# City of San Diego
# Crime-free Multi-housing Program

## Working to Keep Illegal Activity Out of Rental Property

**A Collaborative Community Policing Program between**
**the City of San Diego, San Diego Police Department and SAY San Diego**

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SIGNATURE PAGE

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This manual is intended to address aspects of property management that may be important to the control and prevention of illegal activity on rental property. In the event information is used from this book, the Western Regional Chapter of the Internal Crime Free Association/Crime Free Partners assumes no responsibility for any claim or lawsuit which is initiated or pursued.

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# Table of Contents

Overview.....v

**PART ONE - Crime Prevention**
Does It Work.....1
Criminals Are Like Weeds..... 1
Understanding Crime Prevention..... 2
Risk (Loss) Management .....2
Managing Your Risks ..... 3
Set Rules .....6
Target Hardening .....7

**PART TWO - What Is The Crime-free Multi-housing Program?**
Where It Began .....9
How It Works.....9
Who Should Attend.....10
Phase I: Training.....10
Phase II: C.P.T.E.D. Inspection .....10
Phase III: Resident Engagement & Full Certification..... ..... .....11
Phone In Requests.....12
Maintaining Crime-free Signs .....12

**PART THREE - Crime Prevention Through Environmental Design**
Safe By Design .....14
Improve Surveillance.....14
Improve Access Control .....16
Improve Territoriality .....17
Improve Activity Support .....19
Troubleshooting .....19
The 3 “D” Concept of C.P.T.E.D..... 20
Solving Conflicts With C.P.T.E.D. Concepts.....21
C.P.T.E.D. Lighting .....22
Goals of Lighting ..... 23
Types of Outdoor Lighting .....24
Light and Lamp Comparison .....28

**PART FOUR - The Application Process**

It's Worth The Effort ..... 30
What are the Protected Classes? ..... 30
What about Non-Protected Classes? ..... 31
What about Criminal Behavior? ..... 31
Disclosure ..... 32
Self Refusals ..... 32
Verify The Information Given ..... 36
Refusing An Application ..... 37

**PART FIVE - Common Sense Self Defense**

Awareness Is The Key ..... 38
Working After Dark ..... 38
Employee Training Programs ..... 39
Stay In Touch ..... 39
Armed Robbery Prevention ..... 39

**PART SIX - Community Rules and Lease Agreements**

Use A Current Lease Agreement ..... 42
Use Of The Crime-free Lease Addendum ..... 43
Communication Is The Key ..... 45
No Business Clause ..... 46

**PART SEVEN - Building Apartment Communities**

Not A Complex ..... 47
Not A Police Problem ..... 47
Problem Solving ..... 48
How To Begin ..... 49
Form vs. Function ..... 49
The Next Step ..... 50
Closing The Deal ..... 50
Keep It Going ..... 51

**PART EIGHT - Active Property Management**

Taking A Complaint ..... 52
Routine Property Inspections ..... 52
Good Property Maintenance ..... 53

**PART NINE - Combating Illegal Activity**


Who's Job Is It? ..... 54
The Displacement Theory ..... 54
Civil Laws vs. Criminal Laws ..... 55
Taking Action ..... 56
Possession of Firearms ..... 57
Gang Membership ..... 57
Drug Paraphernalia ..... 58
General Disturbances ..... 58
Who Has The Power? ..... 58
Trespassing ..... 59
Attempted Murder ..... 59
Management's Responsibility ..... 60
Resident's Responsibility ..... 61
A Ten-Step Process ..... 62


**PART TEN - Partnership With The Police**


The Police Will Not Talk To Us ..... 63
Privacy Laws ..... 64
How To Approach The Officer ..... 64
Establishing More Security ..... 65
Requesting An Extra Patrol ..... 65
Narcotics Surveillance ..... 66
Management Surveillance ..... 66
"But I'm Scared!" ..... 67


**PART ELEVEN - Dealing With Non-Compliance**


First Things First ..... 68
Do Your Homework ..... 68
Set Your Policies ..... 69
Don't Be Complacent ..... 69
Know Your Responsibilities ..... 70
Service of Notice Documents ..... 70
Success Stories of the Crime Free Multi-Housing Program ..... 72
The Ultimate Detainer Procedure ..... 73

**PART TWELVE – Fire Department Manual**

Forward……..74
Exiting Systems .....75
Address .....75
Fire Alarm Systems.....76
Fire Sprinkler Systems.....76
Fire Extinguishers .....77
Fire Lanes.....77
Emergency Medical Services.....78
Pool Safety .....78
Single Station Smoke Detectors .....79
Chemical Storage/Flammable and Combustible Liquids Storage .....80
Cooking Inside Clubhouses and Recreational Areas .....80
Locks/Lock Boxes .....80
Heating and Ventilation Units .....80
Laundry Rooms.....81
Dumpsters .....81
Electrical .....81
Barbecue Grills .....82
LPG/Natural Gas.....82
Working with the Fire Department .....83
Fire Emergency Guides.....83
Community Newsletter .....84
Conducting Property Inspections.....84
Apartment Checklist…… .....85

# 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. This motivates owners to a greater concern about crime in their neighborhoods. With rising crime rates come lower property values.

An owner of a single family home might also be looking at a long term of residency. Typically, homeowners have a thirty-year mortgage for their property. Home is where they come each day and perhaps raise a family. There tends to be a lot of pride and ownership of their property. When crime problems begin to appear, owners are very likely to organize Neighborhood Watch activities to protect the long-term interests of their families.

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

The police have historically fought a losing battle with Neighborhood Watch in multi-family rental properties.

The result was the **Crime-free Multi-housing Program** implemented by Mesa, Arizona in July of 1992. This bold, new program had no precedent. The program's concept was to take a multi-faceted approach to crime prevention. A unique coalition of police, property managers and residents of rental properties, the program was to be an on-going program with a three-phase approach to address all of the opportunities of crime in rental property.

The program was designed to include a certification process, never before offered by a police department. The incentives of police-issued signs, certificates, and advertising privileges provided immediate interest in the program.

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. Even in the best properties reductions of 15% to 20% were not uncommon.

The **Crime-free Multi-housing Program** began to spread nationally after the first year, and internationally after the second year. The **Crime-free Multi-housing Program** has been a success all across the United States and Canada.

Typical responses to crime include: fear, withdrawal, distrust, over-reaction and denial.

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

# PART ONE

# Crime Prevention

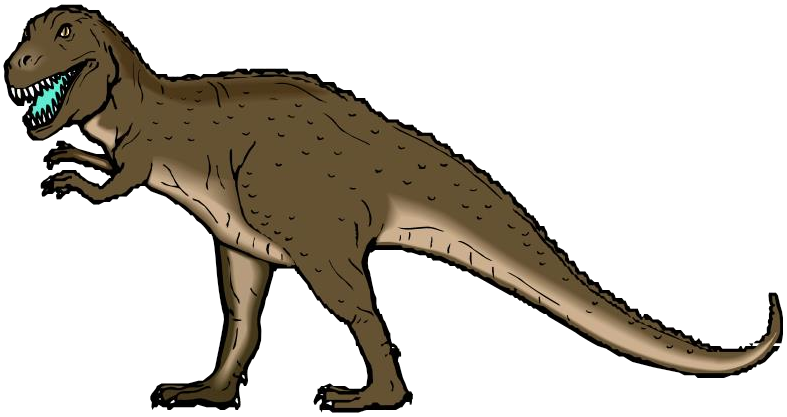
## Does it work?

Many people feel helpless against crime, because too often crime is 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 they feel they can't be successful. Often, people view dangerous criminals like a large rock that can't be moved, or even be 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, it sprouts and it 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 police approach to crime is **REACTIVE**. Once a crime has been committed, the police officer responds, writes a police report and begins the preliminary investigation. It is certainly more humane and cost effective to prevent a crime from even 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.

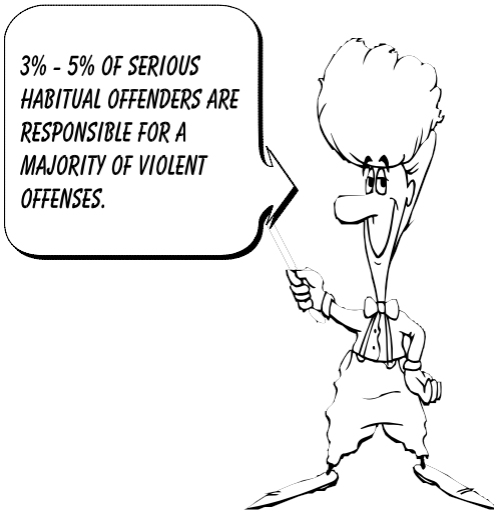


Unfortunately, many people don't address crime situations until it is too late. A good example is the victim of a burglary who suddenly becomes interested in home security systems (locks, alarms, security screens, etc.).

Once a crime problem has gotten 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's still in the egg. Once the dinosaur has been given the opportunity to grow, it becomes progressively harder to defeat. The same is true regarding criminal activity.

## Understanding Crime Prevention

In order to prevent crime, you need to understand crime, plus, you need to understand 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, as this is where all the animals come to get water. The lioness is a skilled hunter. She knows the best approach is from downwind. This way 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. They stalk their victims, looking for the easy prey. To be successful against an attack, you don't necessarily have to be the **strongest** one, but you don't want to be the **weakest!**

Lions only hunt when hungry; but criminals are always a danger. This is why crime prevention is so important. Crime prevention is a shared responsibility. It cannot be imposed solely on the Police 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 to take sometimes costly steps to reduce the risk (risk transference). Transferring the risk may involve spending a little money now to save much more later on.

There are other less expensive ways to prevent crime. This includes the removal of the elements necessary for a crime to occur (risk avoidance). There are also ways to reduce the risk, or spread the risk to reduce losses. The following page demonstrates the types of risk management.

# Managing Your Risks

## 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

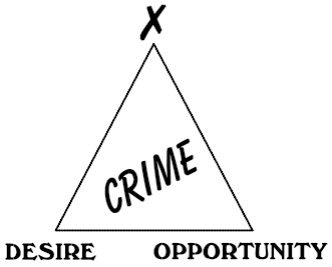
(SPREAD VALUABLES AROUND)

- MULTIPLE CASH STASHES
- REDUCE LIKELIHOOD OF LARGE LOSSES

Fear of crime is not always based on actual crimes, but rather perceived crimes.

While adolescents are most likely to be victims of violent crimes and the elderly are least likely, it is the elderly who generally hold a higher fear of crime.

## SCENARIO ONE
**(Eliminate TARGET)**




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, now the **OPPORTUNITY** is there. But if there isn't a Corvette on the property, you will not have a crime because there is no TARGET.

## SCENARIO TWO
**(Eliminate DESIRE)**

If a person sees a Corvette, the **TARGET**, and all of the residents are in their apartments, allowing 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 OPPORTUNITY)**

If a person comes to the property with the **DESIRE** to steal the 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 (3) 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, and to eliminate the **DESIRE**, a concerted effort is made 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 virtually eliminated.

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 police calls for service, as a result of the Crime-free Multi-housing Program.

In the City of San Diego there are nearly 232,000 rental properties. Nearly half (48%) of all San Diego residents live in rental property. The managers of these rental properties all have one thing in common...they all want **more** police patrol.

Even if San Diego Police Officers turned off their police radios and never answered a single 911 call for help, we would not have enough patrol cars to provide adequate security patrols for every rental property. Now consider the majority of San Diego residents live in single-family homes. They also want more police patrols up and down their streets and alleyways. Then there are the grocery store managers that want more police 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 police patrol, but there just isn't enough. Managers must take their own precautions. Residents of rental properties must also be aware of their role in **Crime Prevention**.

## 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 is directed to all structures, vehicles and personal property within the rental community.

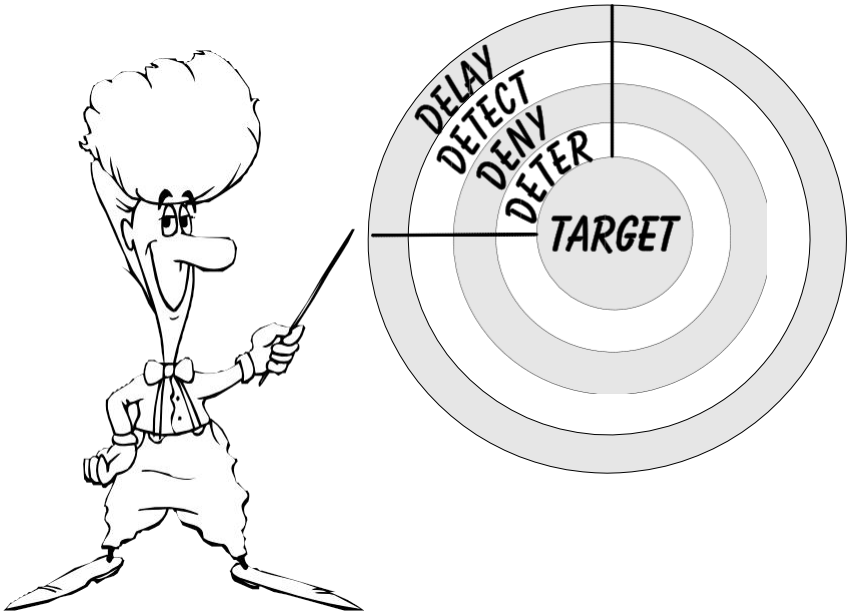
- **DETECT:**
  By utilizing good security techniques, you can cause the person to make more noise, which will **increase the risk of detection**. This may also persuade the person not to commit the crime.

