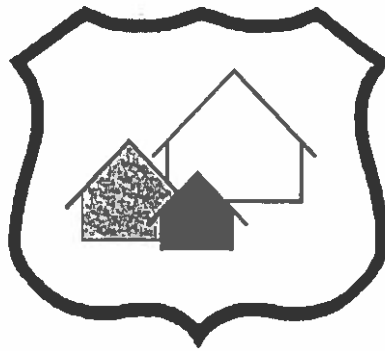




**We have joined the:
PHOENIX CRIME FREE
MULTI-HOUSING
PROGRAM**

Program Overview and Guidelines



**Keeping Illegal Activity
Out of Rental Property**

Expires:



The city of Phoenix, Arizona plunged into neighborhood revitalization during the late 1980's. An important program called the Neighborhood Fightback Program was developed that trained the community on how to solve their problems by knowing their resources. A very important component of this was to survey the neighborhood asking them to tell us what their concerns were, then to discuss the resources in a "Town Hall" meeting. This process required improved coordination for all of the city resources such as zoning enforcement, streets and traffic, waste management, etc and was accomplished by the development of the Neighborhood Services Department or N.S.D. This process became the forerunner to problem oriented policing, or community-based-policing, and community based government. Neighborhoods were instructed to identify their boundaries and register with the N.S.D. The new neighborhood leaders or Neighborhood Specialists made requests to their council person and the police department for assistance. Annually new Fightback Program areas were established. The Fightback surveys revealed that the communities concerns were not focused on the obvious problems like auto theft, drugs, prostitution, etc. the neighborhoods were more concerned about vacant properties, graffiti and blight, and the crime as it related to *rental* property locations.

In our experience chronic drug dealing and other illegal activity can reduce a neighborhood to a mere shell of the healthy community it once was. Most of these drug houses or locations are rental property, many owned by out-of-state owners. When this happens, many residents look to the police or 'the system' for any possible solutions. The police and city government do have critical responsibilities, but these responsibilities should also be shared with the citizens of the community.

To address the crime problem in rental properties requires a unique coalition of landlords (their employees), residents, and the police. The most effective way to deal with any illegal activity on rental property is through a coordinated effort. Across the United States and Internationally member cities in 18 different countries have begun to recognize the benefits of this effort. In most cases, current city codes, Landlord/Tenant Law and criminal nuisance laws can easily be applied to meet these objectives.

CRIMINAL ACTIVITY IN RENTAL PROPERTY ACCOUNTS FOR:

- Radical decline in property values.
- High demand on police resources.
- Property damage from residents
- Losses of rent during eviction and repair process
- Fear and frustration for managers and other residents.
- Animosity between neighbors and property managers.
- Increase in liability on part of manager.
- Owners answering to criminal or civil abatement charges.

The *Phoenix Crime Free Multi-Housing Program (CFMHP)* is designed to help owners and managers of rental properties keep drugs and other illegal activity off their property. The purpose of this *voluntary* program is not to SERVE the landlords, but to EDUCATE them and their residents to improve the livability of the neighborhoods by reducing crime.

This program is honest and direct, it is solution oriented, and is designed to be easy and very effective in reducing crime on rental properties. It has three key elements that will ensure the crime prevention goal:

1. Management Training
2. Premises Security Assessments
3. Resident Training

PHASE I of the program involves training the owner and *key** property employees to become more effective in reducing criminal activity. We will focus on these two facts: **Effective property management can have a major impact on the health of a community and the quality of life. Secondly, there are accessible and legitimate techniques that can be used to stop the spread of drugs and illegal activity on rental property.** Seminar attendance is required by *key** staff every three years. Phase I certification is transferable to other cities. The eight hour training is offered "free of charge". Since the pilot program began on September 20, 1993 one hundred and ninety-three training seminars have been offered to the public that involved nearly 15,000 owners, managers and residents. Other attendees have also included out of state and local real estate investors, patrol officers, neighborhood activists, and private security companies to name a few.

**Regional supervisors, property managers, assistant managers, leasing agents, plus maintenance, housekeeping, landscaping, and all courtesy patrol.*

The training will equip the property management employees with the necessary skills to prevent or spot problems before they occur, and to deal with problems before they become too dangerous or require police involvement. This is a basic premise of



is to keep uprooting it. Evictions serve that purpose.

