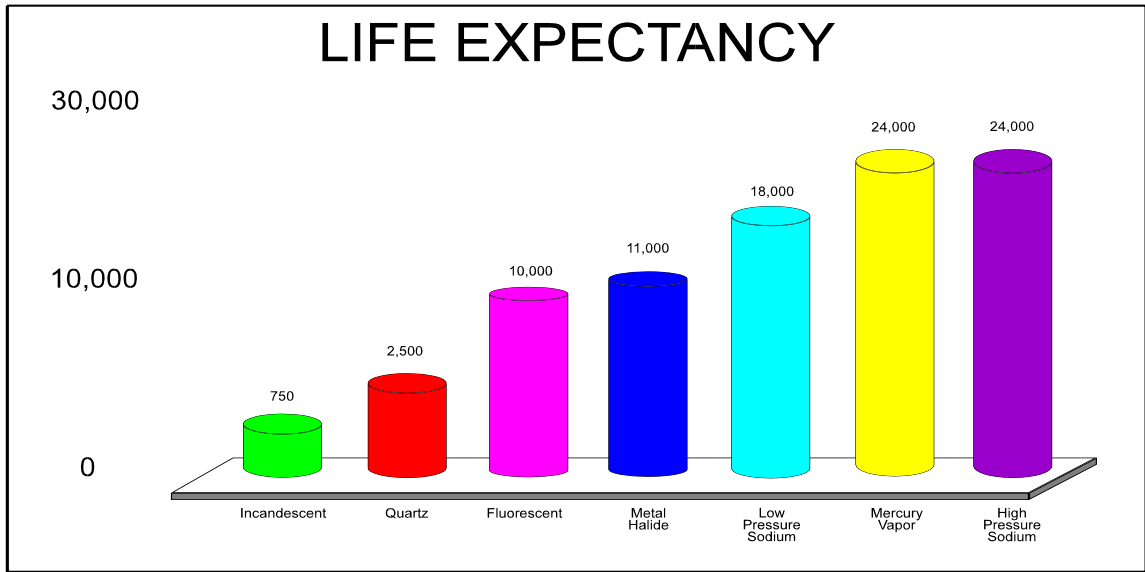
HIGH INTENSITY DISCHARGE (METAL HALIDE & HIGH PRESSURE SODIUM)

- **HIGH INITIAL COST**
- **LOW OPERATING COST**
- **HIGH EFFICIENCY**
- **LONG BULB LIFE**
- **GOOD TO EXCELLENT COLOR RENDERING**
METAL HALIDE: EXCELLENT
HIGH PRESSURE SODIUM: GOOD
- **LOW PRESSURE SODIUM**
MOST EFFICIENT OF ALL TYPES
POOREST COLOR RENDERING OF ALL THE TYPES

LIGHT and LAMP COMPARISON

While many lamps will offer varying degrees of efficiency and effectiveness, this is a general guide to discuss advantages and disadvantages with certain lamps. Contact a professional lighting consultant if you have any questions.





PART FOUR

THE APPLICATION PROCESS

IT'S WORTH THE EFFORT

Property managers have differing views on **how**, or **if**, they should screen prospective residents. Some property managers have rigid guidelines established by their management company or owners. Other property managers may feel that calling references or checking prospective residents is not worth the effort. Many times they rely on their "gut feelings" when it comes to approving prospective tenants.

Good screening procedures will result in getting better applicants, and **may also prevent a discrimination case**. Be certain to stay current with new laws pertaining to Fair Housing and consult with a qualified attorney before making changes to your policies.

WHAT ARE PROTECTED CLASSES?

Protected classes are groups of persons that have historically received unequal treatment in housing and are therefore protected by law. Federal Fair Housing Laws have established groups protected throughout the country. States can establish additional groups to be protected and California has done so. Discrimination in California is strictly prohibited based on any of those protected classes:

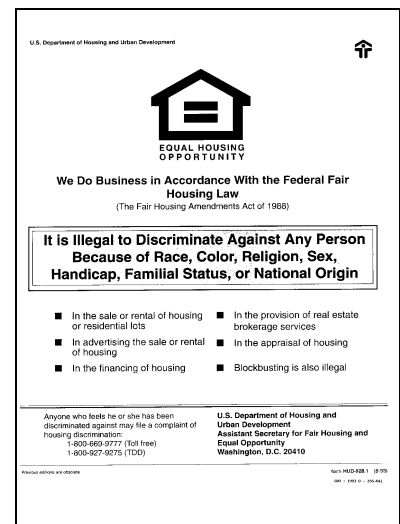
Federal

- ❖ Race
- ❖ Color
- ❖ Religion
- ❖ Sex
- ❖ Handicap (disability)
- ❖ National origin
- ❖ Familial status

State of California

(Same as Federal-Plus)

- Ancestry
- Marital Status
- Source of Income (Legal and verifiable)
- Sexual Orientation
- Arbitrary Discrimination (Age, Body Shape, Tattoos, Piercing, Clothing or any other personal characteristic of the applicant)



Owners and property managers must be aware of fair housing laws and comply with them or face individual liability.

NOTE: *You should keep an "Equal Opportunity Housing" sign in the office to remind prospective residents that you do not discriminate. An 11"x14" poster must be posted in a conspicuous place on all rental properties with four units or more.*

WHAT ABOUT CONTROL OF BEHAVIOR WHEN IT IS NOT BASED ON A PROTECTED CLASS?

For example, a property manager may refuse to allow residents to have pets on a property, but not allowing pets may turn away a large number of applicants. This is not a discrimination issue, unless a property treats an animal necessary because of a mental or physical disability as they would a pet. Another example is prohibiting smoking on a property (vs. refusing to rent to smokers.) Once again, management can establish a smoke-free property, but it may turn away some applicants. Fair housing laws would not be involved unless a manager refused to respond to a complaint about smoke by a resident who has a pulmonary disability.



Property managers should have **written standards** to address their application process. These standards should be posted prominently and/or attached to each application. **These standards should also be carefully reviewed by an attorney or another individual familiar with Fair Housing Laws.** These standards should be updated periodically, and strictly followed. A single discrimination judgment can result in a fine of \$10,000.00 or more.

In any case, be sure to apply your screening criteria **equally and fairly** to all applicants. The goal of these policies is to be certain property managers are screening fairly and staying consistent.

WHAT ABOUT CRIMINAL BEHAVIOR?

Persons, who establish screening policies for residential rentals, should discuss issues related to criminal behavior with a qualified attorney who specializes in fair housing law. There are a number of risk management issues to be considered.

Since behavior is **not** one of the federally protected classes, an applicant can be denied residency for behaviors at previous rental properties. For example, you may be able to refuse residency to an applicant who has repeatedly disturbed or threatened previous neighbors, sold or manufactured drugs, or damaged properties they previously rented. Once again, it is important to consult with an attorney because every case must be evaluated on its own set of circumstances.

DISCLOSURE

If an applicant discloses previous criminal history of convictions on the application, you must decide whether or not to accept the application **based on your screening criteria immediately.** If you **accept** the application, you may **lose** the right to deny the application for any information they have disclosed.

Practice Hint: Require that applications be completely filled in and check each application thoroughly before accepting it or any processing fees.

SELF REFUSALS

If an applicant is aware of the screening criteria, they are less likely to apply if they think they will be turned down. This is especially true if you charge an application fee or use a credit reporting agency that thoroughly checks credit, rental, (and perhaps criminal) history.

Managers who stress strict adherence to screening policies will often find that applicants screen themselves out of the process. The following is an example of what you could post to encourage self-screening.

STATEMENT OF RENTAL POLICY

THIS COMMUNITY DOES NOT DISCRIMINATE AGAINST ANY PERSON BASED ON FEDERAL OR CALIFORNIA PROTECTED CLASSES, RACE, RELIGION, SEX, NATIONAL ORIGIN, FAMILIAL STATUS, DISABILITY, ANCESTRY, MARITAL STATUS, SOURCE OF INCOME, SEXUAL ORIENTATION, OR ANY ARBITRARY BASIS.

Example of language:

I UNDERSTAND AND ACCEPT THESE QUALIFYING STANDARDS AND HAVE TRUTHFULLY ANSWERED ALL QUESTIONS, FURTHER, I UNDERSTAND THAT FALSIFICATION OF RENTAL APPLICATION INFORMATION WILL LEAD TO DENIAL OF THIS APPLICATION OR TERMINATION OF TENANCY. MANAGEMENT'S RENTAL POLICIES ARE GUIDELINES, WHICH ENABLE US TO ACCEPT AS PROSPECTIVE RESIDENTS THOSE INDIVIDUAL'S WHO COMPLY, WITH ALL CRITERIA. THIS RENTAL POLICY DOES NOT ENSURE THAT ALL INDIVIDUALS RESIDING ON OR VISITING THE PROPERTY CONFORM TO THESE GUIDELINES AT ALL TIMES.

Example of a "Rule/Standard"

OCCUPANCY STANDARD: A MAXIMUM EQUAL TO TWO (2) PERSONS PER BEDROOM PLUS ONE IN THE UNIT IN GENERAL (Note, there is no law relating to occupancy, but the California Department of Fair Employment and Housing recommends against a lower number than that stated above.)

THE FORMS SHOWN AT THE BACK OF THIS MANUAL HAVE BEEN PROVIDED COURTESY OF THE SAN DIEGO COUNTY APARTMENT ASSOCIATION AS "SAMPLES ONLY" TO BE USED SOLELY AS REFERENCES.
(Unauthorized Reproduction of Blank Forms is Illegal)

There are many forms available with several "rental applications" available to multiple housing communities for screening, and "written policies/standards" that explain the "rules" for acceptance of tenancy. We recommend that attendees contact local apartment associations or the Board of Realtors for current forms that have been reviewed by attorneys that specialize in landlord/tenant law or contact your own attorney to create forms specific to your rental community.

VERIFY THE INFORMATION GIVEN

It is a good idea to **verify names and phone numbers** with a telephone book to be sure an applicant is not using a friend or relative to “front” for them, posing as an employer or property manager.

Contact previous managers to inquire about an applicant’s past behavior. This provides useful information when considering whether or not to rent to the applicant. Many managers are instructed to refrain from providing specific information about previous residents, but you are certainly allowed to ask! The focus would be on an applicant’s history of non-payment or other non-compliant behavior.

It is a good idea to **have a standard list of questions** that will be asked for all applicants. These questions should also be carefully reviewed and followed closely whenever checking references. It is important to document the information received and names of references you contacted. The best protection against misunderstandings is to fax or e-mail your list of relevant, objective questions and ask for a written response.

Be careful not to limit your questions only to the property manager who is currently renting to the applicant. They may be inclined to say anything to turn over a problem resident. Try to **find a previous manager with no current interest in the applicant**. They may be less inclined to misrepresent the applicant’s previous behaviors and payment history.

To Owners and Managers With Small Properties: If you establish a written policy of checking on all applicants within a specified local area it may take a little time, but you can learn a lot about an applicant by driving by their current address to see how they are caring for the property where they currently live.

REFUSING AN APPLICATION

Try to resolve an applicant's questions by using as few of the following techniques as possible.



Do Not Defend the Facts

- Do not defend the credit/criminal report
- You did not authorize it/You cannot change it

Face the Music

- Resolve YOUR situation with previous manager/rental community
- YOU need to contact reporting company

Just Listen

- Be polite
- DO NOT volunteer too much information

Feel, Felt, Found

- I understand how you feel
- I would have felt the same way
- However, the information found does not meet our criteria

Higher Authority

- A company policy
- I cannot use a case by case because I must treat everyone the same (cannot discriminate)

Become a Broken Record

- I cannot change it
- I understand how you feel

Answer by Deflection

- You need to talk to THEM
- I cannot fix YOUR report

Short Circuit

- There is nothing I can do right now
- Excuse me, I have another appointment

Refer Applicant to credit agency(s)

- If you improve the report I will reconsider



PART FIVE

COMMON SENSE SELF DEFENSE

AWARENESS IS THE KEY

Most crimes can be prevented if there is careful consideration given to measures proven to reduce the likelihood of criminal activity. It is important to assess the types of crimes that have occurred on the property, as well as crimes that have been committed on similar properties. To discount the possibility of crime because "it has never happened before" is not using good sense.

It is imperative to understand that the potential for many crimes exists and that steps to prevent those crimes should be taken before they occur. Many times, crime prevention involves acute awareness of the surrounding area, and that does not cost a lot of money. Using a 'buddy system' after hours is one inexpensive way to reduce the likelihood of an attack.



WORKING AFTER DARK



When working late, it is a good idea to have another person in the office or nearby. A person walking to a car alone is much more likely to be victimized than a person who is walking with someone else. There is strength in numbers!

If a person must walk out to his or her car alone, it is a good idea to park the car as close to the office as possible, reducing the walking distance. Whenever possible, employees (especially employees who leave after dark) should be given assigned parking spaces close to the office area, or be allowed to move their vehicles closer before it gets dark.

If this is not possible, assign an area as close as possible with excellent security lighting that cannot be easily disabled. It is also essential, when trimming bushes or trees, to keep in mind casual observers who may live or be visiting in the general area. Keeping bushes and trees trimmed and/or removing any objects that may block surveillance of the area or offer a hiding place for an attacker will also allow the casual observer an open field of vision into the area.