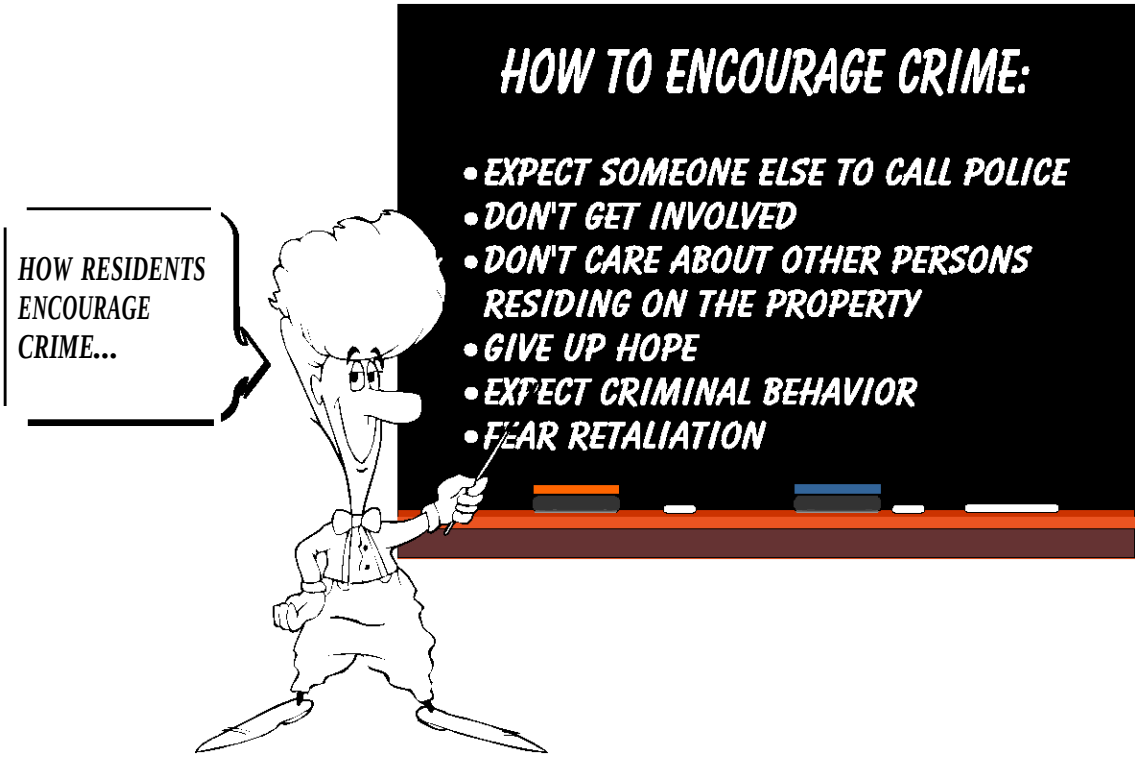
- **DENY:**
  By engraving valuables, using security electronic equipment, or by moving other valuables out of view, you can **remove the rewards received from a crime opportunity**. If the rewards are not there, this may persuade the person not to commit the crime.

- **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 persuade the person not to commit the crime.

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

## How the 4 "D's" Work




HOW TO ENCOURAGE CRIME:
• EXPECT SOMEONE ELSE TO CALL POLICE
• DON'T GET INVOLVED
• DON'T CARE ABOUT OTHER PERSONS RESIDING ON THE PROPERTY
• GIVE UP HOPE
• EXPECT CRIMINAL BEHAVIOR
• FEAR RETALIATION
HOW RESIDENTS ENCOURAGE CRIME...

HOW TO DISCOURAGE CRIME:
• REPORT CRIMES & FOLLOW THROUGH
• FORM SUPPORT SERVICES FOR VICTIMS
• HAVE VICTIM ASSISTANCE SERVICE
• ESTABLISH AND USE HOTLINES
• SEEK HELP FOR "AT RISK" RESIDENTS
• EMPHASIZE COMMUNITY VALUES
HOW RESIDENTS CAN DISCOURAGE CRIME...

# 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. It has spread across the United States and to Canada in a very short time. It was designed to be law enforcement driven.

### 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 is the completion of an eight-hour program given by SAY San Diego CFMH Program Coordinator and San Diego Police Department. Frequently, guest speakers will also attend to address specific topics relating to rental properties. This police-sponsored program is designed to be very effective at reducing criminal activity in rental properties.

The Crime-free Multi-housing Program addresses these topics:

- Understanding Crime Prevention
- C.P.T.E.D. (Safe By Design)
- Resident Selection
- Common Sense Self Defense
- Community Rules/Policies
- Building Apartment Communities
- Good Property Management
- Combating Illegal Activity
- Partnership with the Police Department
- Partnership with the Fire Department
- Dealing with Non-Compliance
- The Federal Fair Housing Laws

## Who Should Attend

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

## Phase I: Training

After completion of the eight-hour training program, each participant will receive a certificate which has been signed by the Assistant Chief of Police. The certificate is also signed by the program coordinators of the Crime-free Multi-housing Program, who sponsor the training.

This certificate is to be immediately framed and displayed in the leasing office, or in a prominent place where applicants are sure to see it. Prospective residents should be told as soon as possible that the property management is working with the police 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.

Participating managers should also begin immediate implementation of 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 somebody 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 <u>before</u> they turn in the application or pay any fees or deposits**. Every prospective resident must be treated exactly the same. It is important to develop office policies to ensure this.

## Phase II: CPTED Inspection

In the second phase of the program, a CPTED-certified Team will inspect the rental property to assess physical security and general appearance of the property. If the property meets the department's requirements, a second certificate signed by the Assistant Chief of Police will be issued in the name of the apartment community.

This certificate will certify 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 rare 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 complex.

## Phase III: Resident Engagement & Full Certification

In the third and final phase of the program a Community Relations Officer with the San Diego Police Department and a SAY San Diego CFMH Program Coordinator will conduct a Resident Engagement meeting for residents at the rental property. This will include information about general safety principles and crime prevention, including Neighborhood Watch information. This is also an opportunity to explain the Crime-free Multi-housing Program.

Management is responsible for providing food, non-alcoholic drinks and entertainment for this event. It is also recommended that property managers raffle door prizes as an added incentive to draw residents to the meeting. **It is necessary to conduct at least one (1) meeting per year to maintain membership** in the Crime-free Multi-housing Program.

During the Resident Engagement meeting, the apartment community will be awarded its full certification. This certificate is the only certificate that has an expiration date. It is renewed each year after the subsequent Resident Engagement meeting has been conducted.

After completion of the first resident engagement meeting, 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 Police 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 complex 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, as well as on company letterheads, business cards and associated paperwork.

This logo has achieved a very high level of recognition in the United States and Canada. It has proven very effective in attracting honest residents looking for safe housing. It has worked equally well to discourage those looking for an apartment unit for conducting criminal activities.

## Phone-in Requests

An additional advantage to being fully certified is that people can call the police department for a list of fully-certified properties.

## Maintaining Crime-free Signs

It is the responsibility of the management to maintain and replace all lost or damaged signs, and to contact the Crime-free Program Coordinator if this occurs.

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 cannot be reached.

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.

# PART THREE

## Crime Prevention Through Environmental Design

### Safe By Design

Crime Prevention Through Environmental Design (C.P.T.E.D.) is comprised of four (4) key elements: **Surveillance**, **Access Control**, **Territoriality**, and **Activity Support**. C.P.T.E.D. is used to develop safety into design. Virtually any property crime can be eliminated by using C.P.T.E.D.

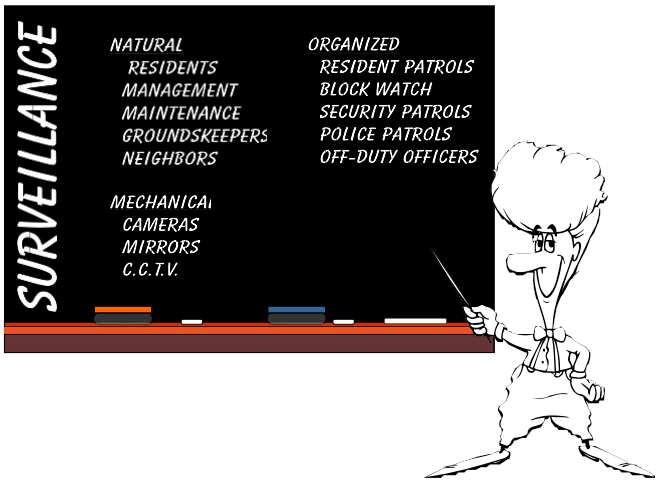
### Improve Surveillance

**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. Things that inhibit surveillance are overgrown trees and shrubs, fences and poor lighting. Surveillance strategies are aimed primarily at keeping 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 join with 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.

Visibility of residents and residents' activities are perhaps the greatest deterrent to crime.

By putting common areas and other activities closer to unsafe areas, the less likely you are to have a crime.

Mechanical Surveillance usually involves the purchase of moderately inexpensive mirrors to the more expensive electronic devices, such as closed circuit television (CCTV). **NOTE**: Maintenance of the devices must be considered when purchasing the equipment.

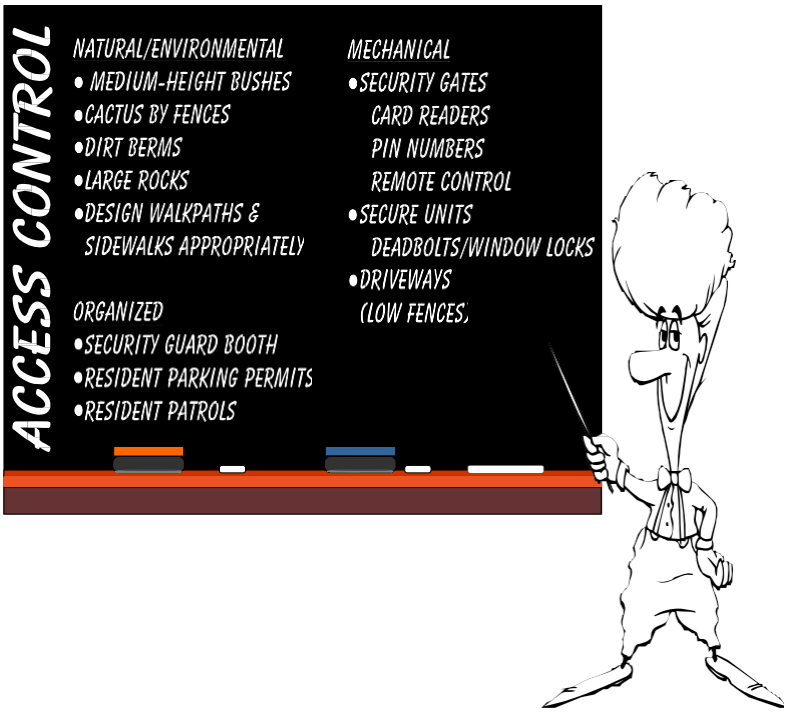
***Organized Surveillance*** includes security patrols and other people who are organized to watch a targeted area. While this is the most effective deterrent to crime, it is also the least cost effective. While it may be necessary to employ security patrols, once the patrols are discontinued there is 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 into and out of a location, such as a security post or the use of mechanical gates. Others 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. Look at perimeter fencing for damage. Look for footprints in the dirt and gravel. Check for wear patterns in grassy areas. Determining the weak points will be the first step to correcting the problem.

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




***Natural/Environmental Access Control*** involves the use of the environment. To keep trespassers from climbing over walls 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 as it gives witnesses the opportunity to record license plates and get better suspect information.

***Organized Access Control*** entails the use of security or courtesy patrol to control who enters 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 ensure parking permits will be visible at all times.

## 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 as well. Good territoriality demonstrates a sense of "ownership," alerting potential offenders that they don't belong there and they will be seen and reported, because undesirable behavior will not be tolerated. **It has two (2) principle components: *Defensible Space* and *Maintenance*.**

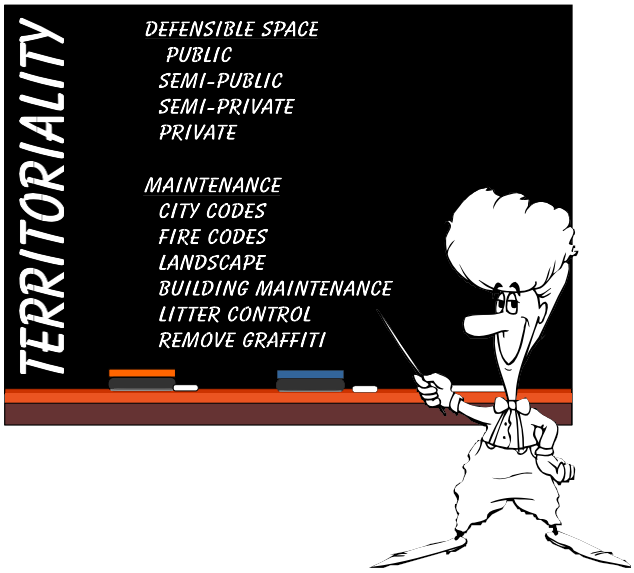
***Defensible Space*** is divided into four (4) categories: **Public**, **Semi-public**, **Semi-private**, and **Private**.

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 areas. 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 into the unit. This is especially true if several units share a common balcony or stairways. In a single-family home neighborhood, 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.

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.

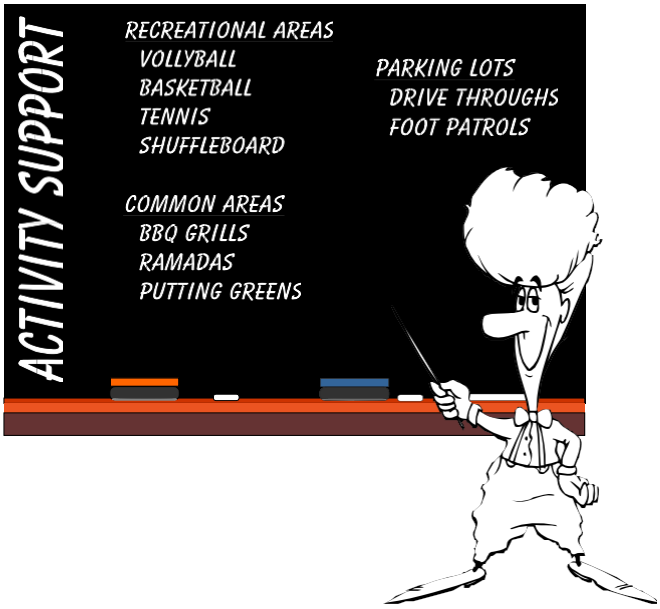
***Maintenance*** is another key issue for Territoriality. **If a rental property is well maintained, it shows that management cares for and will defend the property against crime**. A property that is not well maintained may indicate that management is not concerned about the property, and might overlook 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 code 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 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.




To promote Activity Support, utilize common areas effectively. By incorporating ramadas, picnic areas and other amenities into open areas, the 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 visibility that is not obscured for the intended users.