BACKGROUND CHECKS, (as opposed to credit checks only); must be completed on all potential tenants and employees. This is done to identify specific convicted felons and certain convictions for misdemeanors. Application questions should also include any and all juvenile occupants regarding any criminal activity and if the juvenile has been adjudicated a delinquent child by a juvenile court. It will be up to the owner or Management Company to determine a company policy and/or rental criteria, which set standards for acceptance. It is a recommendation of the program that an "acceptance policy" be posted and/or made available on request. This helps to prevent discriminatory practices. The property owner needs to "shop" around for a company that best meets the needs of the property regarding "tenant screening" companies. Learning the importance of maintaining documentation of these checks can help protect the landlord from future claims of discrimination.

NOTE: *It is the position of the Phoenix Police Department that every applicant and their children have a right to know whether or not the owner accepts individuals with any criminal background history in order to assist the applicant with making an informed decision on whether or not to rent at a particular location.*

Background checks and a "written" acceptance policy are a requirement for certification.

HOUSING COUNSELORS and the **Equal Opportunity Department of the Neighborhood Services Department** is resources for landlords and residents alike. There are two sides to every situation. This department provides counseling opportunities to mediate landlord/tenant disputes. This service is "free of charge" to anyone needing assistance. Several times throughout the year "Landlord Tenant Workshops" are provided to enhance the rental industry's training needs. Information for the Housing Counselors and to register for the workshops can be reached by calling (602) 495-0380. Fair Housing training can be obtained from Equal Opportunity Department by calling (602) 262-7486.

WORKING WITH THE POLICE is confusing for some property managers. It is not well understood what they can expect from the police, or the difference between criminal and civil matters. Now we have the opportunity to explain the role of the police and their desire to help managers more effectively in the future. This should also greatly reduce calls for service on civil matters. At this time, program trained managers receive documentation of police incidents by way of the **R.E.N.T. Program** (see above section "Ongoing Management) this permits notifications via email within 24 hours of the incident occurrence. This exchange facilitates the removal of criminally inclined residents, as well as non-compliant residents.

Upon completion of this training program, the manager, or other attendees will be issued a certificate to be posted in their leasing office. This certificate will appeal to the honest renter who is looking for a safe place to live. They will have the comfort of knowing all applicants are carefully screened and criminal activity on the part of other residents will be dealt with through the eviction process. This will also discourage the dishonest renter from applying, especially if they were evicted from another participating apartment community!

All attendees of the Phase I seminar sign waivers as a prerequisite to training that states:

"I understand that no part of this training shall be regarded as legal advice or considered a replacement of a landlord's responsibility to be familiar with the law. The services of a competent attorney should be sought in any situation that has the potential to become adversarial between the property owner/manager/HOA Board and resident."

PHASE II of the program requires the landlord to meet the minimum-security requirements of Crime Prevention through Environmental Design (C.P.T.E.D.). While our program does address their legal responsibility to provide units that meet habitability standards, the Phase II inspection will call the landlord to a higher standard. In addition, the legal ramifications of not showing "good faith" in providing a safer environment are also discussed. We require the following upgrades whenever necessary:

- 1) Single cylinder metal dead bolts on all single entry units (a 1inch-throw minimum.)
- 2) Doors are constructed for exterior use. (This does not include hollow-core doors)
- 3) Dead bolt strike plates (2-3 inch screws, where construction permits)
- 4) 180 degree eye viewers in all front doors, recommended on all new construction
- 5) Uniform security lighting, persons and vehicles should be distinguishable, ethnicity/vehicle color @ 100 feet.
- 6) Proper trimming of bushes/trees*
- 7) Anti-lift/slide devices on sliding windows and doors (exception may be taken with second floor units where no outside



Community Based Policing; developing partnerships and sharing in the responsibility of preventing crime in the community. We will be able to address the ROOT CAUSES of crime in rental property, which will result in less crime, fewer calls for police service, and more available time for beat officer to be proactive in fighting crime.

Some of the topics of the training program include the following:

CRIME PREVENTION STRATEGIES presented with the understanding that most rental properties are a *business*. When crime prevention strategies can be communicated by the Police Department as "good business" practice, the owner recognizes that this is a smart marketing advantage.

PREPARING THE PROPERTY by manipulating the physical environment so it does not attract crime. If a property is run down, it says the management does not care about the property. Illegal activity may be prevented by modifying the behavior of an individual by using "safe by design" or Crime Prevention Through Environmental Design (C.P.T.E.D.) concepts.

APPLICANT SCREENING is a reliable process when applied equally. The application process encourages "self screening" on the part of the applicant. Many applicants have a history of eviction for drugs, illegal activity, or noncompliance. The program will teach how to acquire credit checks and background checks using credit reporting agencies and sound management techniques. The implementation of the Crime Free Lease Addendum is the most effective "self screens" tool offered by the program and is a mandatory requirement of the program for certification.