EMPLOYEE TRAINING PROGRAMS

Employees should receive training to prepare themselves for all types of crime situations. Several training opportunities are available that deal with common sense self defense. Some people carry chemical sprays or other devices to discourage an attack.



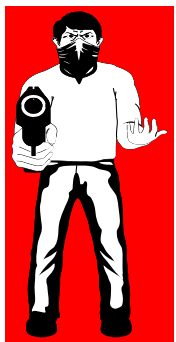
When working alone in an office an employee should be certain that all doors and windows have been secured. It is a good practice to notify another person when you are working late as well. There should be a telephone nearby, should they need to call the police or another person for assistance.

STAY IN TOUCH

Cellular telephones and two-way radios are another good way to stay in touch, not only when someone is in the office, but also in case they have step out for a moment. Pagers are another good way to summon help from maintenance people or grounds keepers. Many property managers have established special codes that can be entered into digital pagers to quickly identify problem situations that may occur.



ARMED ROBBERY PREVENTION



Armed robbery is a serious concern not often recognized by property managers or leasing staff. It is not uncommon for managers to collect thousands of dollars during the first part of the month. Keep in mind that an armed robber will kill a convenience store clerk for \$50.00 in cash. Many property managers have more than this available in petty cash alone.

Earlier, we addressed Risk Management and the option of **Risk Acceptance**, or accepting the risk. In this case, **Risk Transference** would involve transferring that risk by purchasing a good safe with a special courier service.

Risk Spreading is a third option in risk management. This involves keeping money or valuables in different locations. Thus, if one safe area is found, the money in other safe areas may go undetected. Another way to spread the risk is to make frequent deposits with smaller amounts per deposit.

Risk Avoidance is a fourth option. Make a “No Cash Accepted” policy in the office. This can also help to prevent internal theft and embezzlement by avoiding the situation entirely.

At the very least, property managers should place signs in highly visible areas that reflect the policy that the management will not accept cash and that cash is not kept on the premises. Recommended areas are at the front door and reception or desk areas.

The potential target for armed robbery is in the office, at night, and everywhere in between. The risk of the money being left behind, dropped, or stolen is considerably high. The risk to employees who carry the money may be even higher. Use good safety practices to reduce the risk of loss.

XYZ RENTAL COMMUNITY



**SET POLICIES AND PROVIDE
EDUCATION TO REDUCE THE
POSSIBILITY OF AN ATTACK**

CRIME FREE ACRES

MEMO

Apartment Community

TO: All Employees

FROM: Molly Manager

RE: Safety Policy

- ❖ All applicants shall be **required to show a Government –issued photo identification card**. This card shall be photocopied and placed in a secure place while the applicant looks at the unit. The copy will be returned immediately afterwards.
- ❖ Property managers and agents shall require the applicant to **complete a Guest Information Card** in the applicant’s own handwriting. This should include their current address and phone number. (This policy should be posted as well).
- ❖ Property managers and agents shall **notify another person about the showing** before you tell them what time you expect to return. If for any reason you feel in danger, do not take any risks! Trust your instincts! Reschedule the showing for another time when you feel more comfortable or/and take another staff member with you.
- ❖ When showing an apartment to a prospective resident, allow him/her to enter first. **Position yourself by the nearest exit**. Leave the door open wide until you leave, but be aware of suspicious people lurking outside the unit. NEVER follow the prospect into another room. **If you feel threatened, leave immediately** and call for help.
- ❖ Always **keep vacant apartments or model units well secured**. When entering vacant units by yourself, lock the door behind you. It is a good idea to carry a radio or cellular phone with you. If possible, have a staff member accompany you when you make your appointed rounds.
- ❖ At the very least, agents should **consider carrying a whistle, personal alarm or self-defense sprays**, and **know the hazards** and limitations of whichever method they choose. Self-defense classes may be another option to consider. Firearms are generally not a good option for many people.
- ❖ Employees should receive training to prepare themselves for all types of crime situations. Private firms also offer training in chemical spray and other devices.
- ❖ **Report all suspicious activity** to the Sheriff’s Department and management immediately!

(It is a good idea to have a written policy posted where all applicants will see it.)

PART SIX

COMMUNITY RULES AND LEASE AGREEMENTS

USE A CURRENT LEASE AGREEMENT

Many property managers use rental agreements that are either outdated or, in some cases, illegal. Rental agreements should be reviewed frequently by an attorney or an expert in the field of landlord-tenant laws.

Frequently, State of California Landlord-Tenant Laws change, and a lease agreement may have to be revised to reflect those changes. Outdated rental agreements often do not hold up in court. The San Diego County Apartment Association or San Diego County Association of Realtors may be able to provide an updated lease agreement, as well as other management forms.

ITEMS THAT MAY BE IN THE LEASE:

- Rent Amount, Due Date, and Payment Location
- Utilities Costs
- Maintenance of the Premises
- Pet Policies
- Residential Use Clause
- Key Control
- Security Deposits
- Alterations and Improvements
- Use and Occupancy Restrictions
- Rules and Regulations
- Parking Restrictions
- Termination Policies
- Late or Partial Payment Policies

NOTE: Laws may vary considerably from state to state.

Be certain the lease agreement is legible. Photocopies of poor quality may not hold up in court.

USE OF THE CRIME FREE LEASE ADDENDUM

The Crime Free Lease Addendum was developed to give reasonable notice to new residents (at the time they enter into the rental agreement or when the Crime Free Program is instituted) about activities or behaviors that contradict property rules, regulations, lease agreements or state statutes. Available in several languages, it is an important tool for managers and landlords to protect their investments and to help provide a secure living environment to residents.

Note: If the contract is negotiated in another language and a translation of the contract is provided pursuant to CA Civil Code section 1632, the addendum should be provided in that language too. The law lists Spanish, Korean, Chinese, Vietnamese, and Tagalog. It is recommended that managers negotiate contracts in English and (per that law) have residents bring their own adult interpreters.) These documents are samples only and should be scrutinized for legal accuracy and correct translation.

CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. Resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in criminal activity, including drug-related criminal activity, on or near the said premises. "Drug-related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802]).

2. Resident, any member of the resident's household or a guest or other person under the resident's control shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or near the said premises.

3. Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.

4. Resident, any member of the resident's household or a guest, or another person under the resident's control shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance as defined in Health & Safety Code §11350, et seq., at any locations, whether on or near the dwelling unit premises or otherwise.

5. Resident, any member of the resident's household, or a guest or another person under the resident's control shall not engage in any illegal activity, including: prostitution as defined in Penal Code §647(b); criminal street gang activity, as defined in Penal Code §186.20 et seq.; criminal threats, as prohibited in Penal Code §422 PC; assault and battery, as prohibited in Penal Code §240; burglary, as prohibited in Penal Code §459; the unlawful use and discharge of firearms, as prohibited in Penal Code §245; sexual offenses, as prohibited in Penal Code §269 and 288, or any breach of the lease agreement that otherwise jeopardizes the health, safety and welfare of the landlord, his agent or other tenant or involving imminent or actual serious property damage.

6. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL AND IRREPARABLE VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF TENANCY. A single violation of any of the provisions of this added addendum shall be deemed a serious violation and a material and irreparable non-compliance. It is understood that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by a preponderance of the evidence.

7. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of the addendum shall govern.

8. This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

Resident Signature: _____ Date: _____

Resident Signature: _____ Date: _____

Resident Signature: _____ Date: _____

Property Manager's Signature: _____ Date: _____

Property Name: _____ Address: _____

ADICIONAL ARRENDAMIENTO PARA TENER VIVIENDAS LIBRE DE DROGAS

Cuando se considere entrar o renovar el arrendamiento para una unidad de vivienda identificada en el arrendamiento, el Dueño y el Residente, estarán de acuerdo con lo siguiente:

1. El residente, cualquier miembro de su familia, invitado, o cualquier otra persona bajo el control del residente, no deberá comprometerse o permitir ninguna actividad criminal, incluyendo actividades criminales relacionada con drogas, en la unidad, o en cualquier otro lugar en o cerca de la propiedad; o cualquier otra actividad ilegal en la unidad, cerca de o en la propiedad. Actos criminales relacionados a drogas se refiere a la fabricación, venta, distribución, uso o posesión con intención de fabricar, vender, distribuir o usar ilegalmente sustancias controladas (como definida en la Sección 102 del Acto de Sustancias Controladas 21 U.S.C. 802). Este párrafo también se dirige a toda persona mencionada anteriormente quien facilite cualquier acto criminal incluyendo actividades relacionadas con drogas.

2. El residente, cualquier miembro de su familia, invitado, o cualquier otra persona bajo el control del residente, **no deberá comprometerse en cualquier actividad que facilita actos criminales, incluyendo actividades criminales relacionadas con drogas,** cerca de o en la propiedad.

3. El residente, o miembros de la familia, **no permitirá que la unidad se use para asistir o cometer cualquier actividades criminales incluyendo actividades relacionados con drogas,** sin diferenciar si la persona es miembro de la casa o invitado.

4. Residente o miembro de la familia no se comprometerá en la fabricación, venta, uso, acumulación, o distribución de drogas ilegales y sustancias controladas, como definidas bajo las Estatuas Revisadas del Estado de California Código 11350 H&S, en ningún lugar, en o cerca de la propiedad, o de ningún otro modo.

5. Residente, cualquier miembro de la familia o invitado, o cualquier otra persona bajo el control del residente, **no se puede envolver en actos ilegales, actividades sobre prostitución, definidas bajo las estatuas California Código 647 b PC, actividades tocante a pandillas de las calles, definidas bajo las estatuas California Código 186.20 PC , Robo es prohibido bajo las estatuas California Código 459 PC, amenazar o intimidar, como definido bajo las estatuas California Codigo 422 PC, asaltos prohibidos bajo las estatuas California Código 240 PC y 242 PC,** incluyendo pero no limitado a ilegalmente descargar una arma de fuego en o cerca de la propiedad (California Código 245 PC). Cualquier infracción del arrendamiento que pone en peligro la salud, seguridad, y bienestar de el dueño, su agentes, o otro inquilino, o propenso a ocurrir o causar daño grave a la propiedad.

6. VIOLACIONES DE LAS CONDICIONES MENCIONADAS ANTERIORMENTE SERA CONSIDERADO VIOLACIÓN MATERIAL Y INCURABLE DE LOS TERMINOS DEL ARRENDAMIENTO Y CAUSARA LA CANCELACIÓN INMEDIATA DEL ARRENDAMIENTO.

Una infracción de cualquiera de las condiciones de esta adición al arrendamiento será considerada una violación incurable de los términos del arrendamiento. Es entendido y esta de acuerdo que solamente una violación de los términos será suficiente para cancelar inmediatamente su arrendamiento. Al menos que la ley especifique diferentemente, no será necesario que sea declarado culpable la ley, solamente que exista evidencia preponderante.

7. En caso de conflicto entre los términos de esta adición y cualquier otra condición del arrendamiento, las condiciones de esta adición gobernarán.

8. Esta adición será incorporada al arrendamiento que se comienza o se renueva este dia entre Dueño y Residente.

Residente: _____ Fecha: _____

Residente: _____ Fecha: _____

Manejador _____ Propiedad _____

The **Crime Free Lease Addendum** should be applied equally and fairly to all residents of an apartment community who have signed it. It should be **signed by all NEW residents**. If a resident is in the middle of a lease at the time the program is implemented, they can be asked to sign voluntarily. If they refuse during the lease term, the addendum may be made a mandatory part of the lease renewal process. If a month to month rental agreement is involved rather than a lease, the Crime Free Lease Addendum can be enforced by a legally effective change in terms of the tenancy.

COMMUNICATION IS THE KEY



Be certain to clearly communicate in writing your policy restricting subletting. The tenant should NOT be allowed to sublet, transfer or assign a lease agreement, the premises, or any part thereof without the management's prior **written** consent. If the management gives written consent to sublet, such consent may include a provision that does not release the tenant from any liability.

Only persons listed on the lease, and the tenant's temporary guest, shall be allowed to occupy the premises or any part thereof, without the management's prior **written** consent. A temporary guest shall be construed as someone who resides with the tenant for a short period of time (usually no longer than 10-14 days).

Any type of drug activity or other illegal activity committed on or near the rental property should be investigated and management should consistently take reasonable and appropriate action against residents who violate the Crime Free Lease Addendum.

Residents are responsible for members of the resident's household and guests (under their control) when it comes to illegal or non-compliant behavior on the property. It is important to stress to new residents that they should accompany their guests whenever possible to be certain they follow community rules. Guests should not be allowed into recreational or common areas unless they are with a resident of the property.



Residents, members of the resident's household or a guest (under the resident's control) should not be allowed to disturb the other residents peaceful enjoyment of the premises. If complaints are received, the management should carefully document the information and send a warning letter or serve the appropriate notice. Even if the property manager did not witness the disturbance, notice can still be served if the complainant is willing to testify in court. Let the judge decide.

Inspection policies should be established per California law and clearly stated. Typically, a move-in inspection is conducted before the resident takes possession of the unit. Notice is given of the right to a pre-move out inspection and another inspection is completed when the resident returns possession of the unit to the property management. If there is a need to enter the unit during tenancy (for instance, for repairs) the landlord may address any evidence of violation of the addendum. (Refer to CA Civil Code Section 1954. It restricts the reasons a landlord can enter the unit).