## Troubleshooting

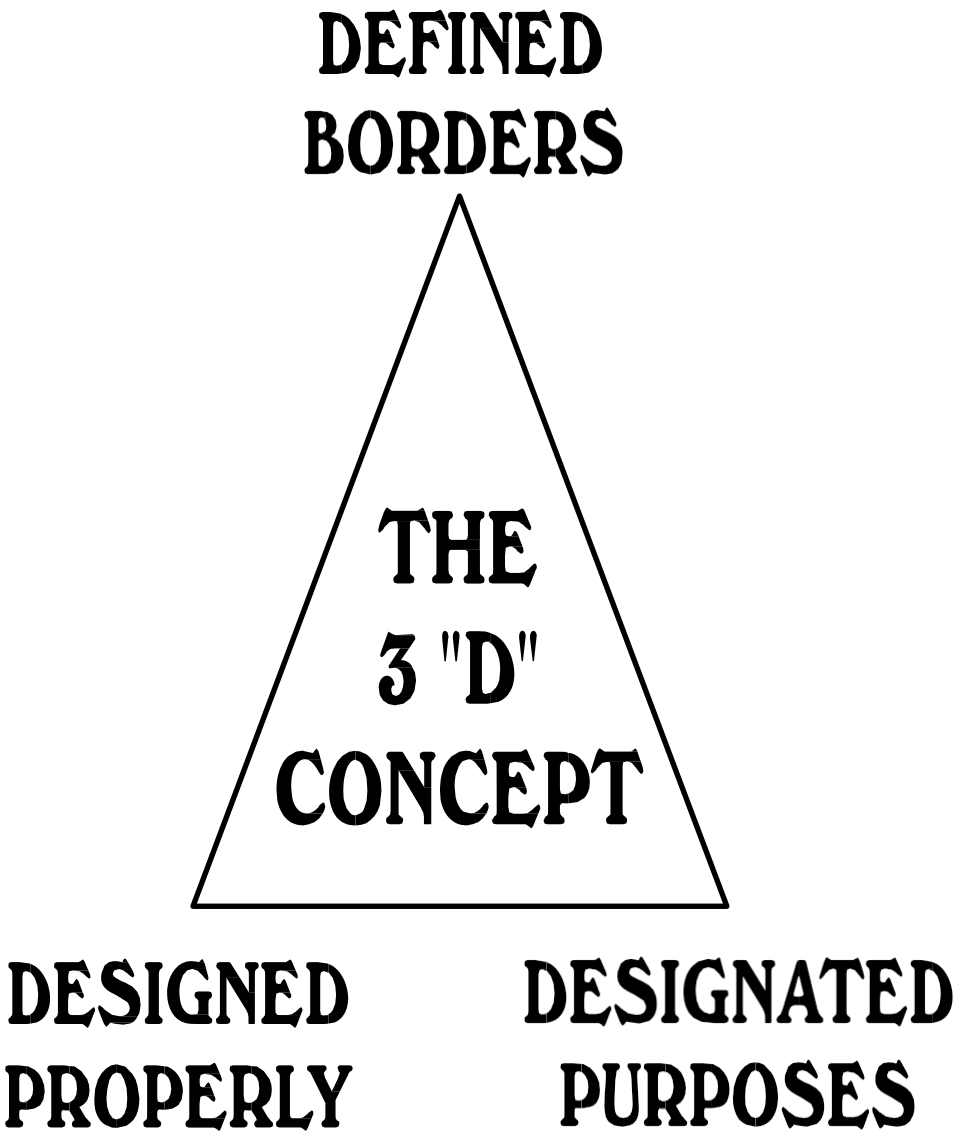
**When you consider an area, ask yourself:**

"Who are the intended users?"
"Why are they not using the area?"
"What will promote the use of the area?"

**Also ask:**

"Why are deviant users frequenting the area?"
"Why is it inviting?"
"What will discourage them?"

## The 3 “D” Concept of C.P.T.E.D.




**Is Territory well defined?**

**Is the design good for intended purposes?**

**Is the area used for designated areas?**

# Solving Conflicts with C.P.T.E.D. Concepts

| SURVEILLANCE | ACCESS CONTROL |
|---|---|
| ***Concept:***<br>✓ Good lighting and good landscape maintenance.<br><br>***Conflict:***<br>✓ No formal or informal surveillance by residents who stay indoors.<br><br>***Solutions:***<br>✓ Organize Neighborhood Watch<br>✓ Organize activities<br>✓ Organize training<br>✓ Organize alternative suggestions | ***Concept:***<br>✓ Good security fencing and gates.<br><br>***Conflict:***<br>✓ Gates are propped open, locks damaged and fences damaged.<br><br>***Solutions:***<br>✓ Educate residents<br>✓ Repair/maintain gates<br>✓ Repair/maintain fences<br>✓ Send notice to residents<br>✓ Evict problem residents |
| **TERRITORIALITY** | **ACTIVITY SUPPORT** |
| ***Concept:***<br>✓ Buildings well painted and addresses clearly marked.<br>✓ Rules posted appropriately.<br><br>***Conflict:***<br>✓ Residents only have ownership or concern for dwelling unit.<br>✓ Lack of private/semi-private space.<br><br>***Solutions:***<br>✓ Encourage gardening<br>✓ Encourage play areas<br>✓ Encourage ownership of areas<br>✓ Encourage litter patrols | ***Concept:***<br>✓ BBQ grills and tables in common areas.<br>✓ Sports and recreational facilities well maintained.<br><br>***Conflict:***<br>✓ Little to no use of facilities by residents.<br>✓ Area becomes a site for dangerous activities and non-intended users.<br><br>***Solutions:***<br>✓ "Market" amenities.<br>✓ Organize events/contests<br>✓ Prizes/plaques<br>✓ Improve lighting |

# 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 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 "far" and opportunity of crime.

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

## Goals of Lighting

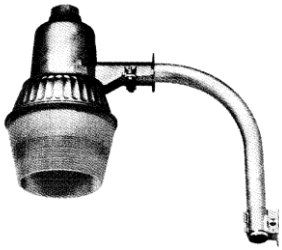
| UNIT LIGHTING SHOULD BE: |
| --- |
| •Energy efficient (used consistently)<br>•Non-tamperable (use special screws)<br>•Break Resistant Lens (Polycarbonate-Lexan) |

| BUILDING LIGHTING SHOULD: |
| --- |
| •Illuminate building numbers<br>•Illuminate building accesses<br>•Illuminate front and back areas<br>•Illuminate porch lights under control of building, not apartment user. |

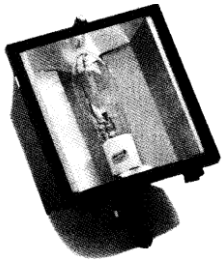
| GROUNDS LIGHTING SHOULD: |
| --- |
| •Provide a cone of light downward to walkways<br>•Provide a level of lighting between buildings to distinguish forms and movement. |

## Types of Outdoor Lighting

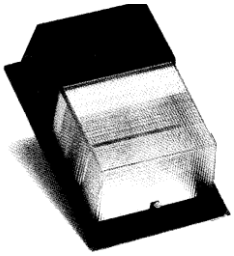
Energy-efficient lighting fixtures help you cut your electric bill. Plus, most products are easy to install because many models come pre-wired and pre-assembled. Each style comes with a lamp and you can also choose to add a photocell on some designs.



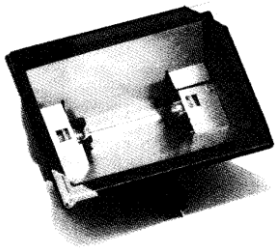
**Dusk-To-Dawn**
**High-Pressure Sodium**
*150 watt*



**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.

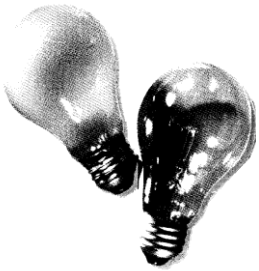
**Nominal Wattage of Lamps**

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

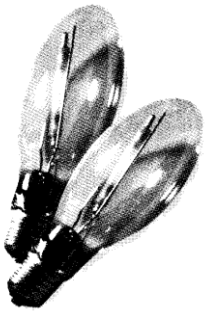


Supreme incandescent bulbs are rated to last 5000 hours compared to 750 hours for regular bulbs. Cooler burn with 85% longer lamp life. Withstands voltage fluctuations, and its brass base offers reduced socket freezing. Frosted or clear available. 40, 60, 100 watt varieties.

### Flood Light

One-piece weatherproof construction with a brass base to reduce socket freezing. 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. (For use in high pressure sodium fixtures only.)

### Color Rendering

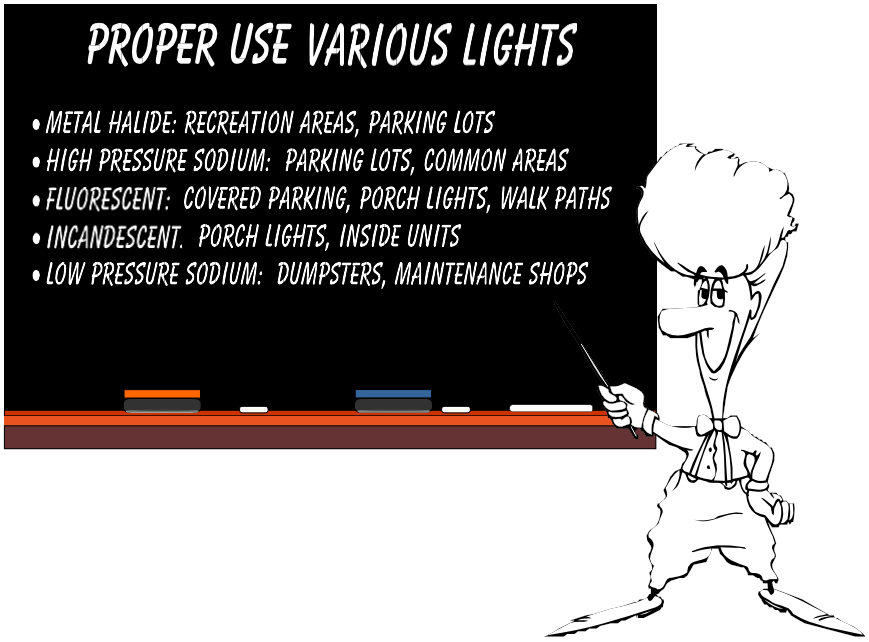
Another key performance characteristic, *color rendering*, is the ability of a light source to represent colors in objects. The relative measure of this ability is color rendering index or CRI which rates lights sources on a scale of 0 to 100.

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 sources 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.*



# Purposes of Security Lighting

- Reduces crimes
- Reduces trespassers
- Reduces concealment
- Increases security
- Increases confidence
- Increases territoriality
- Increases surveillance

# Lighting Terminology

- Foot candle – equals light from one candle at one foot away
- Lux – European scale for foot candle
- Lumen – quality 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)

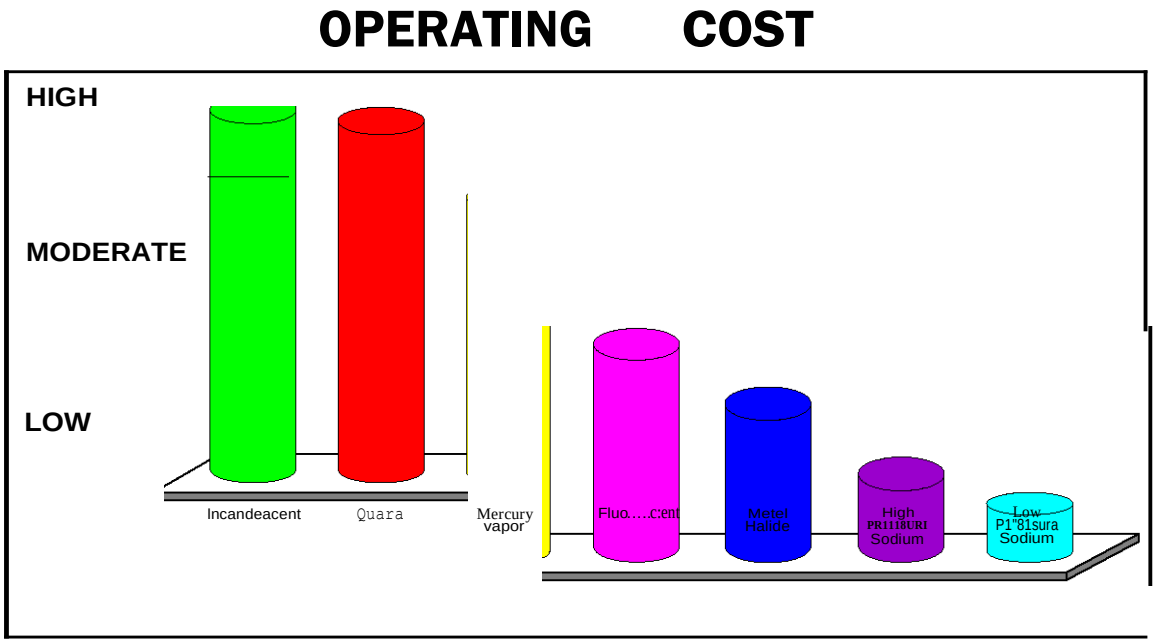
# High Intensity Discharge

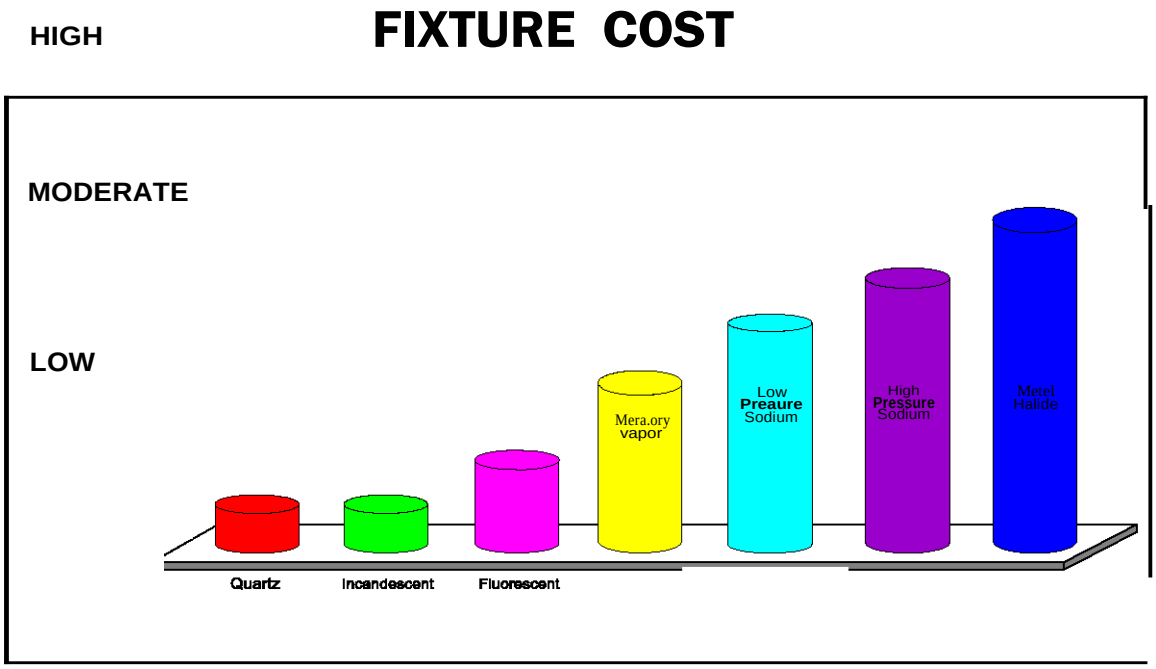
(Metal Halide & High Pressure Sodium)