***WARNING:** Using the Crime Free Lease Addendum without participating in the 3-phase certification process does not constitute proof that your property is fully involved with the PHOENIX CRIME FREE MULTI-HOUSING PROGRAM. Misrepresentation of your rental property can result in charges of discrimination. Seek the advice of a competent Landlord Tenant attorney to determine your crime prevention strategy or contact the Arizona Multihousing Association for assistance.*

RENTAL AGREEMENTS are the best way to tell the residents about community rules and causes for eviction. The agreements will enforce a Crime Free Lease Addendum that is acceptable under the current landlord/tenant laws. Rental agreements are standardized and are enforced equally to all persons to avoid discrimination.

ONGOING MANAGEMENT strategies help reduce the possibility of illegal activity. By conducting routine property inspections, the documentation of all violations and promoting an "apartment community," property managers will be better prepared to note illegal activity and to deal with it effectively. The "**RENTAL EMAIL NOTIFICATION TECHNOLOGY**" PROGRAM (*the R.E.N.T. Program*) is the best benefit of the Phoenix Police Department's Crime Free Multi-Housing Program. This innovative program is the police department's answer to provide timely and consistent notification of police incidents. When an officer gives disposition of an incident taken at a rental property the property owner/manager will be notified by email of the police incidents within 24-48 hours of the incident. Program involved properties attend an 8 hour training (Phase I seminar) which qualifies them for this email program that was implemented March 1, 2004. Repeat calls for service are sometimes due to the owner's lack of knowledge that a problem exists. In Arizona, any breach of the peace by the resident and the persons they are affiliated with may be cause for an immediate eviction. This new benefit clearly enhances the partnership between the police and the rental industry to effectively reduce criminal activity.

***NOTE:** Landlords who fail to respond to the email notifications clearly are not participating in the partnership and are subject to disconnection but will still have the ability to purchase their crime report in a 'public records request'.*

ILLEGAL ACTIVITY recognition is not as easy as it sounds. There are many property managers who are unaware of the illegal activity that occurs on their property. We will address how to identify what is suspicious and how to report it. Emphasis is given to gang and drug activity.

EVICCTIONS are an effective way to deal with residents who are in non-compliance of the community rules or involved in illegal activity. While criminal cases require probable cause to arrest an offender, civil cases only need a preponderance of the evidence to evict a resident engaged in criminal activity. The Landlord Tenant Act, Title 33, CHAPTER 10, and § 33-1368 support the Crime Free Lease Addendum in the State of Arizona. The program requires the use of this addendum to potentially encourage the would-be criminal to self-screen themselves from the application process. Premise security liability concerns are also clarified. The International Crime Free Legal Counsel specializing in Landlord/Tenant Law presents this section.

***NOTE:** Many people see drug dealers and other violent offenders as large rocks that cannot be moved that will just sit there if you ignore them. They are not rocks, in fact, they are plants. Just like a weed, they grow, root, and choke out healthier plants. The best way to kill a plant*



access is reasonably possible) and working stock locks and/or secondary locks on all windows.

- 8) The exterior and interior of all units are in compliance with all applicable state, and local health, safety, and nuisance laws and city ordinances.

* Trees may need to have a 7-8 feet clearance from ground level and bushes may need trimming to provide detection. (Height and width of landscaping may need reduction to prevent obstruction of light poles or building lighting fixtures.)

When an apartment community meets these security requirements, the management will receive a second certificate showing they have met the minimum-security requirements of the C.P.T.E.D. program. This certificate is to be displayed with the previous (completion of training) certificate in the leasing office. These minimum-security requirements should appeal to the honest renter looking for a safe apartment in which to live. It will also show dishonest applicants the management is working with the police department. This should also reduce the possibility of crimes with proven crime prevention techniques of target hardening, resulting in a reduced number of police calls for service. In addition to meeting the minimum standards the property owner will receive recommendations from the police department on how they may enhance their security standards based on crime analysis and the survey. Each property will be subject to re-inspection every 5 (five) years to assure continuing compliance.