RESIDENTIAL USE CLAUSE



Residents should not be permitted to conduct any business in violation of zoning laws on the property, as this could result in increased foot traffic in and out of rental units. **Written rules** should address visitors parking in “assigned” spaces, and excessive traffic in the parking lots. This situation may also be a “front” for illegal activity. If zoning permits business-related activity, behavior can be reasonably controlled by specific guidelines.

Note: Daycare centers operating under the rules of the Department of Social Services are allowed in residential zones.

Some recommended restrictions include:

- ❖ limited hours
- ❖ limited noise
- ❖ limited foot traffic
- ❖ responsibility for all visitors

PART SEVEN

BUILDING APARTMENT COMMUNITIES

NOT A COMPLEX

Rental properties are not complexes. Complexes may imply disorders. Rental properties are small communities where people live, and many raise a family.

It is important to view each property as a community within a community. Residents need to feel that they are a vital part of a healthy community. When residents feel at home, they are more apt to take pride in ownership of the area.

If residents of a rental property are fearful or not familiar with others in that community, many problems can result. Residents will be less likely to report suspicious or illegal activity, and that causes apathy.

Apathy is pervasive. Soon drug dealers and other undesirables will begin to take over the area. The only element necessary for these unwelcome activities to flourish is for good residents to do nothing to stop them. It does not take long for those who perpetrate illegal activity to realize no one is going to report them.

NOT A LAW ENFORCEMENT PROBLEM



Crime is NOT SOLELY a law enforcement problem... It is a COMMUNITY problem.

It certainly is the Sheriff's Department's role to arrest people involved in illegal activity, but if the management continues to rent to those committing criminal acts, the problem does not go away.

For example, if neighbors complain that certain illegal activities are making a park unsafe for children, it is not necessarily a law enforcement problem. The deputies can remove those who are committing crimes in the park, but if residents do not follow-up by actively using the park, other criminal activities will soon return.

PROBLEM SOLVING

IDENTIFY PROBLEMS

- ACTUAL & PERCEIVED PROBLEMS
- WHO IS AT RISK?
- HOW RELIABLE IS THE DATA

1

IDENTIFY RESOURCES

- POLICE
- MANAGEMENT
- RESIDENTS
- NEIGHBORS

2

IDENTIFY IMPACT

- POLICE REPORTS
- CALLS FOR SERVICE
- EVICTION RATE
- OCCUPANCY RATE
- DAMAGE/REPAIR COSTS
- NON-RENEWALS
- RESIDENT COMPLAINTS
- SECURITY REPORTS

3

IDENTIFY SUPPORT GROUPS

- POLICE & FIRE PERSONNEL
- CITY GOVERNMENT
- RESIDENT COUNCILS
- UPPER MANAGEMENT
- OFFICE MANAGEMENT
- MAINTENANCE STAFF
- LANDSCAPE CREWS

4

IDENTIFY REASONS

- TOLERANCE TOWARD CRIME
- APATHY AMONG RESIDENTS
- POOR MANAGEMENT SKILLS
- POOR COMMUNICATION
- LACK OF POLICE INVOLVEMENT
- LACK OF EDUCATION
- POOR PROPERTY DESIGN
- LACK OF SUPPORT

5

IDENTIFY SOLUTIONS

- MANY SOLUTIONS SHOULD BE CONSIDERED/IMPLEMENTED
- DON'T RESOLVE ONLY ONE SIDE OF THE ISSUES
- DON'T USE "BANDAIDS" ON SERIOUS PROBLEMS
- ANALYZE SUCCESSES
- TRY NEW APPROACHES WHEN NECESSARY

6

HOW TO BEGIN

To build an apartment community you need to **start with residents who care about their environment**. Frequently, property managers will say that residents are aware of illegal activity occurring on the property, but they are unwilling to give their names or make a written report.

In strong apartment communities, residents will not tolerate illegal activity, and are willing to testify in court about abhorrent behavior among other tenants. Remember that criminals are like predators, seeking the easy target. If they are able to scare residents into silence, they can perpetrate the crimes.

As previously stated, one of the most detrimental elements in society today is apathy. Ignoring a crime problem will allow it to flourish more rapidly. It works the same way as weeds. Ignoring a problem will not make it go away. Usually it will get worse.

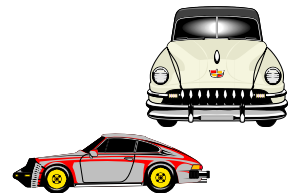
Residents need to understand that they are a vital part of the community's health and well-being. The SAN DIEGO COUNTY SHERIFF'S CRIME FREE MULTI-HOUSING PROGRAM teaches residents how to be effective "eyes and ears" of the community.

To attract conscientious residents you must have a clean property. Properties that have fallen into disorder and disrepair will not attract responsible residents. A property that is clean and well maintained will. It begins with curb appeal; how your property looks will present a favorable first impression.



FORM VS. FUNCTION

While a small sports car may be very attractive, it does not offer much protection in an accident. The 1955 sedan that weighs twice as much (or more) will offer better protection. **The point is that it does not matter how pretty something is; if it is not safe, it is not practical.**



Some property managers will spend tens of thousands of dollars to beautify a property, but will not invest in security lighting. A person looking for a safe place to live may shy away from a property that is too dark, yet a drug criminal may choose a property for that very reason.

Attracting good residents is the first step to building an apartment community. You need to begin by cleaning house...literally. It does not cost a lot of money to pick up garbage, broken glass or other litter. Trimming trees and bushes does not have to be expensive either. Reputable applicants will come if they feel the management is operating the property responsibly.

It is difficult to attract good residents if you have current residents loitering in the parking lots or common areas drinking alcohol or using drugs. People who display this kind of behavior will not only prevent good residents from moving in; they will cause your best residents to leave.

You cannot build an apartment community if you do not remove the obstacles that stand in your way. It is a good idea to visit the property at various times of the day and night to see how the residents behave. This is especially important for properties with off-site management or absentee landlords. Do not rely on independent management companies that contract their services. Many times, they are primarily concerned with occupancy levels and collecting the rent.

**ONE IRRESPONSIBLE
RESIDENT CAN
EASILY DISTRESS
AN ENTIRE
BUILDING AND
CAUSE SEVERAL
GOOD RESIDENTS
TO REFUSE THE
OPTION OF
RENEWING A LEASE**

THE NEXT STEP

Once you have attracted responsible applicants, be sure to sell them on the benefits of your particular property. It is a great idea to highlight the best features of the property. But keep in mind, many properties have great amenities. You need to appeal to their concerns about safety and security.

While no property manager can guarantee a resident will not be affected by crime, a resident will take comfort in knowing the property has established a good rapport with local law enforcement. Good prospects will be happy to hear that management is a member of the San Diego County Sheriff's CRIME FREE MULTI-HOUSING PROGRAM. **Prospects with a history of drug or other illegal activity may simply say, "Thank you, there is another place I want to look at first."**

Be fair, but be firm in your residency requirements. It is your right. One property manager notorious for her strict guidelines was reported to the Attorney General's Office for possible discrimination. People from various classes were sent to the property to audit the manager. The report concluded that the manager was equally rude to everyone. Thus, there was no discrimination; she was just very strict.

Once a resident shows interest in the property, let him/her know that all residents at the property have been required to sign the **Crime Free Lease Addendum** and pass a criminal background check. While this is no guarantee, it does show that management is doing everything they can legally do to reduce the likelihood of criminal activity on the property.

CLOSING THE DEAL

Once an applicant has been approved for residency, he/she will come into the office to review community rules and sign the rental agreements. This is a good time to explain management and resident responsibilities.

Property managers should reiterate their responsibilities and the responsibilities of the residents. This is a great way to establish a professional, yet personal, rapport with new residents.

KEEP IT GOING

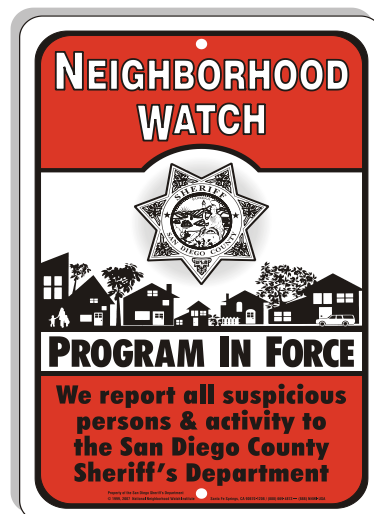
It is a great idea to sponsor community activities at least quarterly. These activities should appeal to all age groups. Try to plan various activities that are sure to draw as many residents as possible. When residents withdraw into their units and do not socialize with neighbors, this leads to apathy and sometimes hostility among residents.

When residents feel they are a part of a community, they are more likely to work out differences with neighbors. Residents who do not associate with neighbors are much more likely to make complaints to management. People who use rental properties to promote illegal activity prefer to live in properties where residents keep to themselves, and community activities happen less frequently.

To attract younger residents to an event, it may be necessary to invite a band, disc jockey, or sponsor a night of karaoke. This is likely to draw a lot of residents, especially if you have free food, drinks and giveaways to raffle off. By having functions that include all ages, residents begin to put names with faces, and faces with unit numbers. Younger residents will be less likely to cause problems in an area where they are well known.

**INCLUDE
EVERYONE IN
YOUR COMMUNITY
EVENTS!**

**ADULTS,
CHILDREN, AND
TEENAGERS**



PART EIGHT

ACTIVE PROPERTY MANAGEMENT

TAKING A COMPLAINT

An apartment community needs active management to deal with the daily problems that can arise among residents and guests. A manager should always be fair and impartial when hearing about resident complaints. It is good management to hear both sides of the story whenever possible. Calling both residents into the office may be one way of resolving small problems between residents. Be sure to document all interactions in the resident file. If the situation could become a serious breach, confirm your understanding of what occurred with a confirming letter to everyone involved.

In cases where there is a potential for violence, it may be necessary to call the police, or at the very least try to keep the residents apart. If the complaint amounts to a breach of the rental agreement or the Crime Free Lease Addendum, and one or several residents are willing to write a complaint and testify in court, you may want to serve the notice even though you were not an eyewitness to the event. Let the judge decide.

When property managers show a genuine interest in the residents' concerns, it encourages the tenants to take ownership of the community. On the other hand, if residents feel their concerns will fall on deaf ears, they will stop bringing issues to management. This is not a good thing, as small problems will progress to larger ones, and those problems can lead to disaster.



ENTRY TO THE PROPERTY

Pursuant to Civil Code §1954, the landlord must serve a written notice to gain access to the property, except in an emergency or abandonment. Generally, 24 hours notice is considered to be sufficient notice. If a manager or agent of the property enters the unit without legal notice, the resident may be entitled to monetary damages. Fortunately, notice is not required if management is asked to make a repair and does so within seven (7) days of the request.

The code provides that “a landlord may enter the dwelling unit only in the following cases: (1) Emergency (2) To make necessary or agreed repairs, decorations, alterations or improvements, supply necessary or agreed services, or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workers, or contractors, or to make and inspection pursuant to subdivision (f) of Section 1950.5 (3) When a tenant has abandoned the premises (4) Pursuant to a court order.” The inspection referred to in Civil Code Section 1950.5 is the one the tenant has the right to prior to move-out.

The law does not mention routine inspections. It is arguable that one must inspect a unit in order to determine whether there are repairs that are “necessary.” It could also be argued that an owner or agent has a right to enter a unit for other purposes addressed in separate California laws. For instance, the California Health and Safety Code provides that a landlord can enter to maintain a smoke detector. Owners or managers should establish policies regarding risk management decisions when the law is not clear. **Seeking legal advice is advised to get a better understanding of laws pertaining to this section.**

Inspections should never be conducted for the purpose of singling out a particular resident without cause. It should never be done for personal reasons or for retaliation on the part of the management.

If residents refuse to allow the manager or an agent to enter a unit or any part of the unit, for the purposes management has decided are justifiable, the resident may be served with a three day notice to perform covenant or quit for non-compliance. Failure to allow entry pursuant to the notice could be cited as a basis for eviction. The lease should provide that residents cannot install locks without permission from management. If a resident does refuse access, do not try to force entry, as a breach of peace could occur.

**“PROPERTY MANAGERS
HAVE A LEGAL RIGHT TO
ENTER UNITS FOR A
NUMBER OF PURPOSES
AND DENIAL OF ACCESS
COULD BE CITED AS A
BASIS FOR EVICTION.”**

In an emergency situation, such as fire or water damage, a manager may enter the unit without serving notice in order to protect the property from excessive damage. If the manager has reason to believe a resident may be injured or ill, they may enter the unit to check the welfare of the resident if other attempts are unsuccessful. It is wise to seek the assistance of authorities to conduct a “welfare check” on the resident.

GOOD PROPERTY MAINTENANCE

Building Maintenance - The building should have a bright colored paint to reflect ambient light. Keep it looking well maintained.

Stairs/Balconies - Stairs & balconies should not have a cluttered appearance. They should appear clean and safe. The rental agreement may make reasonable restrictions on the resident's use of private areas of the property. For instance, "no personal property except outdoor furniture shall be located on resident's patio or balcony" may be an enforceable rule.

Courtyards - Keep trees and bushes trimmed. Maintain good lighting and litter control.

Common Areas - Laundry and recreational areas should be clean, well lit, and promote a sense of safety.