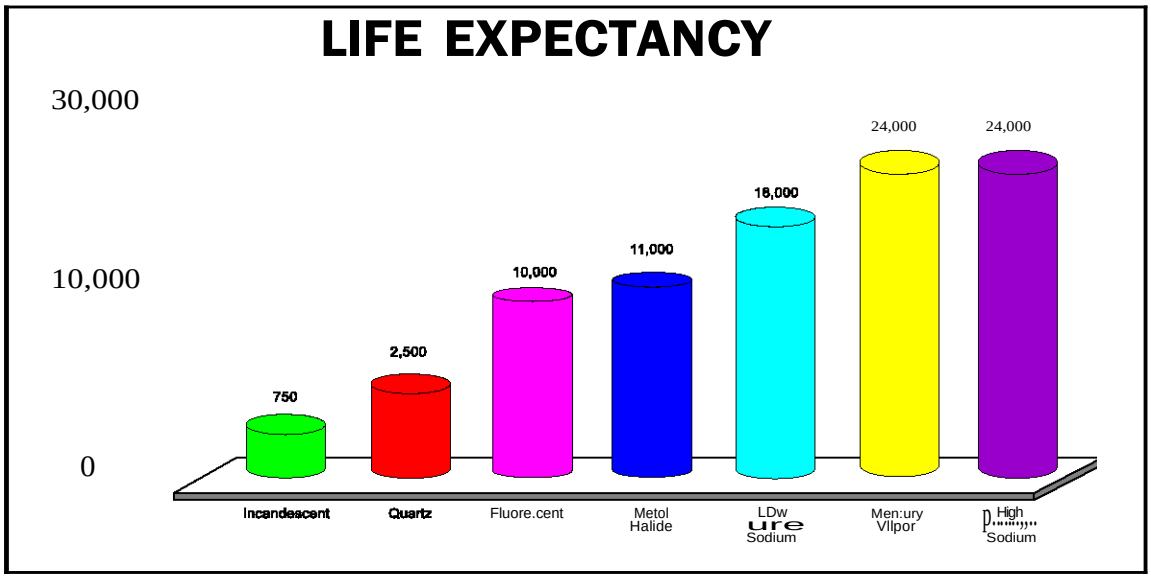
- High initial cost
- Low operating cost
- High efficiency
- Long bulb life
- Good-to-excellent color rendering
  Metal Halide: Excellent
  High Pressure Sodium: Good
- Low pressure sodium
  Most efficient of all types
  Poorest color rendering of all the types

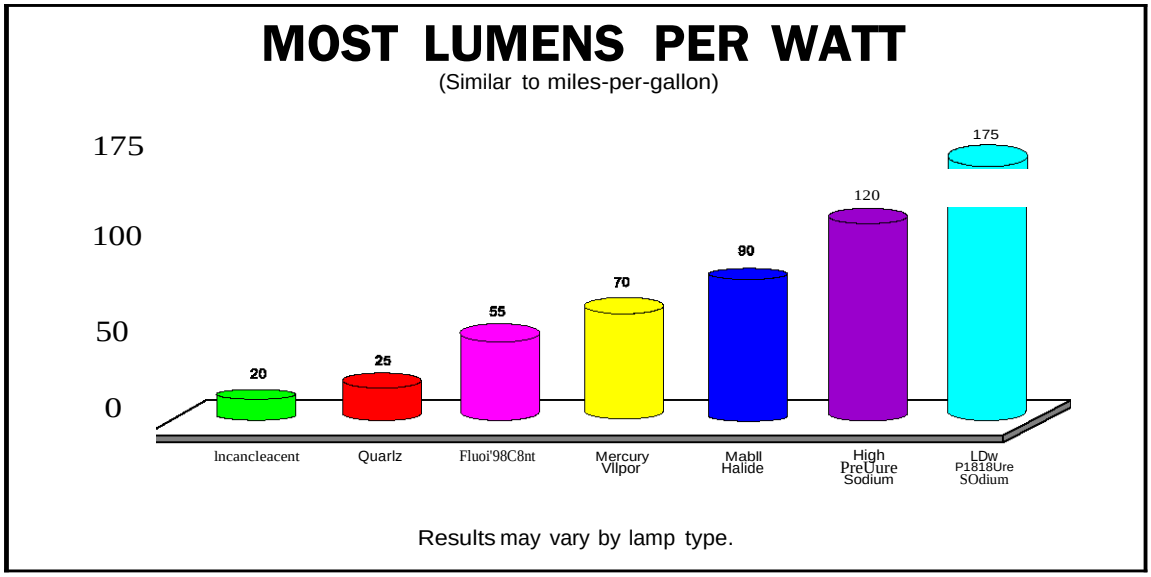
## Light and Lamp Comparison

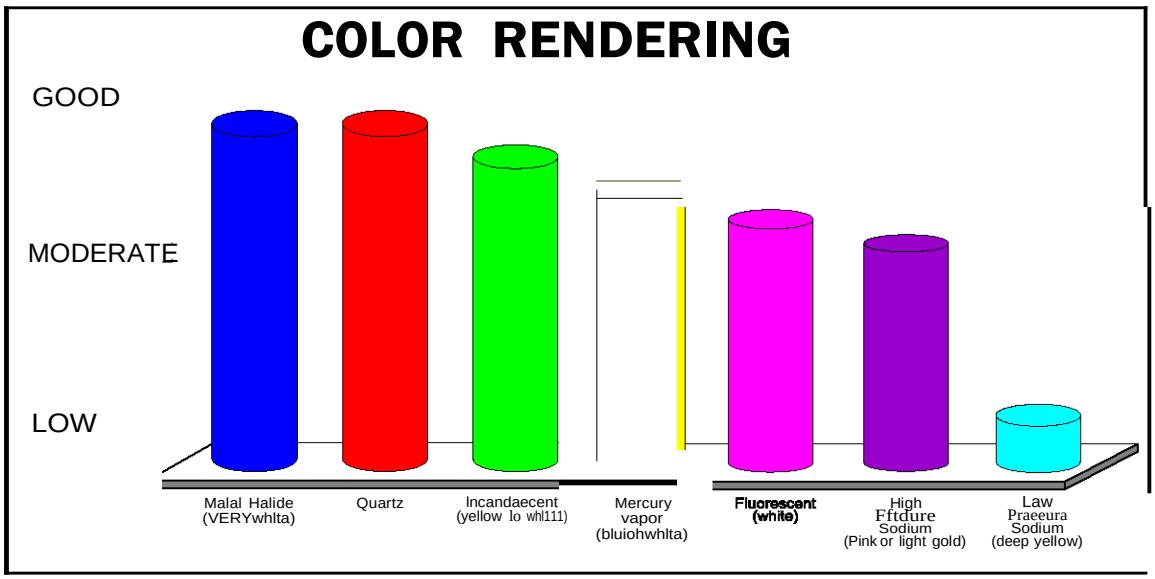
While many lamps will offer varying degrees of efficiency and effectiveness, this is a general guide to discuss advantages and disadvantages with certain lamps. Contact a professional lighting consultant if you have any questions.




LIFE EXPECTANCY
30,000
10,000
0
750
2,500
10,000
11,000
18,000
24,000
24,000
Incandeacent
Quartz
Fluore.cent
Metol Halide
LDw Sodium
Men:ury VIlpor
High Sodium


MOST LUMENS PER WATT
(Similar to miles-per-gallon)
175
100
50
0
20
25
55
70
90
120
175
lncancleacent
Quarlz
Fluoi'98C8nt
Mercury VIlpor
MabIl Halide
High PreUure Sodium
LDw P1818Ure SOdium
Results may vary by lamp type.


COLOR RENDERING
GOOD
MODERATE
LOW
Malal Halide (VERYwhlta)
Quartz
Incandaecent (yellow lo whl111)
Mercury vapor (bluiohwhlta)
Fluorescent (white)
High Fftdure Sodium (Pink or light gold)
Law Praeeura Sodium (deep yellow)

# 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 who they will rent to.

**Good screening procedures** will not only help you qualify better applicants, it **may prevent a discrimination case** as well. Be certain to keep current with new laws pertaining to Fair Housing and consult with a qualified attorney before making changes to your policies.

U.S. Department of Housing and Urban Development

EQUAL HOUSING OPPORTUNITY

**We Do Business in Accordance With the Federal Fair Housing Law**
(The Fair Housing Amendments Act of 1988)

**It is Illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In advertising the sale or rental of housing
- In the financing of housing
- In the provision of real estate brokerage services
- In the appraisal of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:
1-800-669-9777 (Toll free)
1-800-927-9275 (TDD)

**U.S. Department of Housing and Urban Development**
**Assistant Secretary for Fair Housing an**
**Equal Opportunity**
**Washington, D.C. 20410**

Previous editions are obsolete

form **HUD-928**

## What Are Protected Classes?

Federal Fair Housing Laws strictly prohibit any discrimination against protected classes. Those protected classes are:

| **Federal** | **State of California** (Same as Federal - Plus) |
|---|---|
| Race | Ancestry |
| Color | Marital Status |
| Religion | Source of Income (legal and verifiable sources) |
| Sex | Sexual Orientation |
| Disability | Arbitrary Discrimination |
| National Origin | - Age, Body Shape, Clothing or any other characteristic of the applicant |
| Familial Status | |

In some cases, property managers may have to comply with other protected classes which may include age, sexual preference or source of income. What most people may not be aware of is that **EVERYONE** is in a protected class. Everyone has a race, a color, a sex and a national origin.

No one can discriminate against an applicant based on their color, regardless of what color they are. No one can be denied residency based on their national origin, regardless of where they were born.

***NOTE:*** *You should keep an "Equal Opportunity Housing" sign in the office to remind prospective residents that you do not discriminate against the federally protected classes.*

## What About Non-protected Classes?

While discrimination against non-protected classes is not necessarily illegal, it may not be profitable either. For example, a property manager may discriminate against pet owners (provided that the applicant is not dependent upon the animal for a particular disability), but not allowing pets may turn away a large number of applicants. Another example is the property manager who chooses to rent to only non-smokers. Here again, it may be legal, but it may not be profitable.

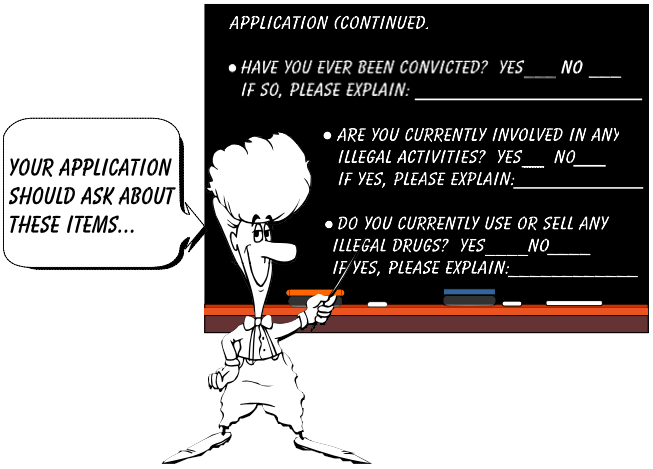
Property managers should have **written standards** to address their application process. These standards should be posted prominently and/or attached to each application. These standards should also be carefully reviewed by an attorney or another individual familiar with Fair Housing Laws. These standards should be readily available for review, and strictly adhered to. 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 basic premise of these laws is to be certain property managers are screening fairly and staying consistent.

## What About Criminal Behavior?

At this time it is not illegal to deny residency to an applicant based on their criminal history. Keep in mind, it is **not** legal to discriminate on the basis of an arrest; it **must** be a conviction. If an applicant says they were not convicted, but they made a plea bargain instead, it is **still** a conviction.

Behavior is not one of the federally protected classes. An applicant can be denied residency for behaviors at previous rental properties. For example, you could refuse residency to an applicant who has repeatedly disturbed or threatened previous neighbors, sold or manufactured drugs, or damaged properties they previously rented.



## Disclosure

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

**Bottom line: check each application <u>thoroughly</u> before accepting it or any processing fees.**

## Self-refusals

If an applicant is aware of the screening criteria, they are less likely to apply, knowing 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 and criminal history.

Managers who stress strict adherence to screening policies will often see the applicant screen themselves out of the process. There are many criteria you can use to encourage self-screening. The following is an example of what you could post.

**(EXAMPLE ONLY)**

## *STATEMENT OF RENTAL POLICY*

THIS COMMUNITY WILL NOT DISCRIMINATE AGAINST ANY PERSON BASED ON RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, FAMILIAL STATUS, OR DISABILITY.

OCCUPANCY STANDARD: TWO (2) PERSON MAXIMUM OCCUPANCY PER BEDROOM

RENTAL APPLICATION EVALUATION GUIDELINES:

- Age Requirement: Lease holder(s) must be 18 years or older. All occupants 18 years or older will be required to complete an application (even if living with parent or guardian). Co-signers are not accepted.
- Income Requirement: The gross monthly income of all lease holder(s) will be considered jointly and must equal ___times the rental amount on the apartment. All income must be verifiable.
- Employment Verification: *Lease holder(s) must be currently employed, or provide written evidence of regular income sufficient to at least ____ times the rental amount on the apartment, for the lease term.
- Self Employment: Must provide the previous year=s personal income tax return and the previous two (2) months personal bank statements as evidence of sufficient income. Persons who hold jobs that are commission only, or base salary plus commission, or tips, bonuses will be considered self employed.
- Residency: Up to two (2) years residency history will be reviewed and must exhibit no derogatory references. Any debt owed to a Concierge property must be paid before lease can be approved.
- Credit Requirements: The credit history will be reviewed and no more than ____% of the total accounts reported can be over 60 days past due, or charged to collection in the past two years.
- Pets: All pets are subject to property policy.
- Application Fee: A $____ non-refundable application fee is required per application.
- Criminal History: Must exhibit no criminal conviction involving violence, gang association, firearms, burglary, prostitution, illegal drugs, theft, vandalism, or any crime involving a minor.

This will include person(s) who have received deferred adjudication and/or have not yet satisfied the probationary period of a deferred adjudication for any of the above mentioned offenses.

ADDENDUM TO THE APPLICATION:

Are you a current illegal abuser of a controlled substance?_____ Have you ever been convicted of the illegal use, manufacture, sale or distribution of a controlled substance?_____ Are you currently on probation or parole for any of the above-noted crimes?