PHASE III of the program involves training the residents to be the *eyes and ears* for the apartment community by using Block Watch concepts. Typically, this will involve a two-prong approach. At the time of application the resident is informed of the rental community's participation in the Crime Free Multi-Housing Program and the use of the Crime Free Lease Addendum. This notification enhances the program goal of informing the resident of their responsibility in crime prevention. Secondly, attendance at this crime prevention event or a "safety social" presented by the Precinct Crime Free Officer is traditionally disappointing. This element will require the landlord to provide *incentives* to attract the residents to the police sponsored crime prevention event. During this training, we will discuss several topics to help reduce crime and foster police goodwill. Topics that can be discussed may include but are not limited to the following:

- Responsibilities of Resident (witnessing/reporting incidents of crime)
- Resident's Rights/Fair Housing, Equal Opportunity Department
- Domestic Violence, Family Investigations Bureau
- Burglary and Theft Prevention
- Identity Theft Prevention/Internet Fraud
- Block Watch Principles
- Personal Safety Awareness
- Auto Theft Prevention,
- Sexual Assault Prevention
- Landlord Tenant Mediation - Housing Counselors (N.S.D.)

Layering of these programs has effectively reduced crime in residential areas and should be presented to residents living in rental property as well. This should help to reduce calls for service by preventing the rash of crimes at rental properties. When residents are encouraged to participate in the safety of the property with the understanding that management needs their cooperation, safe apartment communities can exist.

Upon completion of this training program, the management will be issued a third certificate to be posted in the leasing office. The three certificates should send a powerful message to the honest and dishonest applicants. The residents realize the police cannot be everywhere at once, but they will know that other residents and managers will be watching closely and working with the police.

The Crime Free Contract will be signed by the property owner or designated agent to cement the terms and responsibilities of displaying the program logo in their marketing brochures and on their properties and will be agreeing to the following terms:



I understand and have verified that the following items exist at this time and/or at the time of renewal of the Phoenix Crime Free Multi-Housing Program:

- Criminal background checks during application process and at renewal are completed to discover possible criminal history and include in their individual file of verification. Name of Company: _____ Officer Serial# _____
- A company acceptance policy or a list of applicant criteria is retained by CF Officer. _____ Officer Serial# _____
- All applicants understand and sign the Phoenix Crime Free Lease Addendum. _____ Officer Serial# _____
- Manager and key employees have attended the C.F.M.H. Seminar and will attend every 3 yrs. _____ Officer Serial# _____
- Completion certificates are displayed. (Or are available for verification.) _____ Officer Serial# _____
- Calls for service have been determined by precinct coordinator to be reasonable. _____ Officer Serial# _____
- Phase II-Minimum Security (CPTED) Standards have been met. Verified by manager/owner: _____ Officer Serial# _____
- A *reasonable* attempt was made by the property management to sponsor a resident "safety social". _____ Officer Serial# _____
- Management responds to email notification in a timely manner. _____ Officer Serial# _____
- Maintains an email response log. _____ Officer Serial# _____
- A notice of CFMHP participation and the resident's responsibility has been sent to every resident. (Optional) _____ Officer Serial# _____
- For HOA Certification see attachment. _____ Officer Serial# _____

Any rental community that has completed all three elements of this program, including implementation of the Crime Free Lease Addendum and credit and criminal background checks, will be permitted to display the program authorized sign that states:

We Have Joined:
PHOENIX CRIME FREE



**Keeping Illegal Activity
Out of Rental Property**

These signs are purchased by the landlords, but can only be done with a letter from a Phoenix Crime Free Multi-Housing coordinator. To keep the integrity of the signs and program, there is a requirement of at least one crime prevention event annually to maintain certification. The apartment properties can qualify for renewal by participating in ongoing crime prevention programs. A new Gold certificate is awarded with the next year's expiration date. Participation in the Crime Free Multi-Housing Program is a requirement in the Arizona Multihousing Association's *Five Star* program which fosters higher standards in customer service and the property's relationship with the surrounding neighborhood.

NOTE: The Phoenix Police Department does not determine to whom landlords may rent but only properties who do not rent to convicted felons earn the right to post the Crime Free Multi-Housing metal logo signs.

The Crime Free Multi-Housing Program is currently active in all cities in the Phoenix Metropolitan Area plus many more across the state. The Phase I certificate is transferable from jurisdiction to jurisdiction. The rental industry has recognized the positive economic benefits. The city of Phoenix is the largest U.S. city to date to implement this crime prevention program. After extensive research around the country, there are no known programs that address the issues and concerns of rental property in the way the Phoenix Crime Free Multi-Housing Program does. Other programs are available but are not offered free of charge to the public, and do not have the continued support of their police departments.

The Phoenix Crime Free Multi-Housing Program officially began in January 1994 and is one that has been carefully developed and reviewed by police, community, and legal advisors. It is a program that will effectively deal with illegal activity on rental property, while providing the residents with the best protection against crime and violent criminals. In the city of Phoenix, patrol officers coordinate the program as one of the cities most successful community based programs. As of January 8, 2013, there are 1733 properties involving over 168,312 rental units and impacts more than 400,000 residents. This program calls on owners and managers to make steps toward providing a clean and safe living environment for the citizens of Phoenix. This will also benefit the property managers as well, as they will have a safe and highly desirable rental property.