Parking Lots - Maintain lighting, asphalt and signage. Paint speed bumps and fire lanes as necessary.

Perimeter Fencing - Inspect for damage to structures and repair immediately. Paint over graffiti ASAP.

Litter Control - All members of the management team should pick up litter or debris whenever they see it. Encourage residents to help keep "their community" clean.

Lighting - Inspect and replace bulbs and fixtures to maintain sufficient illumination at all times.

PART NINE

COMBATING ILLEGAL ACTIVITY

WHOSE JOB IS IT?

Property managers get frustrated very quickly when trying to report criminal activity to law enforcement. It just seems the deputies do not show enough interest. If they cared, they would arrest the troublemakers, right? Well, it **is not that easy**.

Some property managers are viewed as apathetic toward crime. It appears that property managers intentionally rent to anyone, as long as they pay the rent. Some law enforcement personnel are viewed as apathetic toward problems that arise in rental communities. It appears that peace officers are in too much of a hurry to get to the next call, or the next cup of coffee.

The truth is, there are some property managers and deputies who could do a better job. But the majority of law enforcement personnel and property managers are doing their very best. There are, however, misconceptions about what deputies can and cannot do, as well as limitations and boundaries affecting the property manager.

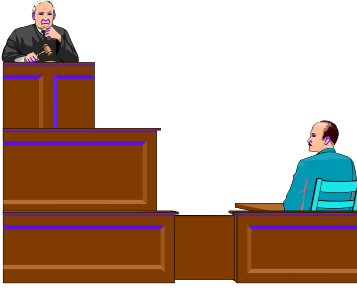
**MANY MISCONCEPTIONS
ABOUT LAW
ENFORCEMENT AND
PROPERTY MANAGERS CAN
BE CLEARED UP
QUICKLY WHEN LAW
ENFORCEMENT AND THE
MANAGERS OF RENTAL
PROPERTY SIMPLY TALK
ABOUT THEM AND
PARTNER TO
WORK TOGETHER**

THE DISPLACEMENT THEORY

If managers depend too heavily upon law enforcement to deal with criminal activity on the property, they will likely be disappointed. Deputies cannot do very much alone.

For example, consider the balloon displacement theory. If a balloon is squeezed from one side, all of the air is displaced to the other side. When the balloon is released, all of the air comes back again. The police have this same effect on crime. The police can respond to a crime problem, apply pressure, and displace the problem. But as soon as they focus on a new area, which will inevitably happen, the problem usually returns.

If a property manager squeezes one side of a balloon, maintenance squeezes another side, the police another side, and residents squeeze from the top and bottom, the balloon will burst. This team can have the same effect on crime. There is strength in numbers! United against crime, the team will always win.



Deputies do not have sufficient training in civil laws regarding landlord/tenant disputes. Frequently, law enforcement expects the property management to do things that they are not authorized to do. It also works in the reverse. Many times, **deputies are asked to do things that are beyond their powers and duties.** Each may erroneously perceive the other as apathetic, because neither has or takes the time to explain **why** a particular action cannot be taken.

CIVIL LAWS VS. CRIMINAL LAWS

To clear up the matter, we first have to see the differences between **civil** and **criminal** matters. They have very little in common. In fact, sometimes they have NOTHING AT ALL in common. Property managers work with the Landlord/Tenant Law of the California Civil Code (civil laws) while the Sheriff's Department works with, among others, the California Penal and Health and Safety Codes (criminal laws). **The rules and the penalties are entirely different.**

Criminal Law

When you think of criminal laws, think of Perry Mason, the judge and jury. When you think of civil laws, think of Judge Wapner and *'The People's Court.'* The issues and the procedures are quite different.

In criminal law, the police must have "probable cause" to arrest someone. Suspicion is not enough. Probable cause is where a deputy knows that a crime happened, and believes the perpetrator is the one being detained. When a deputy begins to question the person who was just arrested, **he must tell the suspect about their "Miranda Rights."** **Law enforcement cannot search an apartment without a warrant, which is not easy to obtain.**

If the officer is able to build enough evidence to arrest a suspect, there is still no guarantee the prosecutor's office will file charges. If charges are filed, there is no guarantee the person will be brought to a jury trial. If the person is brought to a jury trial, there is no guarantee the jury will convict. If the jury convicts, there is no guarantee the person will go to prison. If the person goes to prison, there is no guarantee that he will stay there very long.

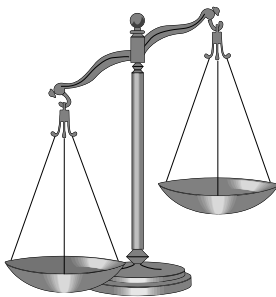
In many cases, plea bargains are made, probation is given, and in some situations, the charges are just dropped. In most cases, the people who are arrested at rental properties do not go to prison. They are released very soon after being arrested, and they go back home to their apartment.

Civil Law

In civil law, the procedure is much different. **Property managers do not need probable cause to question a resident and they do not have to read them their rights. Property managers have the right to enter rental units (as provided by law), and they do not need a search warrant!** If the resident has committed a breach of the rental agreement, the resident must appear in court or risk losing the judgment.

Civil Court does not represent the typical courtroom scenario. You might be surprised to know that although there is usually not a jury in an eviction case, either side has a right to ask for one. Most often, each person stands before a judge, the judge considers both sides of the issue based on the evidence presented, and renders judgment. That is it.

In criminal cases, a jury must be convinced “beyond a reasonable doubt.” In civil law, the judge only needs to see a “preponderance of evidence.” A preponderance of evidence is MUCH less than proof beyond a reasonable doubt. A preponderance of evidence needs only to be 51% to adjudicate. Proof beyond a reasonable doubt requires virtually 100% to convict the accused.



VS.

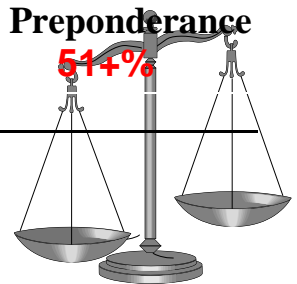


Criminal Conviction
“BEYOND A REASONABLE DOUBT”

Civil Preponderance
51+

TAKING ACTION

If a resident is conducting illegal activity at the rental property, a criminal conviction may not be as expedient as taking civil action. For instance, if a resident is suspected of gang activity or selling drugs, you **should** contact the police, but be prepared to take action yourself. Law enforcement may not be able to do much to help in some cases. Document all the activities you and others have observed, as you may have a better ability to deal with the situation than law enforcement.



POSSESSION OF FIREARMS

The San Diego County Sheriff's Department frequently receives calls from property managers and other concerned residents about a person on the property with a gun.

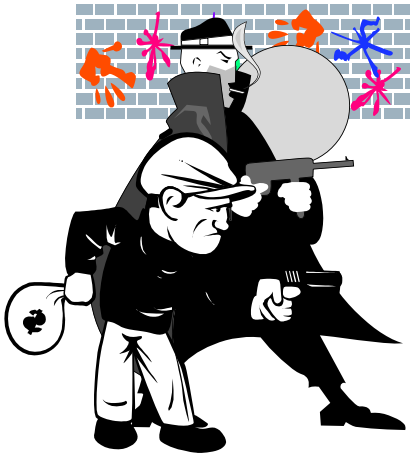
As long as the person is not pointing the gun at anyone, posing a threat, carrying a loaded gun, or concealing it without a permit, the person is probably not breaking California law. **It is not against the law for a person to carry a gun**, as long the gun (or the holster) is visible and is not loaded. If it is concealed, they must possess a concealed weapons permit issued by the San Diego County Sheriff's Department.



Criminal laws against threatening a resident or another person require a considerable amount of proof. Civil laws regarding residents of rental property include intimidation, which is a lot easier to prove. **In this case, the management may have more authority to deal with gun-toting residents than the Sheriff's Department.**

Although property managers have tried to make rules prohibiting residents from carrying guns on the property, they may be ruled as conflicting with the constitutional right to bear arms (in violation of the Second Amendment). However, rules regarding behaviors associated with firearms are more enforceable.

GANG MEMBERSHIP



It is not against the law to be in a gang. However, it is against the law to actively participate in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity. The term "criminal street gang" means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of assault with a deadly weapon, robbery, homicide or manslaughter, drug activity (including sale, possession, transportation, manufacture, or offer for sale), rape, kidnapping, car jacking, and other crimes. See Penal Code § 186.20 et seq.

If a gang member commits a criminal act on the property, such as spray painting, the Sheriff's Department can get involved. But, if the suspect is a juvenile, do not be surprised if they are immediately released to a parent.

If neighboring residents complain the suspected gang member's friends are disturbing their peaceful enjoyment of the premises, you may be able to serve a three-day notice. This would apply to loud music, loud parties, verbal fights or other breaches of the rental agreement.

DRUG PARAPHERNALIA

Anytime a manager finds a drug pipe, drugs, needles or other paraphernalia on the property, they should call the Sheriff's non-emergency number (858-565-5200) to have the items removed. **DO NOT touch the items.** When they are found on the property, isolate the area until deputies arrive.

Needles are especially dangerous, not only because of the drugs themselves, but because of the likelihood of the transmission of **Hepatitis or the HIV virus**. Because children and adults may crawl into dumpsters, it is not a good place to leave drug paraphernalia. Maintenance and grounds keepers should also be on the lookout for needles and other drug paraphernalia in remote areas of the property and inside broken sections of block fences.



GENERAL DISTURBANCES

Loud music, loud parties and rowdy behavior can be very annoying. Under California law, the deputy can ask residents to reduce the noise, and may issue citations and arrest individuals for disturbing the peace as long as someone is willing to perform a citizen's arrest for the violation (see Penal Code section §415). **However, as a practical matter, the management has the most power to deal with this non-compliance.** The violation should be investigated and addressed with both sides. A warning letter should be sent to the violator if it appears that the complaint was justified. A serious breach or several minor ones could be the basis of an eviction. It would be wise to get legal advice about the service of notices in lease or in month to month situations.



It is appropriate to call the Sheriff's Department when there are disturbances on the property, but be prepared to serve the applicable notices as well. In cases of disturbances, a peace officer might issue a citation to the resident, but it is unlikely that the suspect will go to jail. Even if the deputy did arrest the resident, and found a marijuana cigarette in his pocket, chances are very good the resident will be released or will be back home the very next day, if not that night.

WHO HAS THE POWER?

The Fourth Amendment to the United States Constitution limits the power of a peace officer. **The property manager has much more power to remove a resident from the property**, since there is a contractual agreement.

There are some things that a law enforcement officer can do that managers cannot. However, more often, what the management can do, the police cannot. Together the police and management can work with responsible residents to solve virtually any problem.

It takes a concerted effort, and both sides have to be willing to do as much as possible.

TRESPASSING



If a rental agreement has clearly stated policies regarding unauthorized occupants, the property manager can typically serve a notice for the resident to remedy the breach in three days, or face eviction. This is often the case with unauthorized pets as well.

ATTEMPTED MURDER

While this story may sound far fetched, truth is sometimes stranger than fiction “9-1-1, what is your emergency?”

“It’s my husband, he has a gun, and he says he’s going to kill me.”

“Okay, stay on the line. I have several officers responding to your apartment as we’re talking.”

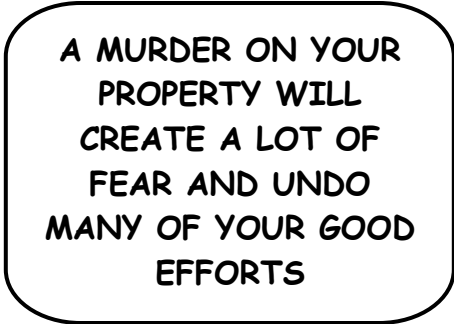
“Please hurry.”

“Which unit number are you in?”

CLICK -- Dial tone.

“Hello? Are you still there?”

(The line is busy on call back.)



**A MURDER ON YOUR
PROPERTY WILL
CREATE A LOT OF
FEAR AND UNDO
MANY OF YOUR GOOD
EFFORTS**

The police respond at 1:40 a.m., set up a perimeter, and evacuate all of the neighboring units. It’s the middle of the night, it’s cold outside, but the neighbors could be in danger. They have to leave.

For several hours the police negotiate with the gunman, but he refuses to put the gun down. The hostage negotiator is also unsuccessful.

At about 7:00 a.m., the police fire tear gas into the unit, breaking the window and burning the curtains and carpeting. Fortunately, nobody is seriously injured. The SWAT Team takes the suspect into custody.

By 7:11 a.m. the suspect is handcuffed and placed into the back of a waiting patrol car. By 8:00 a.m. he is in front of a judge; by 9:00 a.m. he is released and has his guns back.

The manager is livid! She calls the deputies and insists on knowing why “the police let this man go?”

The response is, “The deputies *did not* let this man go, the judge did. The Sheriff’s Department’s job is to take a suspect before a judge. After that, it is up to the judge! If the judge orders the police to release him, they have to do it.”

The manager lashes back, “I want to know why the judge let him go?”

The response is, “It happens all the time. The courts are so busy, and the jails are overcrowded, so not everyone goes to jail. The lack of space in detention facilities is an inherent problem that almost every large city or county faces.

The irony of this true story is the manager was mad at the deputy for not doing his job, when in fact, he did everything within his powers. The manager, however, may have made an error in the way she dealt with an ongoing problem. This was the third time that deputies answered a call to the same apartment unit in less than 10 months. The manager chose not to evict the suspect the previous two times because she knew the resident was having “personal problems.”