**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 RENTAL. RENTAL POLICIES ARE GUIDELINES, WHICH ENABLE US TO ACCEPT AS PROSPECTIVE RESIDENTS THOSE INDIVIDUALS WHO ARE CREDITWORTHY AND DO NOT HAVE A CRIMINAL BACKGROUND. THIS RENTAL POLICY DOES NOT INSURE THAT ALL INDIVIDUALS RESIDING ON OR VISITING THE PROPERTY CONFORM TO THESE GUIDELINES.**

| | | | |
|---|---|---|---|
| _____ / _____ | | _____ / _____ | |
| Prospective Resident | Date | Prospective Resident | Date |
| _____ / _____ | | _____ / _____ | |
| Prospective Resident | Date | Agent For Owner | Date |

# THE APPLICATION FORM

**(EXAMPLE ONLY)**

**PROPERTY**:

# APPLICATION FOR RESIDENCY

**NAME**_____ **SOCIAL SECURITY #**_____

DATE OF BIRTH_____ PLACE OF BIRTH_____

SPOUSE' S NAME _____

SOCIAL SECURITY #_____

TOTAL NUMBER OF MINORS TO OCCUPY UNIT_____ LIST AGES_____

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**CURRENT ADDRESS**_____ SINCE_____CITY_____ STATE _____ ZIP _____ PHONE_____LANDLORD'S NAME_____ PHONE _____**PREVIOUS ADDRESS**_____ SINCE _____CITY_____ STATE_____ ZIP_____**HAVE YOU EVER BEEN EVICTED OR HAD A UNLAWFUL DETAINER FILED AGAINST YOU?**_____**REASON**

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DRIVERS LICENSE #_____ STATE_____ EXP. DATE_____SPOUSE' S DR.LIC. #_____ STATE_____ EXP. DATE_____ VEHICLES - YOU OWN, ARE BUYING, AND/OR WOULD BE PARKING ON THE PROPERTY:

MAKE MODEL YEAR COLOR LICENSE PLATE # EXP. DATE STATE

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**EMPLOYER'S NAME**_____ADDRESS _____ CITY_____ PHONE_____DATE STARTED _____ POSITION_____ SUPERVISOR_____GROSS INCOME _____ PER

**SECOND/FORMER EMPLOYER**_____ADDRESS _____ CITY_____ PHONE

EMPLOYED FROM_____ TO _____ POSITION_____ GROSS INCOME_____ PER _____ SUPERVISOR_____**SPOUSE'S EMPLOYER**_____ADDRESS _____ CITY_____ PHONE_____DATE STARTED __ POSITION_____ SUPERVISOR_____GROSS INCOME _____ PER

ANY ADDITIONAL INCOME - STATE SOURCE AND AMOUNT

| NAME OF BANK | BRANCH/ADDRESS | TYPE OF ACCOUNT | ACCOUNT NUMBER |
|---|---|---|---|
| | | | |

**CREDIT REFERENCES:**

| CREDITOR′ S NAME | TYPE OF ACCOUNT | ACCOUNT NUMBER | MONTHLY PMT. | IN WHO=S NAME |
|---|---|---|---|---|
| | | | | |

**TWO PERSONAL REFERENCES:**

**NAME**_____**ADDRESS**

_____**CITY**

_____**PHONE**

_____**RELATIONSHIP**

Have you ever been convicted of a crime, placed on probation/parole, have any outstanding arrest or bench warrants, or are currently involved in any criminal activity?_____Explain:

All information furnished on this application is to the best of my knowledge, complete and accurate. Discovery of false or omitted information constitutes grounds for rejection of this application. You or any agent of your choice may verify any and all information from whatever source you choose. I authorize all persons/or firms named in this application to freely provide any requested information concerning me and hereby waive all right of action for any consequence resulting from such information.

I acknowledge payment of $_____as a non-refundable fee for the purpose of processing this application.

**Applicant** _____ **Date**

**Co-Applicant** _____ **Date**

## Verify the Information Given

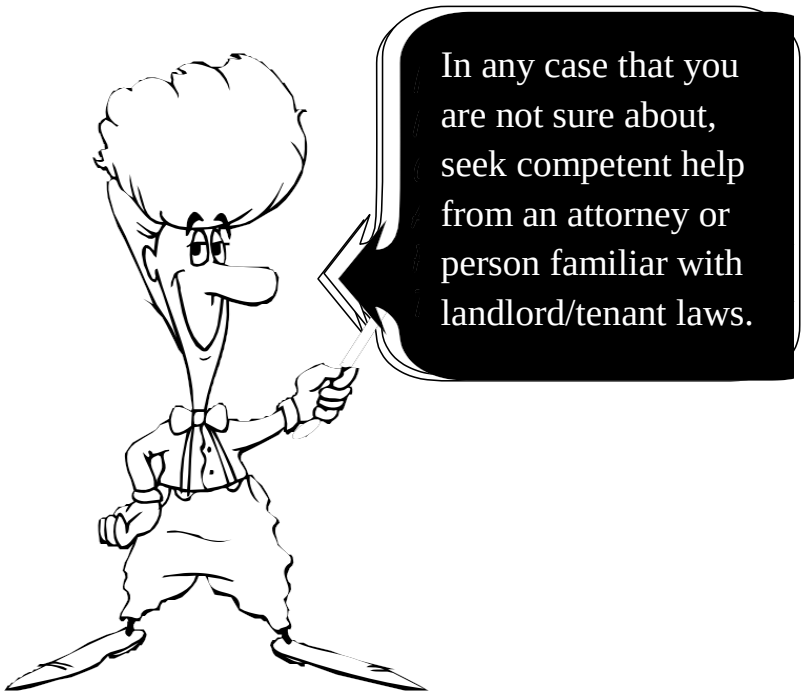
It is a good idea to **verify names and phone numbers** with a phone book to be sure an applicant is not using a friend or relative to "front" for them, posing as an employer or property manager.

**Call 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 not to give out specific information about previous residents, but they are certainly allowed to ask. Don't be afraid to ask if the resident has a history of non-payment or other non-compliant behavior. You might be surprised what they will tell you.

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.

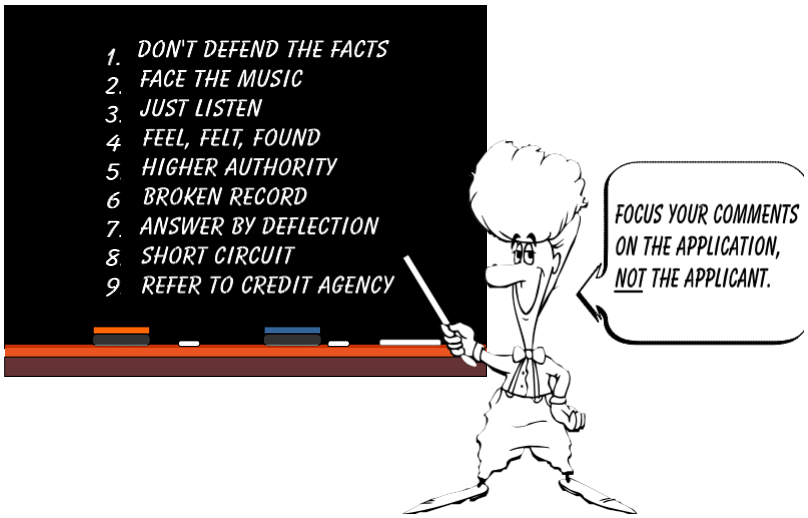
Be careful not to limit your questions only to the property manager who is currently renting to the applicant. They may be inclined to say anything to turn over a problem resident. Try to **find a previous manager with no current interest in the applicant**. They may be less inclined to misrepresent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

**To Owners & Managers With Small Properties**:
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 the applicant's questions by using as few of these techniques as possible.




1. **Don't Defend The Facts**
   - Don't defend the credit/criminal report
   - You didn't author it/You can't change it

2. **Face The Music**
   - Unresolved situation with previous manager
   - Need to contact the reporting company

3. **Just Listen**
   - Be polite
   - Don't volunteer too much information

4. **Feel, Felt, Found**
   - I understand how you feel
   - I would've felt the same way
   - However, the information found doesn't meet our criteria

5. **Higher Authority**
   - A company policy
   - Can't go case by case (or discriminate)

6. **Dumb Broken Record**
   - I can't change it
   - I understand how you feel

7. **Answer By Deflection**
   - You need to talk to THEM
   - I can't fix this report

8. **Short Circuit**
   - There's nothing I can do right now
   - Excuse me, I have another appointment

9. **Refer Applicant To Credit Agency**
   - If you improve the report I will reconsider

***Bottom Line:***

**Plan your words very carefully – discrimination suits are filed when managers say too much!**

# PART FIVE

## Common Sense Self-defense

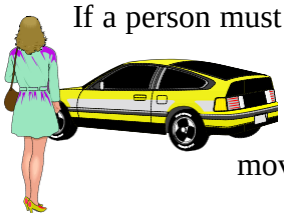
### Awareness is the Key

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 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 doesn't 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

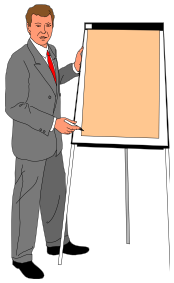
When working late, it is a good idea to have another person in the office or nearby. A person walking to a car alone is much more likely to be attacked than a person who is walking with somebody else. There is strength in numbers!



If a person must walk out to their car alone, it is a good idea to have the car as close to the office as possible, reducing the walking distance. Whenever possible, employees (especially employees who may leave after dark) should be given assigned parking spaces closest 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 which has excellent security lighting that cannot be easily disabled. It is also essential, when trimming bushes or trees, to keep in mind the 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.

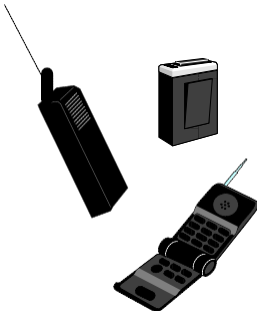
## Employee Training Programs



Employees should receive training to prepare themselves for all types of crime situations. Typically, police departments will offer free classes that deal with common sense self defense. There are also private firms that can take the training one step further, even offering 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 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 when they have to step out for a moment as well. 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, an armed robber will kill a convenience store clerk for $50.00 in cash. Many property managers keep much more than this available in the form of petty cash.

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.

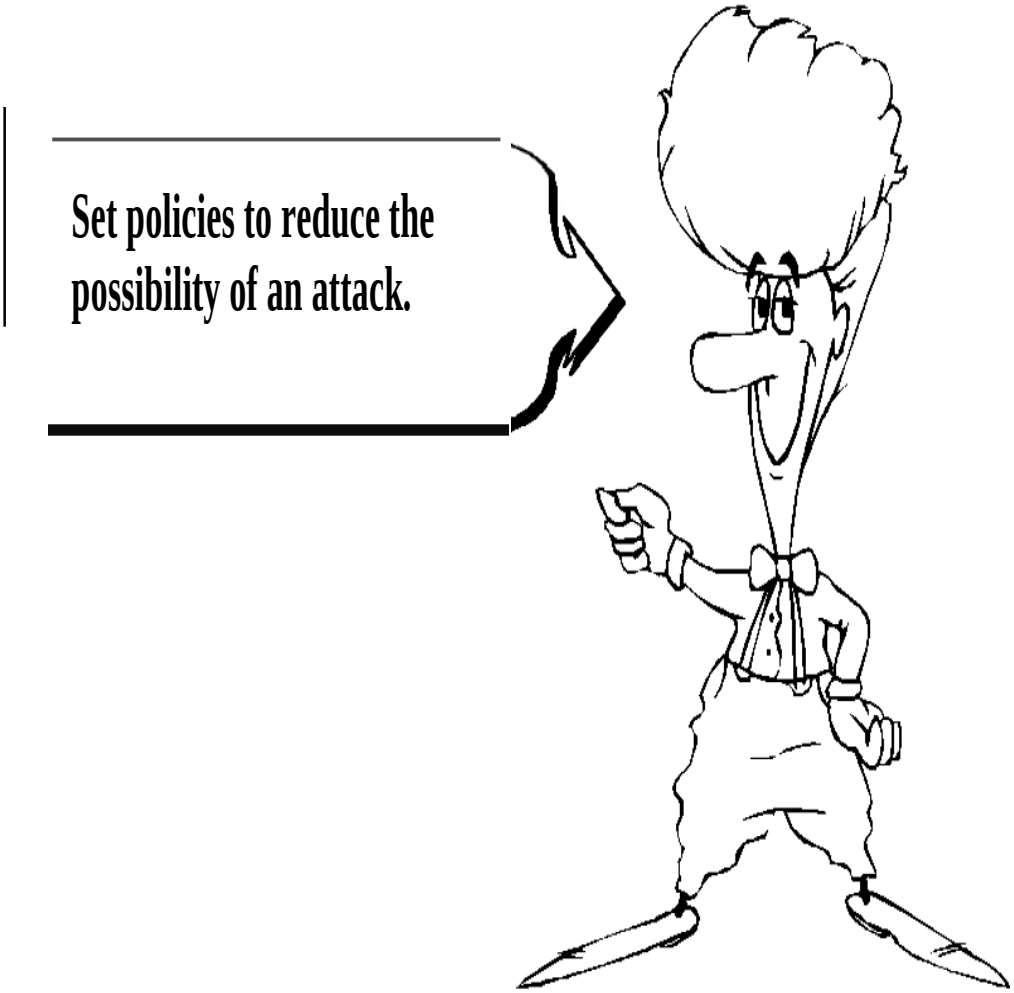
**Risk Spreading** is a third option in risk management. This involves keeping money in different locations, so even if one safe area is found, the money in other safe areas may go undetected. Another way to spread the risk is to make frequent deposits with smaller amounts per deposit.

**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 a situation entirely.

At the very least, property managers should place signs in highly visible areas that say the management will not accept cash and no cash is kept on the premises. Recommended areas are at the front door and at reception or desk areas.

The potential for an armed robbery is not only in the office, but at the night drop as well, and everywhere in between. The potential for the money to be left behind, dropped or stolen is considerably high. The risk to employees who carry the money may be even higher.

**(See memo next page.)**



# Crime-free Acres

## Apartment Community

# MEMO

**TO**: All Employees

**FROM**: Molly Manager

**RE**: Safety Policy

- All applicants shall be **required to show a California Driver's License, California Identification Card, or military photo identification** card. This card shall be photocopied and placed in a secure place while the applicant looks at the unit. The identification 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 go and tell them what time you expect to return. If for whatever reason you feel in danger, do not take any risks! Trust your instincts! Reschedule the showing for another time when you are more comfortable.
- When showing an apartment to a prospective resident, allow them to enter first. **Position yourself by the nearest exit**. Leave the door open wide until you leave, but be aware for 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 spray**, 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.
- **Report all suspicious activity** to police 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 are using rental agreements that are either outdated or in some cases illegal. Rental agreements should frequently be reviewed by an attorney or a person very familiar with landlord-tenant laws.

Frequently, State of California Landlord-Tenant laws will change, and a lease agreement may have to be revised to keep up with those changes. Rental agreements that are outdated often do not hold up in court.

