

Facts related to Crime Free Multi-Housing Program

1. Who does the Crime Free Rental Housing Program pertain to?

The Crime Free Multi-Housing Ordinance applies to all properties within the City of Adelanto. The Crime Free Multi-Housing Program is intended for rental properties. Laws regarding rental properties and eviction proceedings can be complicated. Most small property owners operate their rental unit as an investment and may not have the background, information or experience that would assist them in preventing or dealing with problems on their property. The City of Adelanto has continuously dealt with cases related to single family homes and rental properties where severe nuisance problems adversely impacted the quality of life, within the neighborhoods and the property owner was unaware or unable to quickly or effectively resolve the matter. The Crime Free Multi-Housing Program can help you be prepared to prevent problems or be ready to quickly and effectively resolve any problems should they occur.

2. What is the Crime Free Multi-Housing Ordinance?

The ordinance is designed to enhance the quality of life by preventing and responding to the safety and security concerns of our community.

3. Who must attend the Crime Free Multi-Housing Program training course?

All owners and/or managers of any multi-unit residential rental property must attend. If you have already attended the Crime Free Multi-Housing Program training course or have a Crime Free Multi-Housing Program certificate of completion from another recognized agency you are exempt. Proof of certification is required for exemption. You only need to attend this training course once, regardless of the number of properties that you own. There may be times when a property owner (or agent or designee) could be mandated to attend the seminar more than once as a result of a nuisance abatement violation.

4. I am a property owner and live out of state. Do I have to attend?

Not necessarily. If you live out of state, you are required to have a local individual that handles matters for you related to the rental property. With this in mind, the ordinance does state the rental property owner OR agent (manager), OR the owner's designee shall attend a CFMH seminar. An annual renewal is not needed.

5. What will I learn in the CFMH Seminar?

The Crime Free Multi-Housing Program was developed in 1992 by the Mesa Arizona Police Department. Over 1700 communities in 44 states and 4 Canadian provinces have been trained in CFMH. The information contained in the seminar is a compilation of experience and proven methods from professional rental property managers, lawyers and police officers. Seminar topics include:

- Explanation of a Crime Free Multi-Housing ordinance
- CPTED (Crime Prevention Through Environmental Design overview
- Applicant Screening, Rental Agreements and Federal Fair Housing Act
- Crime Prevention, Risk Management and Crime Free Lease Addendum
- Active Property Management and Working with the Police
- Trespass Agreements and Nuisance Abatement
- Local Attorney discussing leases and evictions
- Gang and Drug Awareness

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

No. The ordinance does not require an eviction solely on criminal activity. It does require the property owner/manager

to take action to ensure no additional incidents occur. The ordinance does require the use of a Crime Free Lease Addendum or use similar wording, in the body of the lease, which makes criminal activity a cause for eviction. It simply provides the property owner the tools and ability to deal with a problem if they choose or need to, possibly leading up to an eviction. The Crime Free Lease Addendum is similar to the one developed by HUD and used in Section 8 leases utilized by housing authorities. Evictions based on this concept were upheld by the U.S. Supreme Court in 2002 (see Oakland Housing Authority v. Rucker and Department of Housing and Urban Development v. Rucker).

7. Doesn't the ordinance promote discrimination or profiling?

No. The Federal Fair Housing Act, which is discussed during the seminar, has seven protected classes. A person's behavior is not a protected class. The ordinance is designed to provide education and tools to rental property owners that will assist them and empower them to reduce the chances of problems and be prepared to quickly and effectively deal with problem tenants.

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

A rental property, regardless of size, is in fact a business operation. While the City of Adelanto has the power to declare certain businesses a nuisance, it has the right and responsibility to do the same for troublesome rental properties. The ordinance is designed to provide education and tools to rental property owners that will assist them and empower them to reduce the chances of problems and be prepared to quickly and effectively deal with problem tenants.

9. Does Crime Free Multi-Housing really work?

YES!!! This multi-faceted approach to crime prevention is designed to assist property owners and managers to proactively avoid problems on the property. Crime and drug infested properties around the country have seen dramatic decreases in calls for police service after CFMH was implemented. On average there is a 68% reduction in calls for service once the CFMH program is set into place. CFMH programs working with rental property owners and managers along with their local Sheriff Department and specialty units such as Code Compliance have been effective.

10. National criminal background check & landlord/tenant lease addendum.

All landlords who are licensed to rent properties and who are applying to be licensed to rent properties must:

- Conduct a national criminal background check on all new non-owner occupants (18 years of age and older) prior to occupying any rental dwelling unit OR at the time of a lease renewal. National criminal background checks must be conducted by a reputable agency that utilizes the national database. *As a rule of thumb a national background check must be conducted on all tenants that are documented on the landlord-tenant lease addendum.*
- Incorporate a Crime Free Lease Addendum in the body of all property leases or rental agreements. Owners and/or managers using written, oral or no lease agreements are required to complete a landlord-tenant lease addendum. This addendum must then be signed and dated by all tenants (18 years of age and older) occupying the rental property.