MANAGEMENT’S RESPONSIBILITY

Frequently managers complain about all the problems they are having with a particular resident. They can tell many stories, but when asked to *show written documentation of non-compliance*, often times the manager cannot produce pertinent records.

One manager was asked if he ever served a three-day notice. His reply was, “What is a three-day notice?”

It is not uncommon to find managers who only know about the three-day notice for non-payment of rent. They feel they were hired only to collect the rent, and it is the local law enforcement agency’s job to deal with undesirable behavior involving residents.

Granted, most apartment managers are familiar with the various notices, but far too many do not use them as often as they should. The three keys to successful eviction are:

THE 3 KEYS TO GOOD
MANAGEMENT ARE...

DOCUMENT...

DOCUMENT...

DOCUMENT...



“DOCUMENT... DOCUMENT... DOCUMENT”



**IF A RESIDENT'S FILE
CONTAINS ONLY RENT
RECEIPTS AND NO
NOTICES OR
DOCUMENTATION, YOU
MAY HAVE TROUBLE
CONVINCING A JUDGE
THE RESIDENT HAS BEEN
A PROBLEM FOR A
LONG TIME**

RESIDENT'S RESPONSIBILITY

Train residents - to recognize and report suspicious and/or illegal activity.

Empower residents - form Neighborhood Watches and resident councils.

Establish relationships/rapport - attend meetings, use suggestion boxes, have an open door policy. Newsletters can be an effective method of communication.

Set goals - for residents.

- ❖ Smaller, short-term goals in the beginning
 - people get discouraged
 - people need successes
 - people need a series of goals
 - remind residents of goals
 - advertise successes

- ❖ Larger, long-term goals later
 - more impact on community
 - more difficult, but greater rewards

A TEN-STEP PROCESS TO GET RESIDENTS INVOLVED

1. Contact all residents.
2. Arrange a timely meeting.
3. Provide handouts.
4. Follow up with a newsletter to all residents who did not attend.
5. Have the property manager facilitate meeting.
6. Invite representatives from the Sheriff's or Fire Department to present prevention programs.
7. Provide crime statistics.
8. Discuss reasons for crime.
9. Provide resources.
10. Offer solutions.

PART TEN

PARTNERSHIP WITH THE POLICE

“THE DEPUTY WILL NOT TALK TO US”

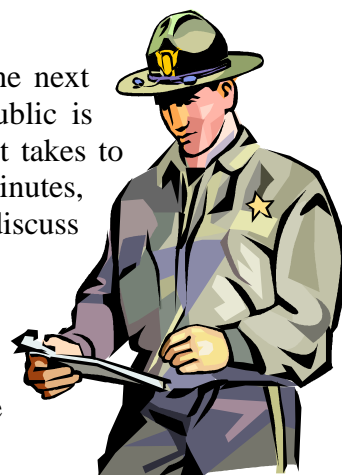
Frequently managers will complain that the deputies do not stop at the office to report why they are called to the property. There may be some legitimate reasons for this.

Some problems are so minor, the deputy may not feel it warrants reporting. For example, a couple has a verbal dispute, as many people do, but no one is hurt; the situation is minor, and there is no reason to “air the dirty laundry” to the neighbors.

Though the manager approaches the responding deputy to inquire about the call, it may be inappropriate to disclose the information to him or her. It is also possible that the deputy is not certain the person is really the manager.

Many times the deputy is in a hurry to clear the call and respond to the next one. Domestic calls require a great deal of time to complete. The public is sometimes critical and actively scrutinizes response times. The time it takes to locate a manager (and re-tell the whole story) can easily amount to 15 minutes, a half-hour or more. This is especially true when the manager wants to discuss other activity on the property or to “vent.”

Some officers feel the manager is not going to follow through anyway. Though it may be hard to believe, there are property managers that are unreasonably inquisitive. They do not follow through with the appropriate notices, and may feel entitled to confidential information.



If a deputy knows the property manager actually follows through with an appropriate course of action, there is greater incentive to talk with the manager. In reality, he/she really does not want to keep coming back for the same problem over and over again.

When the deputy arrives, let him/her know you are an active member of the Sheriff’s Department’s CRIME FREE MULTI-HOUSING PROGRAM and you are willing to work with him/her. Meeting the officer is the first step.

Keep in mind, one deputy works day shift, another works the swing shift, and another works graveyard shift. Different deputies substitute for them on their days off. It could take a while to meet them all.

PRIVACY LAWS

There is another very key issue to address: the issue of privacy laws. A peace officer cannot stop by in person, or leave a card in the office telling you the “who, what, when, where, why and how.” Managers do not receive preferential treatment as far as obtaining arrestee information. Criminal history cannot be disclosed under the California Public Records Act.

There is useful information available to the public on the sheriff's website (www.sdsheriff.net), including "Who's in Jail?" information. Crimemapping.com is an application to which anyone can subscribe and provides information about crimes within a certain radius of a community or neighborhood. Also available for anyone to review are the individual stations' pressboards, which contain recent crime reports with certain information blacked out.

**THERE ARE VERY
STRICT PRIVACY
LAWS THAT
PROTECT THE
PRIVACY OF
RESIDENTS... EVEN
THE RESIDENTS
THAT BREAK
THE LAW**

It is important to remember that information-gathering is the responsibility of the apartment manager and it is not incumbent upon the Crime Prevention Specialist to track and notify for every resident in their CFMH properties.

HOW TO APPROACH THE OFFICER

If you see a deputy at one of your rental units, do not interfere -- stay back. The situation may become volatile at any moment. He/she may order you to stand back for your own safety.

If you are certain things are settled, you can get the deputy's attention and introduce yourself as the manager and ask to see him/her when he/she is through with the call. The less you say at this point, is generally best. Stand at a safe distance, but wait for the deputy. Do not go back to the office.

When the deputy is finished, let him/her know you are working with the Sheriff's Department's CRIME FREE MULTI-HOUSING PROGRAM, and get a case number. Sometimes, a case is not drawn up and no report will be written. He/She will let you know.

If you are able to get more information, it will help you follow through with the necessary steps you must take. If not, get a copy of the report and let the deputy know that you do plan to follow through, and would appreciate working with him/her in the future.

ESTABLISHING MORE SECURITY

If a property manager has a **serious** problem with crime, he/she may want to consider using private security.

REQUESTING “EXTRA” PATROL

Frequently managers will call requesting “extra” patrol. While it never hurts to ask, it may not always be possible.

Unfortunately, patrol deputies cannot provide security for everyone who asks. Even if they could visit the property a couple of times per day, the likelihood that they would be at the right place at precisely the right time is very slim. Random passes through the property are rarely effective, and often not possible.

**A HIGH POLICE
PRESENCE WILL
DEMONSTRATE TO THE
RESIDENTS THAT
MANAGEMENT IS
SERIOUS ABOUT
ADDRESSING PROBLEMS**

EVERYONE WANTS EXTRA PATROL !



NARCOTICS SURVEILLANCE

Property managers will also call law enforcement to request that a narcotics detective set up surveillance on a resident they suspect of using drugs. While managers are aware the detectives are not sitting by the phone hoping someone will call soon, they may not know how many calls are received.

Narcotics detectives are highly trained and do excellent work because they use effective methods. Typically, they rely on undercover operations. If they can get close to an illegal operation, they are likely to make more than one arrest, and may arrest several people. If the quantity of drugs is high, the offender is likely to get prison time.

The end user is not going to get the prison time or produce all of the other results the detectives are seeking. They want the most egregious offenders, thus they work the more serious cases. There are more calls than the department has detectives. It is a matter of priority.

MANAGEMENT SURVEILLANCE

You should call to report drug activity, because you may be providing key information that the deputies need. You should also document other behaviors associated with the drug activity, and serve the appropriate notices. **There are usually additional offenses that could be used to evict and that managers often overlook, trying to prove someone is into drug activity.**

Rarely have property managers confronted residents with their suspicions, yet they call law enforcement. When asked why they have not confronted the resident they say, "I do not have any proof." Think about that. **The police need a lot more proof than the manager does. The police cannot do anything without proof.**

Why can't the deputies just watch and "get" the proof? There are not enough deputies or detectives available. The better question is, "Why don't the property management teams watch the resident and get the proof?" It is much easier for those who live and work on the property to watch what is happening. They are familiar with those who should and should not be there. The manager needs a lot less proof than a deputy, and will get faster results with civil actions.

Owners should have policies established for dealing with suspicious activity.

Setting up video cameras or recording license plates may provide clues, but they may also spark retaliation from the resident. Private security companies may be retained in the event that there is a safety concern. Whatever action is taken, safety should always be foremost.

"BUT I AM SCARED!"

Because the potential for danger is there, **property managers should be more selective and screen all prospective residents.** If policies are not strictly stated in the beginning, they will be harder to enforce in the end. Prevention is the key.

Most residents will stop drug activity if they find out the manager is suspicious. Many of them continue to engage in illegal activity because they know the manager is afraid to confront them. Even if the deputy arrests a resident, inevitably you will have to evict them and others on the lease. Otherwise, they will come back to their rental unit, in most cases awaiting his/her trial.

IF A MANAGER DOES NOT HAVE ENOUGH PROOF TO EVICT A SUSPECTED DRUG DEALER, LAW ENFORCEMENT DOES NOT HAVE ENOUGH PROOF TO ARREST THEM EITHER

PART ELEVEN

DEALING WITH NON-COMPLIANCE

FIRST THINGS FIRST



Many property managers use attorneys who have experience with landlord/tenant issues. The best attorneys are usually the ones who specialize in landlord/tenant practice. Keep in mind that many evictions are lost on technicalities and the cost of a knowledgeable attorney may save money in the future.

If a resident retains an attorney and their attorney determines that all policies and procedures were followed and regulations were applied fairly, they are less likely to fight an eviction. If the attorney discovers that the manager made mistakes in the process, they are more likely to fight the eviction, and increase the tenant's chances for success.

DO YOUR HOMEWORK

The basic state laws that regulate the landlord business are the California Civil Code and Code of Civil Procedure. If you have trouble understanding the law, work with another person, or sign up for a class. Knowing the laws will help you avoid problems in the future.

Attend an unlawful detainer hearing in one of the San Diego County courts. Observing the process is a great way to get prepared for your testimony. Learn how others respond to questions and take notice of what others are doing right and wrong. This will help you be more comfortable when it is your turn before the judge.



SET YOUR POLICIES



KNOW YOUR OPTIONS CONSULT AN ATTORNEY

It is essential that property managers are fully aware of their options when it comes to a resident's non-compliance of a lease agreement. Effective property management includes early recognition of noncompliance and immediate action. Established policies set by the rental community enable management to deal successfully with individuals that break the rules.

Some property managers use a progressive method for dealing with non-compliance. They might begin by sending a personal note, and the next time send an official notice. Some managers will make a personal contact first, and then follow with an official notice.

The best approach is to follow company policy. That usually means you will send written notice, and document the incident immediately in the resident's file. A policy should be applied equally and fairly to all residents.

DO NOT BE COMPLACENT

If a manager turns a blind eye to non-compliance, he or she may risk several things.

He or she may lose her right to evict for the non-compliance at a later date. This is especially true if a manager accepts rent from a resident with an unauthorized pet or resident.

The resident may get progressively worse, and then the situation will become more volatile.

Other residents may get the impression they can get away with the same non-compliance. Do not make a rule unless you plan to enforce it for everyone.

If management refuses to take appropriate action against a non-compliant resident and this leads to an injury or death of another resident, the management could be sued for millions of dollars. In addition, dealing with their responsibility for the death or injury may be difficult.



KNOW YOUR RESPONSIBILITIES

SEEK LEGAL ADVICE TO PROTECT YOURSELF AND YOUR COMPANY. If a notice is improperly served, or if the wrong notice is used, the case will likely be dismissed. In some cases, the manager may lose more than the judgment. For example, if a manager enters a unit to tape a notice to the bathroom mirror, that is not a proper service or proper entry. This may entitle the resident to monetary damages. Also, if there is an attorney's fees clause in the lease and the landlord loses the case, the landlord has to pay the tenant's attorney.

Each process has special requirements that management needs to understand. If a property manager is unsure, he/she should seek help from an attorney or person familiar with landlord/tenant law.

THERE ARE THREE (3) TYPES OF SERVICE

- 1. PERSONAL SERVICE**
- 2. SUBSTITUTED SERVICE**
- 3. POST AND MAIL SERVICE**

SERVICE OF NOTICES AND DOCUMENTS

A) PERSONAL SERVICE

If a manager chooses to serve a notice personally, he/she needs to be aware of what constitutes a good service. Most importantly, the person being served **MUST** be the tenant.

The resident does NOT have to sign the notice, or even touch it for there to be appropriate personal service. If you can identify the resident and you make him/her aware that you are leaving a legal notice, that notice could be left outside the unit and still constitute service. If the tenant slams the door in your face, attach the notice to a conspicuous place, such as on the main entry door.

Note: Service of eviction notices is different than service of other types of process.