**ITEMS THAT MAY BE IN THE LEASE:**

- Cleaning/Redecorating Fees
- Utilities Costs
- Maintenance of the Premises
- Pet Policies
- No Business Clause
- Key Control
- Security Deposits
- Alterations and Improvements
- Use and Occupancy Restrictions
- Rules and Regulations
- Parking Restrictions
- Cancellation Fees
- Late or Partial Payment Fees

***NOTE**: Laws may vary considerably from state to state. Make sure your rental agreement is appropriate for current California laws. Always consult with an attorney or somebody very familiar with landlord/tenant laws before enacting new lease agreements.*

## 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) about activities or behaviors that contradict property rules, regulations, lease agreements or state statutes.

The Crime-free Lease Addendum should be applied equally and fairly to all residents of an apartment community. The Crime-free Lease Addendum should be signed by all NEW residents. If a rental agreement is involved rather than a lease, the Crime-free Addendum can be applied to both new and existing tenants.

# 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 agree to live a "Crime Free Lifestyle" and 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.; 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.

_____ Date:_____
Resident Signature

_____ Date:_____
Resident Signature

_____ Date:_____
Resident Signature

_____ Date:_____ Property_____
Property Manager's Signature

## Communication is the Key

Be very certain to communicate your policy against 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 will not be tolerated, and management will 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), shall not disturb the other resident's peaceful enjoyment of the premises. If complaints are received, the management should carefully document the information and serve the appropriate notice. Even if the property manager did not witness the disturbance, notice should still be served if the complainant is willing to testify in court. Let the judge decide.

Inspection policies should be clearly stated. Typically, a move-in inspection is conducted before the resident takes possession of the unit, and other inspection is completed when the resident returns possession of the unit back to the property management. In addition, property managers or maintenance should conduct quarterly or bi-annual inspections of all units to be sure the property is not being abused and all appliances are being maintained.

## No Business Clause

Residents should not be permitted to conduct any business, legal or otherwise, on the property. This causes a lot of foot traffic in and out of rental units, visitors who park in "assigned" spaces, and excessive traffic in the parking lots. This business may also be a "front" for illegal activity. If management desires to allow enterprising, the manager should approve each request and keep an agreement in the resident's file.

Resident will agree to:

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

# PART SEVEN

# Building Apartment Communities

## Not a Complex

Rental properties are not complexes. Complexes are 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 they are a vital part of a healthy community. When residents feel at home, they are more apt to take pride and 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.

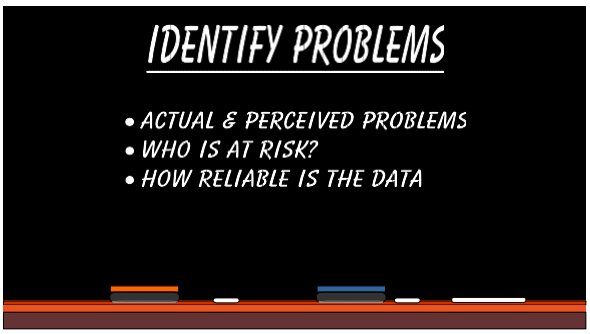
When apathy pervades, soon drug dealers and other undesirables will begin to take over the area. The only thing necessary for these activities to flourish is for good residents to do nothing to stop it. It does not take long for those who perpetrate illegal activity to realize no one is going to report them.

## Not a Police Problem

Crime is NOT a police problem. It is a COMMUNITY problem. The police are a part of the community, so this does not exclude the police. It certainly is the police department's role to arrest people involved in illegal activity, but if the management re-rents to others committing criminal acts, the problem does not go away.

For example, if neighbors complain that various types of illegal activity are making a park unsafe for children to play, this is not necessarily a police problem. The police can remove the persons committing crimes in the park, but if the residents do not follow-up by using the park, other illegal activities will soon begin again.

# Problem Solving

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## How to Begin

To build an apartment community you need to **start with residents that 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 even willing to testify in court about abhorrent behavior among other residents. 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 violent 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 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 disrepair will not attract responsible residents. A property that is clean and well maintained will. It begins with curb appeal; how your property looks.

## Form versus 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 **it does not matter how pretty something is. If it is not safe, it is not practical**.

Property management will spend tens of thousands of dollars to beautify a property, but they 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, however, 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 litter or other garbage and broken glass. Trimming trees and bushes does not have to be expensive either. Responsible applicants will come if they feel responsible management is running the property.

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 conduct this kind of behavior will not only prevent good residents from moving in; they will influence your best residents not to renew their lease.

You cannot build an apartment community if you do not remove all of the obstacles that stand in your way. It is a good idea to visit the property at all 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 chiefly concerned only with collecting the rent.

## The Next Step

Once you have attracted the right 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 great comfort in knowing the property has established a good rapport with the local police. Good prospects will be happy to hear management is a member of the San Diego Crime-free Multi-housing program. **Prospects with a history of drug or other illegal activity may simply say, "Thank you, there is one other 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 the manager was equally rude to everyone; there was no discrimination, she was just very strict.

Once a resident shows interest in the property, let them 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, they 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.

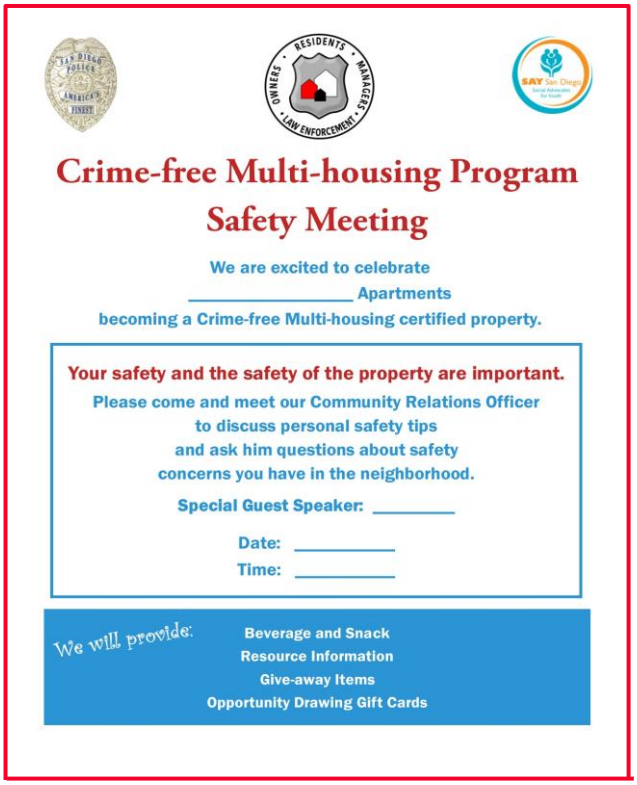
Property managers should reiterate their responsibilities, and the responsibilities of the residents. This is a great way to establish a professional, yet personal, rapport with the new residents.

## 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 are less frequent.

To attract younger residents 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, beverages 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.



**Crime-free Multi-housing Program**
**Safety Meeting**

We are excited to celebrate
_____ Apartments
becoming a Crime-free Multi-housing certified property.

**Your safety and the safety of the property are important.**
Please come and meet our Community Relations Officer
to discuss personal safety tips
and ask him questions about safety
concerns you have in the neighborhood.

Special Guest Speaker: _____

Date: _____
Time: _____

We will provide:
Beverage and Snack
Resource Information
Give-away Items
Opportunity Drawing Gift Cards

# PART EIGHT

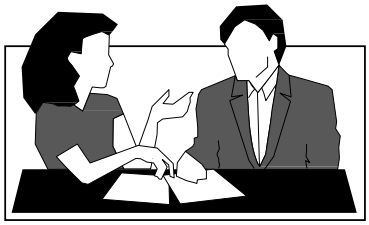
## Active Property Management

### 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.

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 residents to take ownership of the community. 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 catastrophes.



### Routine Property Inspections

Pursuant to Civil Code §1954, the landlord must serve a 24-hour notice to gain access to the property. If a manager or agent of the property enters the unit without legal notice, the resident may be entitled to monetary damages.

In some larger properties it may not be possible to inspect every unit on a quarterly or semi-annual basis, but for smaller rental properties it could be a valuable use of time. Routine property inspections should be conducted for all residents equally and fairly.

Routine inspections may be conducted for the purpose of replacing air conditioning filters or inspecting a property for damage, when reasonable grounds exist that a problem has occurred (such as roach infestation or water damage).

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 inspect the unit or any part of the unit, the manager may serve a three-day notice for non-compliance. Residents cannot install interior dead bolts or refuse an inspection of a part of the unit. If a resident does refuse access, such refusal is sufficient grounds for eviction.

In an emergency situation, such as fire or water damage, a manager may enter the unit without serving notice 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 do not work.

## GOOD PROPERTY MAINTENANCE

**Building Maintenance** - The building should have a bright colored paint to reflect ambient light. Keep it looking cared for.

**Stairs/Balconies** - Stairs & balconies should not have a cluttered appearance. They should appear clean and safe.

**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.

**Graffiti –** Report graffiti the San Diego Police Department's on-line Graffiti Control Sighting/Complaint Form. Call the Graffiti Hotline at 619-525-8522. Then paint over 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.

# PART NINE

# Combating Illegal Activity

## Whose Job Is It?

Property managers get frustrated very quickly when trying to report criminal activity to the police. It just seems the police 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 police officers are viewed as apathetic toward problems that arise in rental communities. It appears the police 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 police officers that could do a better job. But the majority of police officers and property managers are doing their level best. There is just the issue of misconceptions about what the police can and cannot do, as well as what the property manager can and cannot do.

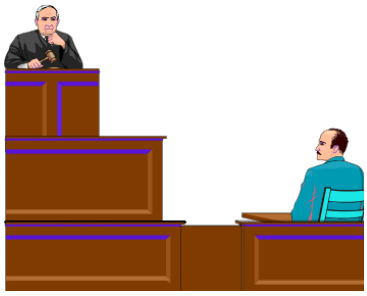
## The Displacement Theory

If management depends too heavily upon the police to deal with criminal activity on the property, they will likely be disappointed. The police 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 move on to the next area, and they WILL have to, the problem 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.

Police officers do not have sufficient training in civil laws regarding landlord/tenant disputes.



Frequently, the police expect the property management to do things that just are not allowed. The reverse is true. Many times the police are asked to do things that they are not allowed to do either. Because there is not enough time spent on explaining why a particular action cannot be taken, the other sees this refusal as apathy.

## Civil Laws versus 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 police work with 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 an officer knows a crime happened and believes the perpetrator is the one being detained. When an officer begins to question the person who just got arrested, **they must tell the suspect about their "Miranda Rights." The police cannot search an apartment without a warrant, and they are 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 they 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 that get arrested at rental properties do not go to prison. They are released very soon after being arrested, and they go right 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.

In civil court this is not the typical courtroom scenario. You might be surprised not to see a jury. Each person stands before a judge, the judge weighs out 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 reasonable doubt. A preponderance of evidence could be only 51% to win. Proof beyond reasonable doubt requires virtually 100% to win the case.

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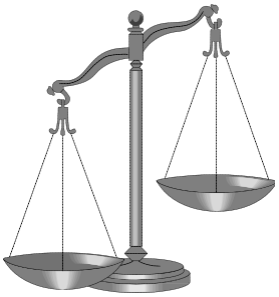


**VS.**

**Criminal Preponderance**
**98%-100%**

**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 selling drugs or gang activity, you should contact the police, but be prepared to take action yourself. There may not be a whole lot the police can do to help you in some cases. Document all of the activities you and others have observed, because you may have more ability to deal with the situation.

## Possession of Firearms

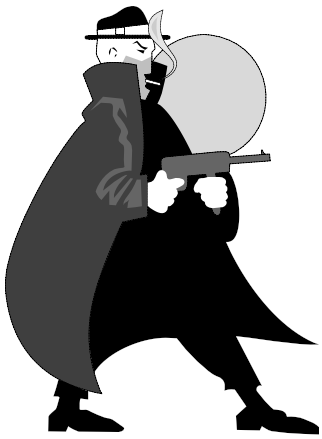
The San Diego Police Department frequently receives calls from property managers and other concerned residents about a person on the property with a gun.

As long as the person is not pointing the gun at anyone, posing a threat, carrying the gun loaded, 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 permit for the weapon 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 police**.

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, carjacking, and other crimes. See Penal Code § 186.20 et seq.

If a gang member commits a criminal act on the property, spray painting, for example, now the police 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 can **take the items to the office and then call the police department to have the items removed**. It is important to **exercise caution when handling these items, and gloves should be worn**.

**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 frequently crawl into dumpsters, this is not a good place to dispose of them. Maintenance and grounds keepers should also be on the lookout for needles and other stashes in remote areas of the property and inside broken sections of block fences.

## General Disturbances

Loud music, loud parties and just rowdy behavior can be very annoying. Under California law, the police can ask residents to reduce the noise, and may issue citations and arrest individuals for disturbing the peace. See Penal Code section § 415 or San Diego Municipal Code Chapter 51.1, the City of San Diego can bill the responsible parties for the cost of police manpower in responding to the loud party. **However, as a practical matter, the management has the most power to deal with this non-compliance**. A resident should be served with a three-day notice for each breach of the rental agreement. The manager can simply tell the resident to stop violating the rental agreement, or the next time the violation happens will be grounds for an eviction.

It is okay to call the police when there are disturbances on the property. But be prepared to serve the appropriate notices as well. In cases of disturbances, an officer might issue a citation to the resident, but they are not likely to go to jail. Even if the police officer 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 the police. **The property manager has much more power to remove a resident from the property**, since there is a contractual arrangement.

There are some things the police 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 problems. 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.

While this story may sound farfetched, truth is sometimes stranger than fiction. This is an actual case.

## Attempted Murder

"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."

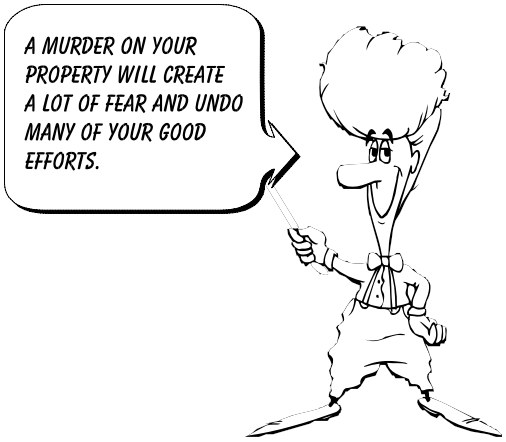
"Please hurry."

"Which unit number are you in?"

*CLICK -- Dial tone.*

"Hello? Are you still there?"

*(The line is busy on call back.)*




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 gun back.