In 1994 the P.O.P.S. (Police Officer Placement Solution) Program was created as an effort to bring the police officer even closer to the community. This program permits a fully certified property to offer a rental opportunity including financial incentives related to rent to a Phoenix Police Officer. This officer becomes the community crime prevention leader for the rental community.

Note: According to the Internal Revenue Service as of February 1998, there are no restrictions or requirements for officers to report the financial incentives (Form 1099); they receive from their POPS apartments as long as they are not providing a direct service to the apartments in exchange for those incentives (i.e., security guard, etc.).

FOR HOMEOWNERS ASSOCIATIONS:

Conventional rental properties have been very successful in creating environments that would-be criminals now avoid. The Phoenix Crime Free Multi-Housing Program supports professionalism in the industry which has in turn helped owners create a reputation of proactive management against crime. So much so that the undesirable renter purposefully seeks out residential rental property that is managed by unknowing rental agents regarding the Crime Free Program, the AZ Residential Landlord and Tenant law and Nuisance Abatement legislation. They seek the path of least resistance wishing to avoid criminal background checks, signing of the Crime Free Lease Addendum and other strategies of crime prevention. These targeted rentals can be found in HOA managed properties.

When a patio home, town house or condominium community (for the purpose of participating and receiving any program benefits in the Phoenix Police Department's Crime Free Multi-Housing Program this includes attached housing with common areas) where a Home Owners Association represents ownership, special consideration must be given to the codes, covenants, and restrictions (CC& R's) and the process to change the rules and regulations of the property. The development of an addendum to implement the Crime Free principals is required. Ordinarily this can be accomplished by a majority vote of the Home Owner's Board. The Board must determine acceptance criteria for all future residents. Some of the new rules will be implemented to guide the *owner's who rent* an application process that insures criminal background checks and the signing of the Crime Free Lease Addendum. The key to providing a safer environment, lowering liability, increasing property values and improving the quality of life for the entire community depends upon the *owner knowing to whom they are renting*.

As in conventional rental properties all three phases of the Crime Free Multi-Housing Program must be full-filled. A voting majority of the board of directors must be Phase I certified (renewed every 3 years) and to administrate and maintain the implementation of Phase II minimum security standards* and is responsible to organize a "safety social" for Phase III certification (renewed annually). Phase III may also require notification to new residents of owners annually, regarding participation in the Crime Free Program. The additions or changes to the by-laws and/or Rules & Regulations are typically designed to enhance or include crime prevention strategies that assist in managing all multihousing units in a fair and consistent manner. To address the interior of the units, the board *recommends* the Phase II minimum security items to the owners, such as eye viewers, longer strike plate screws, and window locks. To meet the lighting and landscaping requirements the board of directors reviews the Phase II survey as to inadequate lighting or possibly overgrown landscaping issues and work with their management company to achieve and maintain the minimum requirements. The Crime Free Lifestyle Addendum must ensure directives to future board members on how to preserve the Crime Free Multi-Housing Program standards.

Once certification has been achieved a designated board member can receive the daily Phoenix Police Department email report of criminal incidents that are reported to their property address/s. It will be the responsibility of the board member to forward the incident information to the appropriate owner/management representative and to assume the responsibility that the information will be handled in a sensitive manner regarding issues of privacy. By virtue of the Crime Free certification the HOA agrees to hold their owners responsible for the appropriate response in cases of non-compliant/criminal behavior to the Rules & Regulations. For this, it is recommended that HOA's encourage their management company to attend the Phase I certification training.

This process can also ensure that enforcement of all the rules is done fairly and consistently regarding issuing of fines to the homeowners. This accountability by the board, homeowners, and all of the residents will provide a safer environment, lower calls for service by the police department, and increase your liability protection. Overall the Crime Free Program can impact property values in a positive way. Every Home Owners Association is encouraged to have any proposed changes to the rules reviewed by their HOA legal counsel before finalizing.

*Phase II can be accomplished by a variety of ways. The Board of Directors can merely educate all of the owners of a list of steps that they can take to improve the physical security of their units. Other Boards make the decision to make the improvements for all of the owners by having a management company install door eye viewers, reinforce strike plates, and install secondary locks for windows and arcadia doors. Since most HOA's are responsible for lighting and landscaping maintenance the Crime Free standards would be included in that contract. Most HOA's do not find these standards to be cost prohibitive.