Personal contact with the resident is **the key to this type of service.**

B) SUBSTITUTED SERVICE

If you are unable to locate the tenant at home or work, the law allows you to use "substituted service" in lieu of personally giving the notice to the tenant. In order to serve the notice this way, you must make at least one attempt to personally serve the tenant at home. If the tenant is not there, but another person is...leave a copy of the notice with a person of "suitable age and discretion" (preferably someone over the age of 18) at the tenant's home, and mail a copy to the tenant by first-class mail. If you are concerned about proof that the mail was sent, you can get a

“certificate of mailing.” If there is no one at the tenant’s home, the law provides that you must try to serve at the place of business if possible. In that case, the notice would be placed in an envelope and left with the person “apparently in charge.” Please check with your supervisor to see if the company policy is to follow technical requirements exactly. You must ask for the name of the person with whom you leave the notice and include it in your proof of service when you file your lawsuit. Substituted service of the notice is not completed until you have left the copy with the "substitute" person *and* mailed the second copy to the tenant at home. The first day of the required notice period begins the day after both of these steps are accomplished.

C) POST AND MAIL SERVICE

If you cannot find the tenant or anyone else at their home or work, you may serve the notice through a procedure known as "posting and mailing." It is also known as "nail and mail." To serve the notice this way, you must make at least one unsuccessful attempt to personally serve the tenant at home and work. You are then required to post a copy of the notice in a conspicuous place (usually on the front door of the tenant's rented or leased premises), and mail another copy to the tenant at home by first-class mail.

In some California jurisdictions outside of San Diego County, service that is not “personal” extends the notice by five days. *Please use current law and applicable cases to verify appropriate procedures for your area.*

**IT IS POSSIBLE THAT
SERVICE MAY BE
CONSIDERED VALID IF
THERE IS A TECHNICAL
DEFECT IN PROCEDURE, BUT
YOU CAN PROVE THE
TENANT ACTUALLY
RECEIVED THE NOTICE**

SUMMARY OF NOTICES

THREE-DAY NOTICES

Information regarding three-day and thirty day notices is discussed at length by attorneys that train managers at our seminars. Please review the information provided by them, research the information at our local law libraries, or purchase books on the subject. Employees of the Sheriff’s Department cannot provide legal advice to the public.

Information pertaining to eviction procedures and service is available on the San Diego County Sheriff’s website. <http://www.sdsheriff.net/csb/evictions.html>

Failure to Pay Rent: Notice to Pay or Quit

This type of notice is used when the tenant has failed to pay his/her rent on time as specified in the rental agreement. If within three days after the notice has been properly served the tenant offers the entire amount demanded, the termination of tenancy is ineffective and the tenant can remain on the premises. If the tenant does not pay the demanded amount within the notice period, unlawful detainer proceedings may commence.

**Violations of Rental Agreement/Property Damage to Premises:
Notice to Perform Covenant or Quit or Notice to Quit**

These notices are used for substantive rental agreement violations. There are two types--conditional and unconditional. The *Notice to Perform or Quit* gives the tenant the option of staying if he/she corrects his/her behavior within the three-day period. If he/she does not, the tenancy is considered terminated, and the unlawful detainer process may be pursued.

Examples of when this notice is used include:

- the tenant has an unauthorized pet or occupant in violation of the lease
- the tenant has failed to pay separate monetary charges, such as late charges, “Non Sufficient Funds” fees or utility billings
- the tenant has refused the landlord access to the premises when it is necessary to effect repairs

The other three-day notice simply tells the tenant to move out in three days, without an option to correct his/her behavior. This unconditional surrender of the premises notice may be used when:

- the tenant has sublet all or part of the premises to a third person contrary to the rental agreement
- the tenant is causing a legal nuisance by seriously interfering with the neighbor’s ability to live normally in their homes (i.e. loud parties, hostile behavior)
- Illegal activities on the property (i.e. drug dealing)
- the tenant is causing a great deal of damage to the rental property (i.e., breaking windows, punching holes in walls, fire or water damage)

THIRTY-DAY NOTICES

In the case of a month-to-month rental agreement rather than a lease, a landlord may terminate the tenancy by giving the tenant a 30-day written *Notice of Termination of Tenancy*. State law does not require that the notice state “cause” unless the property is in a rent control district. Federal subsidized housing programs (such as tax credit or Section 8) generally require cause to be stated. Local ordinances may require cause (such as when a resident within the City of San Diego has lived in a property for two (2) years or longer.) Even if a statement of cause is not required, however, the landlord may not terminate the tenancy based on any federal, state or local protected class (such as race, color, religion, sex, national origin, familial status or “handicap” (federal classes and note that handicap is called disability in California) marital status, age, sexual orientation, ancestry, source of income or any other arbitrary basis (CA classes).

You may prefer to use a thirty-day notice in a month-to-month tenancy instead of a three-day notice, if it is a situation in which you do not have to prove your reason for eviction under the thirty-day notice. In addition, a tenant who receives a three-day notice is more likely to defend the unlawful detainer in order to get revenge, vindicate his reputation, or gain additional time to move out of the premises. Using the thirty-day notice gives the tenant time to rethink his position and allows him/her to move out under less pressure.

Furthermore, a three-day notice violation requires significant documentation and credible testimony. Typically, a Judicial Officer will not order an eviction based on a three-day notice for minor rental agreement violations or property damage.

In summary, evictions based on the three-day notice should only be pursued when the problem is serious and time is of the essence, or if there is no choice because the tenancy is pursuant to a lease rather than a month-to-month agreement.

THE UNLAWFUL DETAINER PROCEDURE

In California, the unlawful detainer proceedings may be commenced pursuant to Chapter Four of the California Civil Code of Procedure, commencing with §1159.

A lawsuit that is filed for possession of a real estate rental is called an eviction, or an “Unlawful Detainer” action. Because the landlord experiences a potential loss for each day he/she has to wait, unlawful detainers are entitled to priority over all civil actions except temporary restraining orders. Therefore, when an eviction is filed, the defendant (resident) has less time to respond to the court than he would if the lawsuit was for money only. If he/she fails to respond, the court can enter judgment without a trial. If a defendant responds in time, he/she is entitled to a trial. Even if the landlord wins at trial, there is a delay before possession of the premises is returned...due to paperwork requirements and because a defendant receives a final five (5) day notice that a lock-out will occur on a particular date.

Defendants can delay evictions with a number of legal “tactics”, but the average “Unlawful Detainer” in San Diego County runs approximately 21-45 days from the time of filing of the lawsuit to the date possession is returned.

Note: Laws can change on a yearly basis therefore; it is advisable to consult with an attorney that specializes in landlord/tenant law for updated information pertaining to local, state, and federal regulations.



EVICTION SERVICE AND PROCEDURES

Please refer the following website for specific information.

<http://www.sdsheriff.net/csb/evictions.html>

Evictions can only occur after a landlord has received a judgment from the court and a writ of possession has been served or posted on the property. The purpose of a writ of possession is to place with the rightful party possession of real property. Writs of possession usually arise as a result of a tenant's non-payment of rent or a breach of the rental or lease agreement.

After the process has been brought to the Sheriff with the appropriate [fee](#), you or your attorney of record will be sent a letter notifying you of the scheduled date of the eviction. You or your appointed agent will also receive a telephone call on the work day preceding the eviction to inform you of the exact time the Deputy Sheriff will meet with you at the property.

If you have any information regarding the occupants of these premises related to mental instability, history of or significant propensity for violence or hostile confrontation with law enforcement, please telephone the Sheriff's Department, Court Services Division [office](#) closest to you or see our [telephone list](#).

On the day of the eviction you may wish to change the locks at the residence while the Deputy Sheriff stands by for a reasonable time for this purpose. The landlord must provide access to the property in order to complete the eviction process.

The Sheriff's Department will not inventory personal property left at the property. You should refer to Civil Code Sections 1983-1988 if questions arise regarding lawful disposition of property left on the property.

If the occupants vacate the property prior to the eviction date, please call the Sheriff's Department, Court Services Division office handling that eviction. See our [telephone list](#).

If you need information regarding the eviction procedure, you should contact an attorney, research the information at the law library or you can purchase a reference book from a book store.

[The Sheriff's Department can not provide legal advice regarding the eviction process.](#)

Crime Free Multi-Housing Ordinance

San Diego County Sheriff's Department-Unincorporated Areas

The Crime-free Multi-Housing Ordinance was adopted by the San Diego County Board of Supervisors in July 2010 in order to provide safe, crime free, livable communities for those residing in rental communities throughout the unincorporated areas of the County.

The overall intent of the ordinance is to **encourage** owners and operators of designated multi-family residential community in the unincorporated area of the County to obtain a crime-free certification for the property. The crime free certifications requires: passing a security inspection of the grounds and building(s); attendance at an 8-hour manager training offered by the Crime Prevention Unit; a lease addendum signed by each tenant agreeing not to commit, or allow the commission of, illegal activity on the leased premises.

The Sheriff's Department encourages every multi-housing property manager and/or owner to **voluntarily** participate in the CFMH program. The Sheriff's Department goal is to encourage voluntary compliance. The Sheriff's Department, along with County Counsel, will utilize the mandatory provisions of the ordinance when the property owner and manager demonstrate an unwillingness or inability to voluntarily participate in the program.

The Ordinance is mandated only when it is deemed that a property owner is operating an unsafe community, and will be implemented as a last resort when all other communication and attempts to resolve the problem(s) have failed. A property is considered a "Nuisance Property" if there is an inordinate number of calls for service by law enforcement related to drugs, violence, vehicle break-ins, theft, etc. Excluded categories are medical aid/assists and domestic violence calls. The ordinance applies only to residential housing facilities that have 25% higher calls for service when compared to two similar residential rental housing communities in any given 90-day period.

Everyone, property owners, tenants and public safety, benefits from voluntary compliance. The Crime Free Multi-Housing Ordinance in its entirety is included in the following pages.

ORDINANCE NO. XXXXX (N.S.)

**AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE TO ADD
TITLE 3, DIVISION 2, CHAPTER 12, RELATING TO CRIME FREE MULTI-
FAMILY RESIDENTIAL RENTAL HOUSING**

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. Title 3, Division 2, Chapter 12 is added to the San Diego County Code, to read as follows:

**CHAPTER 12. CRIME FREE MULTI-FAMILY
RESIDENTIAL RENTAL HOUSING**

SEC. 32.1201. PURPOSE.

Residents in multi-family residential rental housing facilities are frequently victimized when the facility in which they live is unsafe. Proper maintenance of these facilities can reduce criminal activity and improve the safety of residents. The purpose of this chapter is to require the owner or operator of a certain multi-family residential rental housing facilities in the unincorporated area of the County to obtain a crime free certification for the facility by having the facility inspected, submit to training and having each tenant of the facility enter into a lease addendum promising not to commit or allow the commission of criminal activity on the leased premises.

SEC. 32.1202. CERTIFICATION REQUIRED.

(a) The Crime Free Multi-Housing Certification requirement shall only apply to residential rental housing facilities that have at least ten calls for service to the Sheriff's Department and/or the Fire Department within any given ninety day period. The Certification requirement shall also only apply to residential rental housing facilities that have a disproportionately higher amount of calls for service, as measured by at least 25% higher calls for service when compared to two similar residential rental housing facilities in any given ninety day period.

(b) It shall be unlawful for a person in the unincorporated area of the County that meets the threshold requirement of paragraph (a) above, to rent a residential dwelling unit to the public unless a Crime Free Multi-Housing Certification has been issued and properly maintained for the location of issuance. Notice of the Crime Free Multi-Housing Certification requirement shall be given by the Sheriff's Department or the Fire Department. The Crime Free Multi-Housing Certification requirement shall not apply to a group home for the developmentally disabled or other similar uses licensed by the State and/or otherwise governed by State or federal rules and regulations.

SEC. 32.1203. HEARING TO CONTEST NOTICE.

(a) A person may request a hearing to contest a Notice of the Crime Free Multi-Housing Certification requirement by completing a Request for Hearing form within 14 days after the notice was served, either at the office of the department that issued the Notice or by returning a Request for Hearing form by mail. If a person requests a hearing by mail, the request must be postmarked within 14 days of the Notice. Failure to timely request a hearing constitutes a waiver of the right to contest the Notice and the issues in paragraph (b) below.

(b) If the person charged as a responsible person in the Notice requests a hearing the person may contest any or all of the following issues:

- (1) Whether a violation enforceable under this chapter occurred,
- (2) Whether the person charged is responsible for the violation,
- (3) The dates when the violation occurred,
- (4) Whether the Crime Free Multi-Housing Certification requirement threshold has been met.

(c) Within seven days after the Sheriff's Department of the Fire Department receives a timely request for a hearing it shall ask the Clerk of the Board of Supervisors to schedule a hearing before a County hearing officer appointed pursuant to sections 650 et seq. of the County Administrative Code.

(d) The Clerk shall set a hearing date, assign the matter to a hearing officer by selecting a hearing officer on a rotating basis from the list of appointed hearing officers and advise the person requesting the hearing and the department that issued the Notice of the date, time and location of the hearing at least 10 days before the hearing.

SEC. 32.1204. APPEAL FEE: DETERMINATION OF AMOUNT/WAIVER OF PAYMENT/REFUND.

The amount of the appeal fee shall be determined periodically by the Board of Supervisors based upon the County's costs incurred in processing an appeal pursuant to this chapter. The calculation shall include costs incurred by the Sheriff's Department or the Fire Department in preparing for the hearing, Clerk, and the hearing officer.