The manager is livid! She calls the police and insists in knowing why "the police let this man go?"

The response is, “The police did NOT let this man go, the judge did. The police 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. In San Diego County there are so many inmates that the jail deputies are forced to release the misdemeanor and minor felony violators on a citation.”

If you call the police, he’ll tell you he does not have enough money or facilities because of budget cuts.

In a way, the people blame the police, the police blame the judge, the judge blames the sheriff, and the sheriff blames the people...who blame the police, who blame the judge, who blame the sheriff, who blames the people.

The irony of this true story is the manager was mad at the police for not doing their job, when in fact, they did all they could. The manager, however, did not do HER job. This was the third time the police were called to the same apartment unit in less than 10 months. The manager chose not to evict him the previous two times because she knew the resident was having “personal problems.”

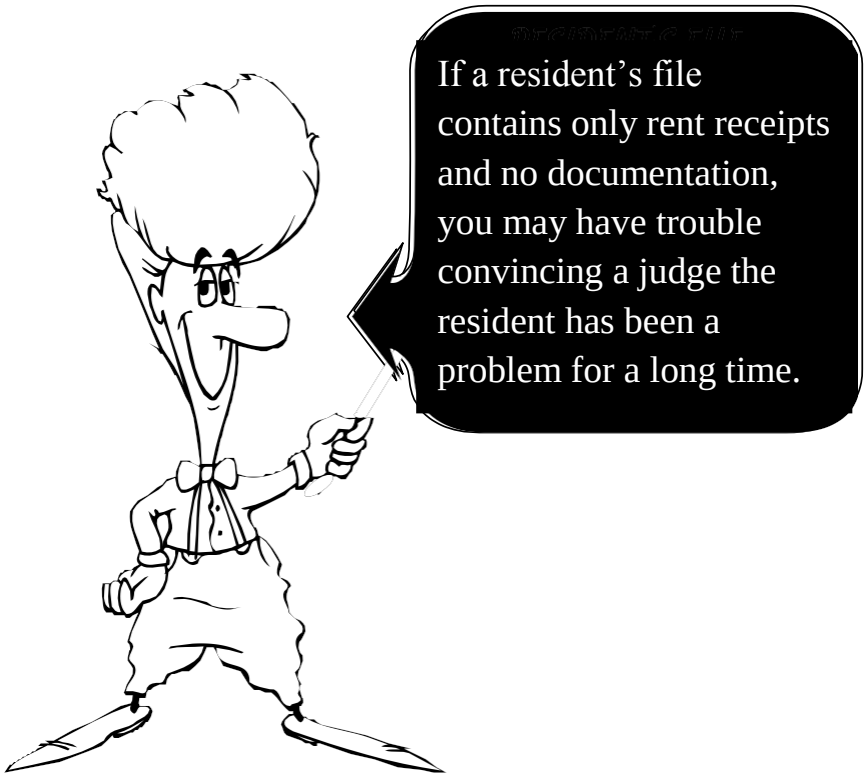
## Management’s Responsibility

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 has not kept 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 police department’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 (3) keys to any successful eviction are:
DOCUMENT...DOCUMENT…DOCUMENT




## Resident's Responsibility

**Train residents -** to recognize and report illegal activity.

**Empower residents** – to form Neighborhood Watches and resident councils.

**Establish relationships/rapport -** attend meetings, use suggestion boxes, have an open door policy.

**Set goals for residents**.

Smaller, short-term goals at first

- 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 more rewards

## A Ten-Step Process

1. Contact all residents.
2. Arrange a timely meeting.
3. Provide handouts.
4. Follow up with newsletter to all residents who do not attend.
5. Have property manager facilitate meeting.
6. Arrange police/fire department presenter.
7. Present crime statistics.
8. Present reasons for crime.
9. Present resources.
10. Present solutions.

# PART TEN

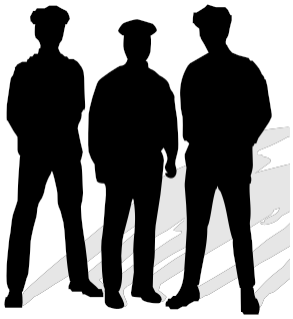
## Partnership with the Police

### The Police Will Not Talk to Us

Frequently managers will complain that the police do not stop at the office to report why they are called to the property. There are some very legitimate reasons why.

Some problems are so minor, the officer 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 it may be the manager who walks up to the officer asking about the call, the officer may not feel it is appropriate to disclose the information. It is also possible the officer is not certain the person is really the manager.



Many times the officer is in a hurry to clear the call and get on to the next one that is waiting. Domestic calls take a lot of time, and officers are always being criticized about their response time by the next person who is waiting. 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 has a lot they want to say to the officer as well.

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 nosy. They never follow through with the appropriate notices, they just want to know everybody's business.

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

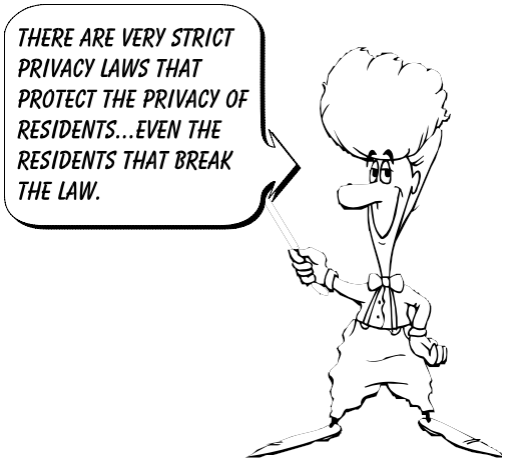
Meet with the officer, even if you have to call the dispatcher to schedule an appointment. When the officer arrives, let them know you are an active member of the San Diego Crime-free Multi-housing Program and you are willing to work with the police. Meeting the officer is the first step.

Keep in mind, one officer works day shift, another works the swing shift, and another works graveyard shift. Also, other officers fill in on their days off. It could take a while to meet them all.

## Privacy Laws

There is another very key issue to be addressed. That is the issue of privacy laws. A police officer cannot stop by in person, or leave a card in the office telling you the "who, what, when, where, why and how."

The officer is more likely to give you a case number, and as a matter of public record, you can request a copy of the police report. Always try to get the case number if you get nothing else. While the officer may not be able to give you the names of the persons involved, they may be able to give you the unit number they went to.




## How to Approach the Officer

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

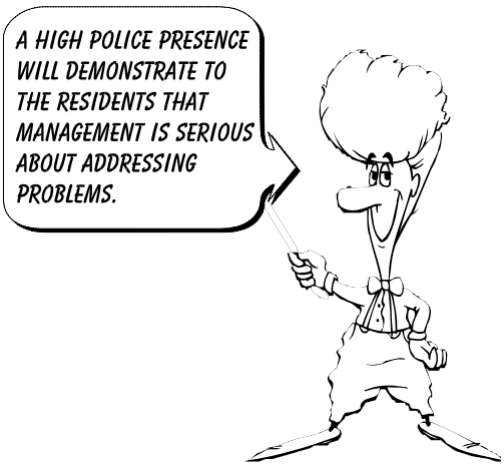
If you are certain things are settled, you can get the officer's attention and introduce yourself as the manager and ask to see the officer when he/she is through with the call. The less you say at this point, generally the better. Stand at a safe distance, but wait for the officer. Do not go back to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

When the officer is finished, let them know you are working with the San Diego Crime-free Multi-housing Program, and get a case number. Sometimes, a case is not drawn up and no report will be written. The officer will let you know.

If the officer is able to give you more information, it will help you follow through with the necessary steps you must take. If not, get a copy of the report. Let the officer know that you do plan to follow through, and you would appreciate working with them in the future.

## Establishing More Security

If a property manager has a **serious** problem with crime, they may choose to hire off-duty officers to patrol the property. This is a very effective way to solve serious problems with residents. If a manager cannot do that, they may want to consider private security.



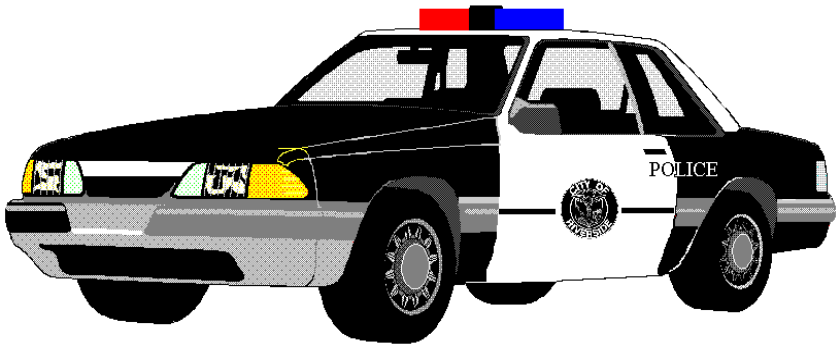

## Requesting "Extra" Patrol

Frequently managers will call requesting "extra" patrol. While it never hurts to ask, it may not help either. There are hundreds of rental properties in San Diego, many more properties than we have patrol officers. One thing they all have in common is they all want "extra" patrol visits through the property.

Then there are the mobile home park managers that call because several of their vacationing owner's mobile homes were burglarized. They all want "extra" patrol, too.

Let's not forget the managers of the grocery stores that call the police looking for "extra" patrol because a customer got a purse stolen, or a car was stolen from the lot. There are more stores than there are patrol officers.

Plus, of course, there are thousands of residents who want "extra" patrol in their residential neighborhoods. Everyone wants to see more police patrols in their neighborhoods.




There are still others who feel the police ought to spend more time writing tickets for speeders and people who do not use turn signals. There just are not enough police officers to fill all those needs.

Unfortunately, the police officers 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. The best efforts will include officers that can spend hours at the property. Random passes through the property are ineffective, and often not possible.

## Narcotics Surveillance

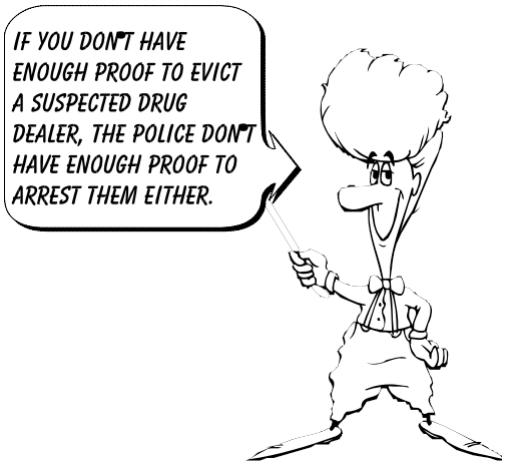
Property managers will also call the police requesting a narcotics detective to set up surveillance on a resident they suspect of using drugs. While managers are aware the detectives are not sitting by the phone hoping somebody will call soon, they may not know how many calls are received.

Narcotics detectives are highly trained and do excellent work because they have methods that work so well. Typically, they rely on a person to "introduce them" to a suspect whenever possible. If they can get close to an operation, they are more likely not only to make an arrest, but to arrest several people. If the quantities are high, they are likely to get prison time for the offender. The higher up the supply line that they penetrate, the more successful the operation.

The end user is not going to get the prison time or produce all of the other results the detectives are after. They want the "bigger fish" to fry. They work the more serious cases. There are more calls than the police have detectives. It is a matter of priority.

## Management Surveillance

You should call to report the drug activity, because you may be providing the very key information the police have been looking for. You should also document other behaviors associated with the drug activity, and serve the appropriate notices. **There is usually a string of other evictable offenses that managers overlook, trying to prove somebody is into drug activity.**




Rarely have property managers confronted residents with their suspicions, yet they call the police. 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 police just watch and "get" the proof? There just are not enough 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 going on. They know who lives at and belongs on the property; the police do not. Because management needs a lot less proof than the police, they will get faster results civilly.

Setting up video cameras or recording license plates may provide clues, but they may also spark retaliation from the resident. Whatever action is taken, safety should always be foremost.

## “But I’m Scared!”

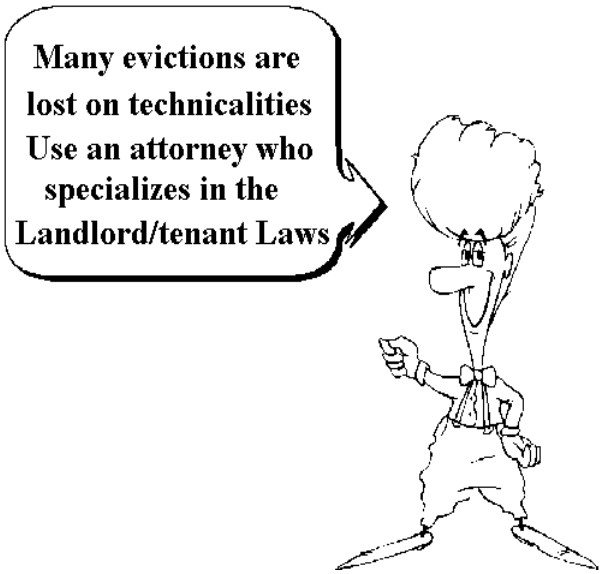
Because the potential for danger is there, **property managers should be more selective and forceful with prospective residents**. If policies are not strictly stated in the beginning, they will be harder to enforce in the end. **Prevention is the key**.

Most residents will stop drug activity if they find out the manager is “onto them.” The reason most people continue this activity is because they know the manager is afraid to confront them. Even if the police arrest a resident, you will have to evict them and others on the lease. They will come back awaiting trial in most cases.

# PART ELEVEN

## Dealing with Non-compliance

### First Things First



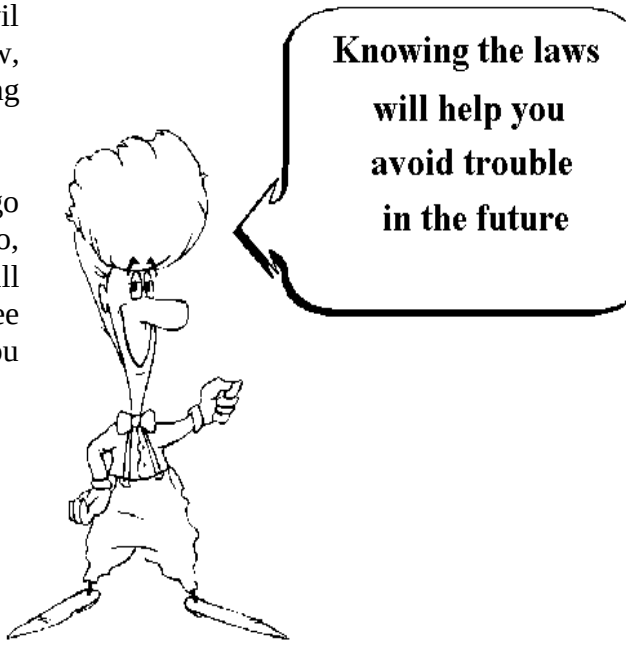

Many property managers use attorneys that have experience with landlord/tenant issues. The best attorneys are usually the ones that specialize in the landlord/tenant practice. Because many evictions are lost on technicalities, the cost for an attorney may save a lot of money down the road.