If the appellant claims an economic hardship in paying the appeal fee, the appellant may apply for a waiver of the appeal fee on forms provided by the Clerk for that purpose. The forms shall be executed under penalty of perjury and contain a declaration as to the truthfulness and correctness of the information contained therein. If the Clerk is satisfied

from the information contained in the forms that an appellant qualifies for a waiver under this section the Clerk shall allow the appeal to go forward without payment of the fee.

Upon filing a timely appeal and for good cause shown, the Clerk may grant the appellant a period of time beyond expiration of the appeal period in which to complete and submit the waiver forms. In no event shall the additional time exceed two days.

Failure to submit the waiver forms or pay the appeal fee in a timely manner shall cause the appeal request to be automatically denied. Enforcement of the Crime Free Multi-Housing Certification requirement may then proceed as if no appeal request had been submitted.

If the appeal fee is paid and the hearing officer finds there is not a preponderance of evidence to support the Crime Free Multi-Housing Certification requirement, the appeal fee shall be refunded to the appellant without interest.

SEC. 13.1205. HEARING PROCEDURE.

Hearings under this chapter shall be conducted as follows:

(a) Every witness before testifying shall take an oath or make an affirmation. The hearing officer is authorized to issue subpoenas, administer oaths and conduct the hearing.

(b) Each party shall have the right to: be represented by legal counsel, call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on any matter relevant to the issues even though the matter was not covered in the direct examination and impeach any witness regardless of which party first called the witness to testify. The County may call and examine the appellant or any employee or agent of the appellant as a witness during the County's case in chief or during the County's rebuttal case as if under cross-examination.

(c) Strict rules of evidence shall not apply. Evidence that might otherwise be excluded under the Evidence Code may be admissible if the hearing officer determines that it is relevant and of the kind that reasonably prudent persons rely on in making decisions. All rules of privilege recognized by the Evidence Code, however, apply to the hearing. The hearing officer shall also exclude irrelevant and cumulative evidence.

(d) The hearing shall be conducted in English. If the appellant or any of appellant's witnesses require an interpreter the appellant is responsible to provide a State certified interpreter at appellant's expense.

(e) The hearing may be continued upon request of a party to the hearing upon a showing of good cause.

SEC. 13.1206. HEARING OFFICER'S DETERMINATION.

At the conclusion of an appeal hearing, the hearing officer shall make written findings of fact and conclusions of law. The hearing officer's decision shall uphold or overrule, in whole or in part, the Crime Free Multi-Housing Certification requirement. The decision shall be filed with the Clerk within seven days of the conclusion of the hearing. A copy of the decision shall be sent by mail to appellant and any other party who appeared at the hearing. The decision of the hearing officer shall be final when filed with the Clerk.

SEC. 32.1207. APPLICATION FOR CERTIFICATION.

Application for a Crime Free Multi-Housing Certification shall be made in the name of the owner of the premises to be rented and submitted to the San Diego County Sheriff's Department on forms provided by the Sheriff's Department. The application shall identify the location of the property; the name, address and telephone of the owner; the name, address and 24-hour telephone number(s) of the manager or custodian of the property; the owner's agent for service of process; and such other information as may be required by the Sheriff. The applicant shall pay \$150.00 to the Sheriff's Department for the Crime Free Multi-Housing Certification. Payment must be made in full prior to Certification. All fees obtained for Certification shall be used to fund the implementation of this Chapter.

SEC. 32.1208. NON-TRANSFERABLE.

A Crime Free Multi-Housing Certification shall be issued for a period of one year. Certification shall expire 12 months after issuance, unless previously removed. The Certification shall not be transferable. Each new owner or manager of the rental dwelling unit must obtain a new Certification unless either the manager or owner who already completed the Certification is still retained. Application for renewal shall be made in the same manner as for a new Certification. Applicants shall be required to pay a \$50.00 renewal fee to the Sheriff's Department. Applicants shall also be required to renew their Certification every year until the calls for service have been reduced below the threshold specified in section 32.1202(b) for at least one year from the date of certification.

SEC. 32.1209. INSPECTION REQUIRED.

No Crime Free Multi-Housing Certification shall be issued or renewed unless the dwelling unit(s) and common area(s) in connection with which the Certification is sought are found after inspection to meet all applicable laws and regulations. Rental dwelling units that change ownership shall be required to be inspected before a new Certification may be issued, unless either the manager or owner who already completed the Certification is still retained. The owner will be provided with an inspection report describing any condition which constitutes a violation of any applicable law or regulation, and shall be afforded a reasonable opportunity to correct any such conditions. In the event that more than two follow-up inspections are required in order for the Sheriff to determine compliance, the applicant shall pay an additional inspection service fee of \$100.00 for each additional inspection. Payment must be made in full prior to Certification.

SEC. 32.1210. CRIME-FREE HOUSING SEMINAR REQUIRED.

All persons applying for a Crime Free Multi-Housing Certification including all persons administering, managing or controlling the operation of any residential rental housing facilities required to obtain Crime Free Multi-Housing Certification must attend a Crime-Free Multi-Housing Seminar, administered by the Sheriff's Department, prior to Certification. The seminar may be attended after the application has been submitted.

SEC. 32.1211. CRIME-FREE LEASE ADDENDUM.

Any residential rental housing facilities required to obtain Crime Free Multi-Housing Certification shall include a "Crime-Free Lease Addendum" as part of their rental agreement in substantially the following form:

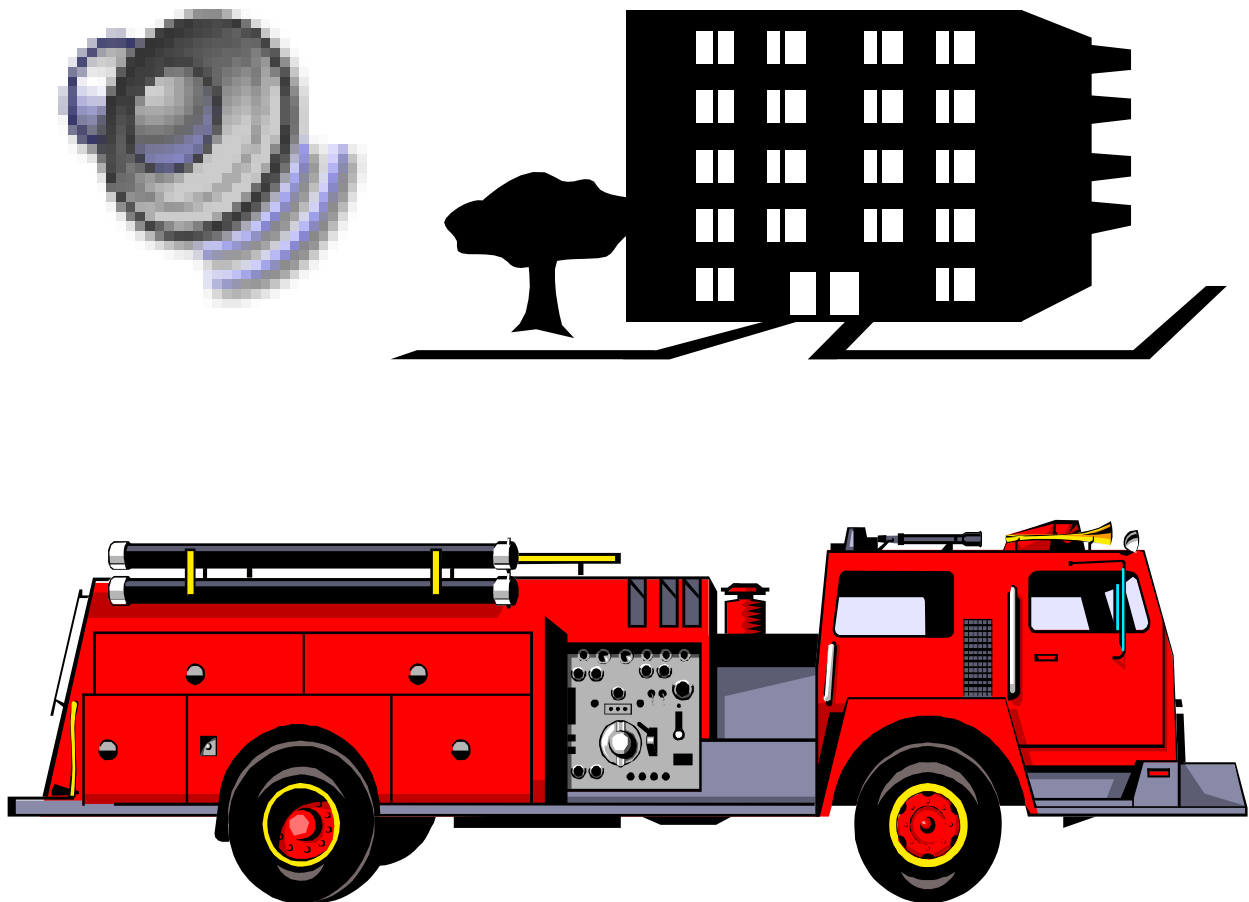
PART TWELVE

FIRE DEPARTMENT MANUAL

FORWARD

Perhaps nothing is as devastating as fire out of control. Fire can kill, disable, and completely disrupt people's lives. Fire can ruin businesses and destroy livelihoods. According to the US Fire Administration, 20 % (percent) of fires in the United States occur in apartments.

This training is provided to help equip you with the information you need to significantly reduce the possibility of fire occurring in your rental community. **If you have questions pertaining to any information contained in this manual, contact your local fire department.** The San Diego County Sheriff's Department acknowledges the Mesa, Arizona Fire Department for developing portions of the original material contained herein.



EXITING SYSTEMS



The most important aspect of fire safety is getting everyone out quickly and safely. All exit corridors, doors, and stairways must be safely maintained at all times.

- * Keep stairways free of obstructions at all times. Anything that may render the stairway unusable should be kept away from stairs. Propane barbecue grills, motorcycles, and combustible materials should not be stored under stairs.

- * If there are interior corridor systems, ongoing maintenance is necessary.
 1. Keep all storage and obstructions out of corridors.
 2. Maintain and test emergency lighting monthly. Check for burned out bulbs, low battery levels and dead batteries.
 3. Maintain exit signs. Replace burned out bulbs as soon as possible.
 4. Fire doors along the corridor should be maintained self-closing, self-latching (especially laundry and utility rooms) and not propped open. Properly maintained fire doors can hold back fire and smoke from the corridor, allowing tenants time to get out.
 5. Post evacuation plans in common areas of the rental property. Each plan must indicate two exits from each area and a safe place for everyone to congregate. Provide evacuation information to new tenants regarding procedures to be followed if the fire alarm is activated.

ADDRESS

It is very important that address numbers are easily seen from the street to assist emergency personnel in quickly locating the appropriate address.

- * The rental communities address numbers should be at least six inches in height, contrast with the background, and be visible from the street.

- * Post apartment numbers conspicuously, contrasting with background, and at least three inches in height.

FIRE ALARM SYSTEMS

Fire alarms are designed to notify residents of a fire in time to safely evacuate a building. Building managers should consider providing residents with information to assist them in planning their evacuation. Keep fire alarm systems in proper operating condition at all times. A copy of the testing/maintenance report shall be forwarded to the fire department.



Complete regular testing and maintenance by qualified personnel. This includes, but is not limited to, testing all devices, cleaning all smoke detectors, checking battery levels, etc. Documentation may be requested by insurance underwriters seeking verification that reasonable efforts are being made to maintain the system in good working order.

Note: A trouble condition, indicated on the alarm panel by a yellow light, can be caused by numerous conditions. This situation requires contacting qualified service personnel to troubleshoot and correct the problem

False alarms, besides being annoying, can cause residents to become “desensitized” to the alarm and possibly disregard it. Proper maintenance can help avoid this situation. Occasionally, manual pull stations are maliciously activated when pulled. If this occurs frequently, contact your local fire department for assistance.

FIRE SPRINKLER SYSTEMS

Fire sprinkler systems are the most effective means of controlling fires, minimizing fire spread and damage caused by smoke and fire. Sprinkler heads are strategically placed throughout apartment living areas. Activated by heat, only those heads near the fire will discharge water. Fire sprinkler systems require regular testing and maintenance. A copy of the report shall be forwarded to the fire department.

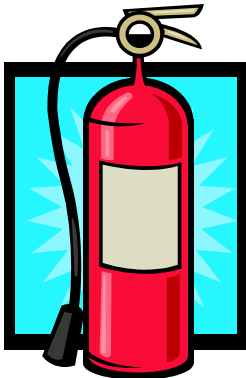
- * Testing and maintenance of fire sprinkler systems
 1. Fire sprinkler systems require annual testing and maintenance by a qualified contractor. Reports shall be forwarded to the fire department.
 2. Standards for testing and maintenance of fire sprinkler systems are distributed by the National Fire Protection Association.

* Central station monitoring

If the sprinkler system has 100 or more sprinkler heads, the system is required to be monitored by an alarm monitoring company for water flow and tamper. Tamper switches must be attached to the control valves. These switches will send a signal to the alarm monitoring company to notify them that someone is turning a valve.

* If the fire sprinkler system has less than 100 sprinkler heads, lock sprinkler system control valves in the “open” position to avoid tampering by unauthorized persons.