If a resident retains an attorney and their attorney sees that everything has been handled properly, they are less likely to fight an eviction. If the attorney sees the manager made mistakes in the process, they are more likely to fight the eviction, and ultimately win.

### 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 trouble in the future.

Attend an unlawful detainer hearing in the San Diego Courts located at 220 W. Broadway, San Diego, California. It is a great way to get prepared so you will not be nervous when it is your day in court. If you see what others are doing right or wrong, it will help you when it's your turn.



## Set Your Policies

It is essential that property managers are fully aware of their options when it comes to a resident's non-compliance with a lease agreement. There needs to be set policies to ensure that all residents are treated fairly, yet effectively. Just as with applicant screening, special care should be given to guarantee each resident is treated equally.

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, then follow-up with an official notice. With some managers, it depends on the resident.

The best policy 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.

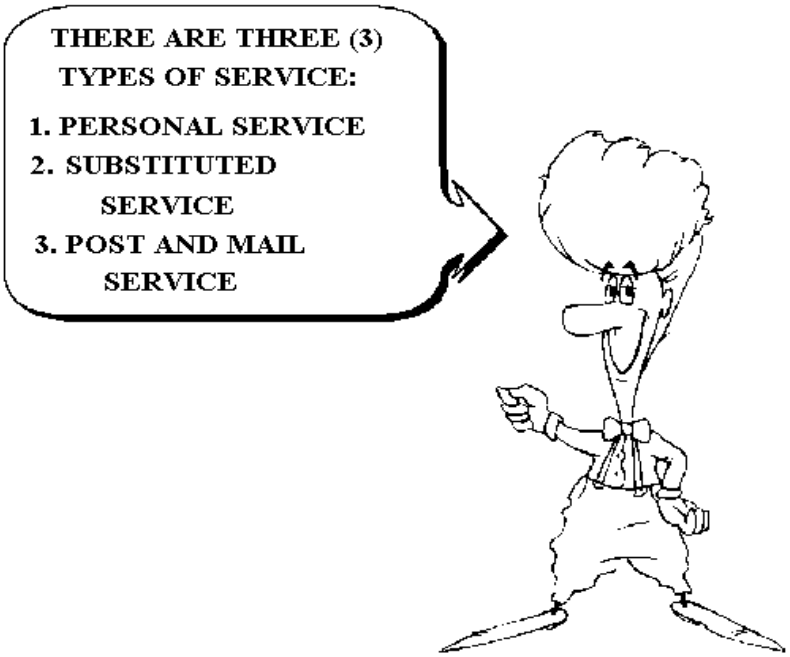
## Don't Be Complacent

If a manager turns a blind eye to non-compliance, he or she takes a risk:

- 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 be 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.
- 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, as well as deal with their own responsibility for the death or injury.

## Know Your Responsibilities

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. If they entered without serving a 24-hour notice, they have made a second mistake, which may entitle the resident monetary damages.




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

## Service of Notice and Documents

### A) Personal Service

If a manager chooses to serve a notice personally, he or she needs to be aware of what constitutes a good service. Most importantly, the person being served should be the resident.

The resident does NOT have to sign the notice, or even touch it. If the resident sees you, puts their hands into their pockets and says, "I am not touching that!" you only need to say, "You are served!" and drop the notice. If the resident slams the door in your face, you may slide the notice under the door. If the resident jumps into his car and locks the door, you can place it on their windshield and tell them they are served.

There needs to be a personal contact with the resident. Taping it to their refrigerator where they will be SURE to see it does not amount to a good service.

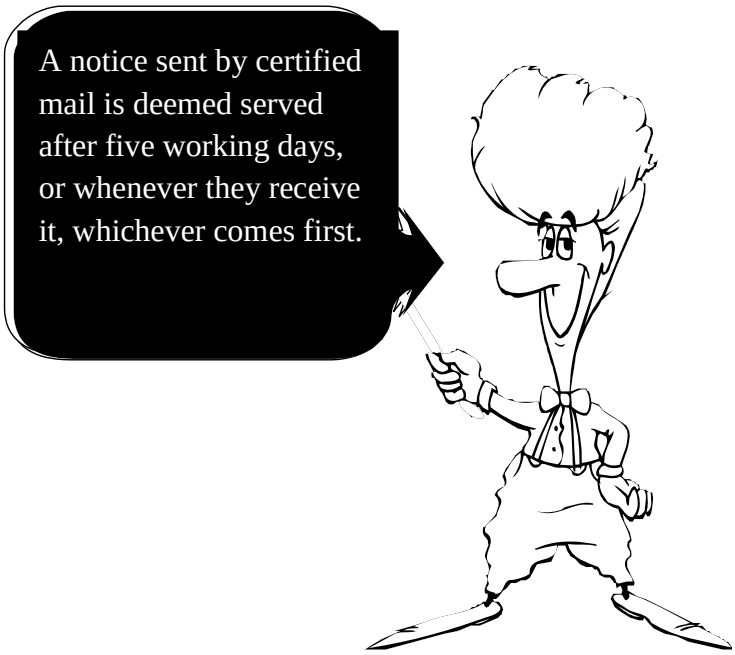
## B) Substituted Service

If you are unable to locate the resident at either home or work, the law allows you to use "substituted service" in lieu of personally giving the notice to the resident. In order to serve the notice this way, you must make at least one attempt to personally serve the resident at home and at work, leave a copy of the notice with someone over the age of 16 at the resident's home or work, and mail a copy to the resident by ordinary first-class mail. 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, and the period specified in the notice does not start running, until you have left the copy with the "substitute" person *and* mailed the second copy to the resident at home. The first day of the notice's period is the day after both of these steps are accomplished.

## C) Post and Mail Service

If you cannot find the resident or anyone else at their home or work, or do not know where they are employed, you may serve the notice through a procedure known as "posting and mailing", also known as "nail and mail." To serve the notice this way, you must make at least one unsuccessful attempt to personally serve the resident at home and at work, post a copy of the notice on the front door of the resident's rented or leased premises, and mail another copy to the resident at home by first- class mail.

Pursuant to California Code of Civil Procedure §1013, the service is complete at the time of depositing it in the mail, but any period of notice and any right or duty to do any act or make any response within any period or on a date certain after the service of the document, shall be extended **five days.**



# Success Stories of the Crime-free Multi-housing Program

## *Summary of Notices*

Three-day Notices

Before filing a court action to force the resident to vacate the rental unit, California law requires that the tenancy be terminated. To legally terminate a tenancy, the landlord must give the resident written notice.

*Failure to Pay Rent: Notice to Pay or Quit*

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

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

This notice is used for substantive rental agreement violations, property damage, or nuisance acts. There are two types---conditional and unconditional. The Notice to Perform or Quit gives the resident the option of staying if he or she corrects his or her behavior within the three-day period. If he or she does not, the tenancy is considered terminated, and unlawful detainer process may be pursued. Examples of when this notice is used include:

-the resident is violating the "No Pets" provision of the lease;
-the resident has failed to pay separate utility charges;
-the resident has refused the landlord access to the premises.

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

-the resident has sublet all or part of the premises to a third person contrary to the rental agreement;
-the resident is causing a legal nuisance by seriously interfering with the neighbor's ability live normally in their homes (i.e. loud parties, drug dealing);
-the resident is causing a great deal of damage to the rental property (i.e. breaking windows, punching holes in walls, ripping carpet).

Thirty-day Notices

In the case of a rental agreement rather than a lease, a landlord may terminate the tenancy for no reason by giving the resident a 30-day written Notice of Termination of Tenancy. However, the landlord may not terminate the tenancy based on race, marital status, religion, sex, age, or sexual preference.

You may prefer to use a 30-day notice instead of the three-day notice, since you do not have to prove your reason for eviction under the 30-day notice. In addition, a resident 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 30-day notice gives the resident time to rethink his position and allows him 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.

**The Ultimate Detainer Procedure**

In San Diego County, the unlawful detainer proceedings may be pursued pursuant to Chapter Four of the California Civil Code of Procedure, commencing with §1159, or the expedited unlawful detainer procedure, commencing with §1167.2.

The major difference between using the traditional and expedited unlawful detainer procedure is **time.** The traditional procedure can take up to 60 days or more to obtain a writ of possession, while the expedited process can take as little as 13 days.

# 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 complex. If you have questions pertaining to any information contained in this manual, contact the:

**San Diego Fire/Rescue Department at 619-533-4300.**

The San Diego Fire/Rescue Department is grateful to the Riverside and Mesa Arizona Fire Departments for developing 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 which 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 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 residents time to get out.

    5. Post evacuation plans in common areas of the complex. Each plan must indicate two exits from each area and a safe place for everyone to congregate. Provide evacuation information to new residents regarding procedures to be followed if the fire alarm is activated.

## Address

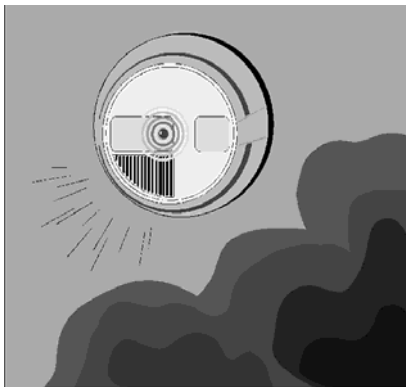
It is very important that address numbers are easily seen from the street to assist emergency personnel in quickly locating the appropriate address.

- The complex 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 made available to the fire department upon request.



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 to disregard it. Proper maintenance can help avoid this situation. Occasionally, manual pull stations are maliciously pulled. If this occurs frequently, contact the San Diego Fire/Rescue 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 do require regular testing and maintenance. A copy of the report shall be made available to the fire department upon request.

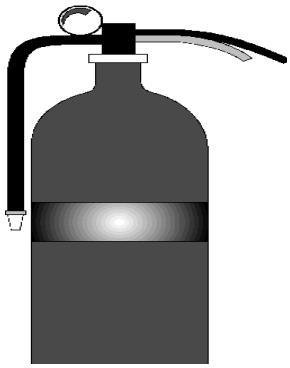
- Testing and maintenance of fire sprinkler systems

  1. Fire sprinkler systems require at least annual testing and maintenance by a qualified contractor. Reports shall be made available to the fire department upon request.
  2. Standards for testing and maintenance of fire sprinkler systems are outlined in NFPA 25 (Standards for the tests and maintenance of water-based fire protection system, 2011 edition.)

- Central station monitoring
  1. 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...

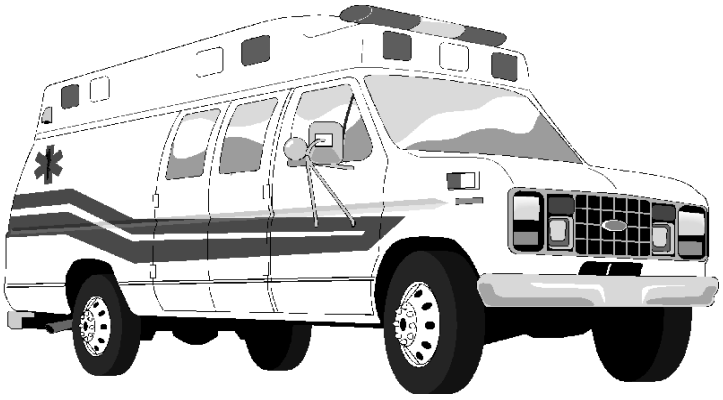
1. The fire department is being called (9-1-1).
2. The building is being evacuated. Activate fire alarm, if available.
3. You know you have a Class ABC extinguisher and already know how to operate it.
4. The fire is small and contained in the area where it started.
5. You can fight the fire with your 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 San Diego Fire/Rescue Department.

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. The police department will cite vehicles illegally parked and may assist apartment managers with enforcement. Contact San Diego Fire/Rescue Department Fire Prevention Bureau at 619-533-4300 for information on signage wording and placement.



# Use 9-1-1 for ALL Emergencies

## 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 phone number, and emergency numbers on or near the phone.
- 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 brained 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. 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).
- Interior perimeter pool fences should be installed. Fences should be at least five feet in height, with self-closing and self-latching gates 42 feet above grade, which should be *checked frequently*. Vertical bars should not be spaced more than four inches apart.

- 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, so children cannot climb 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.*
- It is recommended a telephone be near the pool, with **9-1-1** posted for emergencies.

## 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 & 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 San Diego Fire/Rescue Department for cabinet specifications.

## Cooking Inside Clubhouses & Recreational Areas

Cooking is a frequent cause of fire loss. Cooking which produces grease (i.e. frying, browning of meat) is not allowed unless an approved grease removal system and extinguishing system have 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 the San Diego Fire/Rescue Department to determine if that access is required for the fire department. The City of San Diego uses a lock security system Knox Box to access locked areas and will assist you in setting up a locking arrangement that fills your needs and of emergency crews. For more information, contact Steve Carroll at 619-533-4300.

## Heating & 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.
- Dryer vents should be continuous to the outside.
- Clean dryer and washer motors as needed to eliminate grease and lint accumulation.
- Gas vents for water heaters and dryers should be maintained in good repair and continuous to the outside.

## Dumpsters

Locate dumpsters away from buildings. Maintain a five-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. Keep the dumpster lids closed when not in use.

## 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 complex should be installed by a qualified electrician, in accordance with the National Electrical Code.
- 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.
- 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 from anything that will burn, or further if 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 residents to run extension cords from one apartment to another to supply power to an apartment without electricity.

## Barbeque 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 (5 lb. ABC) 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. On-going education and training is essential.

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 residents.

***Resident Complaints***

Occasionally complaints are received and evaluated by the San Diego Fire/Rescue Department. 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 San Diego Fire/Rescue 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***

If the resident is maintaining an unsafe condition, the fire department, when requested by the manager, will determine if intervention is called for and the type of intervention necessary. Often, as a manager, the lease may allow 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 residents. 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 give to each resident prior to occupancy.

# Community Newsletter

A newsletter may be helpful in keeping residents informed of important issues within the apartment community. The fire department has information on home safety and use of fire extinguishers which may be printed in your newsletter.

# Conducting Property Inspections

If you conduct property inspections as outlined in the San Diego Police Department Crime-free Multi-housing Program Workbook, fire safety checks can easily be included during your inspection. Since an unsafe condition in a resident's apartment can affect other residents, it is crucial the condition be corrected. Questions about specific problems can be addressed by contacting the San Diego Fire/Rescue Department at 619-533-4300.

# *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, residents 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