FIRE EXTINGUISHERS



Fire extinguishers, when operated by a person knowledgeable in their use, can significantly reduce fire damage. Training is essential. If you have a fire extinguisher available, be sure it is a Class ABC extinguisher, with a testing laboratory label. Use an extinguisher **only** if...

1. The fire department is being called. **(9-1-1)**
2. The building is being evacuated. Activate fire alarm, if available.
3. You know you have a class ABC and already know how to operate it.
4. The fire is small and contained in the area where it started.
5. You can fight the fire with your back to an exit.

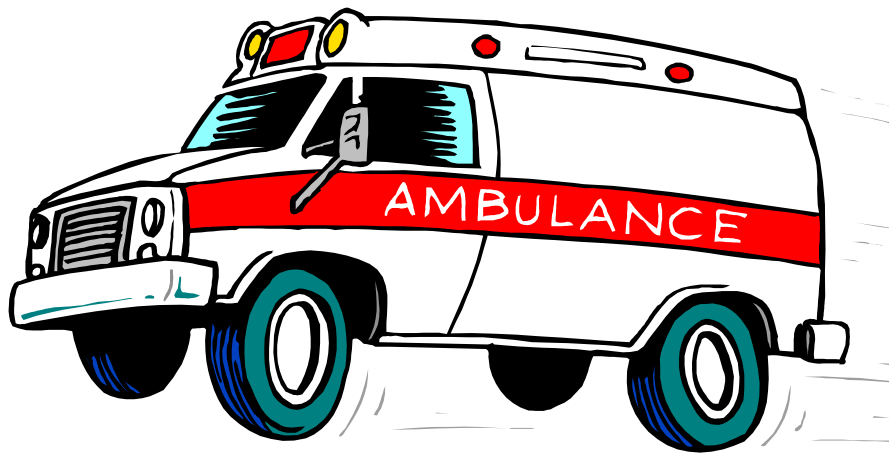
If **any** of these is **not true**, **get out immediately and dial 9-1-1.**

Training information pertaining to fire extinguishers is available from your local fire department.

Maintenance: Keep fire extinguishers in good working order at all times. Be sure they are mounted in conspicuous, accessible locations. Annual servicing by qualified personnel and monthly inspection by maintenance personnel is required.

FIRE LANES

Fire lanes are designed to provide direct access for emergency activities and emergency vehicles. Most frequently, they are used for fire apparatus during medical emergencies. When fire lanes are blocked by vehicles, a delay in receiving emergency assistance may occur. In a fire or medical emergency, seconds count. Proper signage is very important to enforce no parking in the fire lane. Law enforcement will cite vehicles illegally parked and may assist apartment managers with enforcement. Contact your local fire department for information on signage, wording, and placement.



EMERGENCY MEDICAL SERVICES

- * Learn CPR. Look in the yellow pages of your phone book under First Aid Instruction.
- * Place **9-1-1** stickers, your address and telephone number, and emergency numbers on or near the telephone.
- * When dialing **9-1-1**, be sure to answer all the dispatcher's questions and follow their directions. Speak slowly and stay calm. Stay on the phone until instructed to hang up.
- * Provide specific information about where the emergency is taking place. For example, the building number, apartment number, nearest entrances, which pool, etc.
- * To direct emergency personnel to the scene, turn on an outside light and, if available, send someone out to meet them.
- * Unlock gates or doors leading to the apartment so firefighters can make entry.

POOL SAFETY

Many water-related incidents occur each year. These frequently involve young children, but adults can also be victims. Water-related incidents include not only drowning, but near drowning, which can leave the victim severely brain damaged. Also, diving from other than designated areas can cause head and spinal cord injuries if the victim strikes his/her head on the bottom of the pool. Permanent paralysis can result. Alcohol consumption may precipitate water-related incidents by impairing judgment.

- * Adults, as well as children, should never swim alone. Children must *always* be directly supervised by an adult.
- * Provide approved life-saving equipment, such as a pole with a hook or a Styrofoam ring, in the pool area.
- * Persons supervising others should know cardiopulmonary resuscitation (CPR).
- * Depending upon the laws of your community, interior fences, latches or other safety equipment may be required. **Please consult your local code enforcement office.**

- * Keep pool area free of toys and other objects that might attract children.
- * Keep tables and chairs away from the outside of the interior perimeter fence, to prevent children from climbing over the fence by using furniture or other objects.
- * Do not allow pets in the pool area when young children are present.
- * Post pool rules conspicuously and enforce them. Suggested rules include:
 1. *Children must always be directly supervised by a responsible adult.*
 2. *Rules addressing the consumption of alcoholic beverages should be considered.*
 3. *Roughhousing is not allowed.*
 4. *Dive only from the diving board, not from the side of the pool.*
 5. *Gates must be closed after entering or exiting the pool area; never prop them open.*
 6. *Glass containers are not allowed in the pool area.*
- * Install a telephone near the pool, with “**9-1-1**” posted for emergencies.

9-1-1

EMERGENCY

SINGLE STATION SMOKE DETECTORS

All residential units are required to have single station smoke detectors installed. These smoke detectors may be battery operated or hard wired into the unit’s electrical system. Smoke detectors should be checked monthly by the occupant for proper operation. Batteries should be changed annually or sooner if required.

CHEMICAL STORAGE FLAMMABLE AND COMBUSTIBLE LIQUIDS STORAGE

Pool chemicals:

Store pool chlorine and muriatic acid separately in a well-ventilated area.

Flammable and combustible liquids:

Store gasoline in approved safety cans only. Do not exceed five gallons. Place caps tightly on container. It is recommended that flammable and combustible liquids be stored in a well-ventilated area, away from open flame (i.e. gas water heaters and other ignition sources).

Combustible and flammable liquids stored in excess of ten gallons, must be stored in an approved flammable liquid storage cabinet. Contact your local fire department for cabinet specifications.

COOKING INSIDE CLUBHOUSES AND RECREATIONAL AREAS

Cooking is a frequent cause of loss from fire. Cooking, which produces grease (i.e. frying, browning of meat), is not allowed unless an approved grease removal system and extinguishing system has been installed. When an extinguishing system has been installed, servicing every six months by a qualified contractor is required. All cooking areas, hood and ducts should be kept free of grease accumulation.

LOCKS/LOCK BOXES

At least two vehicular access points into larger complexes may be required for fire department access. Gates may be locked; however, they must be able to be readily opened by the fire department. Prior to closing any gates to vehicular access, contact your local fire department to determine if partial access is required for the fire department. The fire department and law enforcement use a lock security system to access locked areas and will assist you in setting up a locking arrangement that meets your needs and those of emergency crews.

HEATING AND VENTILATION UNITS

Heating and ventilation units require regular service. Develop and use preventative maintenance programs for all mechanical equipment. Keep motors free of grease and dust. Check filters regularly and change them when necessary. Make sure fresh air returns/vents are kept clean and open to prevent carbon monoxide poisoning.

LAUNDRY ROOMS

A laundry room is another area of fire hazard. Lint and combustible debris can accumulate behind the dryer, and can ignite when heated.

- * Clean dryer lint screens after each use.
- * Dryers should vent to the outside.
- * Clean washer and dryer motors as needed to eliminate grease and lint accumulation.
- * Gas vents for water heaters and dryers should be maintained and continuous to the outside.

DUMPSTERS

Locate dumpsters away from buildings. Maintain a 5-foot separation from combustible construction and eaves. The intent is that, in the event of a fire in the dumpster, the fire may be contained to the dumpster and not spread to adjacent buildings.

ELECTRICAL

Many apartment fires are caused by electrical problems. These include improper use of extension cords, damaged flexible cords, overloaded circuits, and defective appliances.

- * Electrical installations and wiring throughout the building(s) should be installed by a qualified electrician, in accordance with the National Electrical Code and applicable local codes.
- * Extension cords: Do not use these as a replacement for permanent electrical wiring. Extension cords are designed for temporary use only. They should be kept free from damage, and the wiring size should be appropriate for the amperage of the appliance it is supplying. Use only UL listed cords in accordance with state and local codes.
- * Flexible cords: Maintain flexible cords to appliances (i.e. lamps, toasters, etc.) in good condition and place them where they are not subject to damage. Replace damaged, frayed, dried, or cracked cords.
- * Overloaded circuits: These can occur when too many appliances are plugged into one circuit, exceeding the capacity of the wiring, heating the wiring, and possibly starting a fire. Never plug in more appliances than the receptacle will accept. Two plugs are usually allowed in a typical household receptacle.

- * Defective appliances: Heat producing appliances are especially prone to create a fire problem if misused or allowed to become defective. Unplug heat producing appliances (i.e. toasters, blow dryers, curling irons) when not in use. Place space heaters at least three feet, or further, from anything that will burn, per the manufacturer's recommendation. Never use an extension cord to supply a space heater. Space heaters should be unplugged when sleeping or leaving the premises.
- * Never allow tenants to run extension cords from one apartment to another to supply power to an apartment without electricity.

BARBECUE GRILLS

- * Use only enough charcoal lighter to start the fire. Keep the flame low. *Never* use gasoline to start the fire.
- * Keep the grill lid closed when cooking or waiting for charcoal to properly heat.
- * When cooking, the grill should be constantly attended.
- * Have an approved fire extinguisher close by and know how to use it.
- * Let coals cool overnight or wet the ashes thoroughly prior to disposal. Dispose of ashes by placing them into a metal container with a tight-fitting metal lid.
- * Keep matches, lighters, and combustible liquids out of reach and out of sight of children.
- * Do not use or store barbecue grills on common balconies used for exiting.
- * It is strongly recommended that barbecues not be used on balconies or terraces.

LPG/NATURAL GAS

(LPG/Propane Use and Storage/Natural Gas)

- * LPG cylinders (such as barbecues) should not be used or stored inside buildings or on balconies, but preferably in a secured shaded area outside, away from building openings and stairs. If a cylinder leaks or vents, flammable vapors may travel inside buildings.
- * Check rubber "O" rings and supply hose every time the cylinder is filled.
- * Protect natural gas meters and piping from damage by vehicles.

WORKING WITH THE FIRE DEPARTMENT



The information provided in this manual, regarding fire and life safety, is intended to raise your awareness of safety issues and assist you in recognizing potential problems.

As a manager or landlord, you have the ability to significantly reduce safety hazards by being observant and by following up on concerns forwarded to you by tenants.

*** Tenant Complaints**

Occasionally complaints are received and evaluated by fire personnel. The first question asked is, “Have you notified your apartment manager or landlord?” If not, it is usually suggested they notify the manager prior to any intervention by the fire department.

If fire department intervention occurs, an inspector will first discuss the concern with the manager and perform an inspection to evaluate the situation. If a problem exists, the inspector will then present recommended solutions to the manager and agree on a reasonable time frame for correction.

*** Manager Complaints/Landlord Complaints**

If the tenant is maintaining an unsafe condition, the fire department, when requested by the manager or landlord, will determine if intervention is called for and the type of intervention necessary. Often, as a manager or landlord, the lease may give you the ability to act on a problem, depending on the nature of the situation.

FIRE EMERGENCY GUIDES

A fire emergency guide shall be provided for apartment buildings (UFC 1303.3.5.3) which describes the location, function, and use of all fire protection equipment accessible to the tenants. This includes how to activate a fire alarm system, how to maintain single station smoke detectors in the apartments, and how to use fire extinguishers. The guide shall also include an emergency evacuation plan for each dwelling unit. A copy of the emergency guide shall be given to each tenant prior to occupancy. An apartment safety checklist is also available from the fire department.

COMMUNITY SAFETY COMMITTEE

A safety committee may be formed to provide management with additional input when developing fire evacuation plans, fire safety, and other safety matters. The committee may also solicit and receive notification of safety concerns from tenants. If requested, the fire department will gladly provide assistance with training safety committees. Contact your local fire agency for information on available educational materials and visual aids on the topic of fire safety.

COMMUNITY NEWSLETTER

A newsletter may be helpful in keeping tenants informed of important issues within the rental community. Fire safety information on topics pertinent to apartment fire safety may be included. The fire department has information which may be printed in your newsletter.



CONDUCTING PROPERTY INSPECTIONS

Your Crime Prevention Specialist will conduct property security inspections (C.P.T.E.D.) as outlined in the San Diego County Sheriff's Landlord Training Manual. We recommend that you contact your local fire department to inquire about fire safety checks and other specific problems. An unsafe condition in a tenant's apartment can affect other tenants, so it is crucial to correct the problem immediately.

APARTMENT CHECKLIST

True False

- Smoke detectors are installed and operating properly.
- All exterior doors and locking devices are in good working order so, in the event of a fire, tenants can exit quickly.
- Windows open easily so they could be used as an alternate exit in the event of fire.
- Stove vent hoods, ducts, cooking surfaces, and cabinets are free of accumulated grease.
- The apartment number is properly posted.
- If a barbecue grill is used, there is a closed metal container for ash storage.
- All fireplace chimneys are cleaned regularly and checked for leaks by a qualified person.
- There are no obvious electrical problems (i.e. blackened areas around electrical plugs, badly damaged cords).
- There are no excessive quantities of flammable and/or combustible liquids stored in the apartments.
- GFI (ground fault interrupter) receptacles are functioning properly. Push the test button. The power should now be cut to the receptacle. By pushing the reset button, power is restored. GFIs are typically installed in bathrooms and near kitchen sinks and may prevent shock/electrocution accidents.

CORRECT ALL "FALSE" ANSWERS TODAY