



# **Remedial Action Plan Manual**

## **A Guide to Managing Rental Properties to Prevent Crime**

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November, 2009

Adapted from the Publication:  
By the Enterprise Foundation  
The Consortium for Housing and Asset Management

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## Introduction

This manual is intended to help those involved in managing properties understand that problems associated with crime and disorder can be solved in the same way that problems like high resident turnover or poor cash flow can be solved- with hard work and creative ideas. While finding solutions to these problems may demand different skills than the more traditional challenges in property management, acquiring those skills is essential to the well-being of any property. The economics of solutions should be a priority as no-cost or low-cost solutions should be considered first in the preparation of a Remedial Action Plan.

This plan is intended to be a guide for all property managers, both single-family and multi-family. Different properties have different needs and parts of this manual may not apply to your individual property. Managers should take from this manual those sections that apply to their property type.

***Creating and maintaining a secure, crime-resistant property is not a one-step process.***

There is no single entity (police, private security, resident association, alarm companies) that can ensure that a property will be free from crime. Safety and security are systemic issues. Every aspect of a property has an impact on its sense of order and resistance to crime. Responsibility for crime prevention is shared by the entire community – property owners, property management, boards and residents. As an owner or manager, you know your property best and have a natural connection with the residents. This makes you well-suited to be the catalyst for change.

Property owners play a primary role in ensuring crime-resistant, safe housing. Owners can build a foundation that allows safety to become part of regular management operations.

Owners can:

- Ensure that a security and crime prevention plan is developed and implemented
- Protect themselves from liability by taking steps to increase security on the property and prevent crime
- Review management guidelines with the property manager and staff
- Regularly examine existing security and crime prevention measures to make certain they are keeping pace with current technology and evolving industry standards

Like owners, property managers have a critical role to play in adding crime prevention to the management process. A proactive approach to potential crime and security issues can prevent incidents from occurring and increase the residents' perception of safety.

Managers and staff can:

- Assess and identify potential crime and security problems
- Add crime prevention and security to all phases of the management process
- Remedy design elements that contribute to crime and security problems

- Meet with and inform residents about crime prevention efforts
- Make security and crime prevention a management priority that is attended to on a regular basis

There are three components – the three P’s – to preventing crime and providing safe housing: place, people, and partnerships. Paying attention to these three during the day-to-day management of your property will help to deter crime and provide solutions to existing security problems.

Place is perhaps the easiest concept to understand, because property owners and managers think about place all the time. Place is your property – the building, its infrastructure, grounds, utilities. How these physical things are designed and maintained has a tremendous influence on the safety of a property.

But at the heart of every property, every place, there are people. Your property provides a place to live for some and a place to work for others. These people interact with each other and with you. By encouraging positive relationships, nurturing individual and group responsibility, you can build a network of people that can help protect a place from crime and disorder.

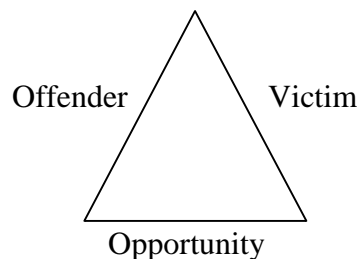
And finally, the most difficult component to understand is partnership. Collaborating with other people and other organizations is inherently difficult. Every individual and every group has an agenda that differs from any other individual or group. Balancing different agendas and different perceptions makes partnerships hard to build and easy to destroy. But because your property is part of a larger community, you must learn to work in partnership with others.

Place, people, and partnership are like the legs on a three-legged stool. Just as you would never want to sit on a stool with only two legs, you also don’t want to manage a property without paying attention to each one of the three P’s of property management and crime prevention.

# PLACE

Naturally, the physical environment (and our perceptions of it) has a major influence on the way we behave. A room painted red can make many people feel agitated and aggressive, while a blue room can be calming and encourage concentration. Businesses have long used design to influence our behavior, and examples are as close as the local fast food restaurant or grocery store. In the same way that supermarkets encourage you to buy things, it is possible for a property manager, and the property's residents, to increase a property's resistance to crime. By manipulating the appearance and design of that property, managers and residents can make it much less likely that crime will occur.

To understand this concept better, let's look at a simple model of the components necessary for a crime to occur.



## OPPORTUNITY

The occurrence of crime depends on three interrelated factors that can be shown with a triangle. If you eliminate any single side the triangle collapses. For example, a person walking down a dark alley that lacks a mugger will not be mugged. A person walking down a crowded, well-lit street next to a mugger is equally safe. And a mugger hiding in a dark alley will be unsuccessful if nobody ever walks past.

This is a simple demonstration showing that the elimination of opportunity results in the prevention of crime. And most importantly, for our purposes, the opportunity for a crime to occur is usually provided by a place – a physical location like a dark alley, an unlocked basement, or an overgrown playground. While property managers have less control over potential offenders and victims, they can significantly influence the environment to decrease opportunities for crime.

## SAFETY BY DESIGN

Because of the influence that place has on the opportunity for crime, the practice of safe architectural design has become a thriving industry. Architects practicing the discipline of crime prevention through environmental design (CPTED) have developed a substantial body of work intended to provide guidance about crime resistant design. Although CPTED is a widely accepted crime prevention practice, sometimes it may be unrealistic and impractical to follow in established properties. Here is an overview of CPTED.

Good crime resistant design incorporates access control and maximizes surveillance opportunities. Access control serves to keep criminals away from a crime target, such as an apartment or an office. Surveillance has two purposes, to make it possible to observe and catch a criminal who does gain access and to cause a potential

criminal to perceive that there is a risk of being observed. These two components are built on a less tangible but significant concept called territoriality, the sense of ownership among residents and staff that serves to protect a property from crime and disorder. By creating and nurturing territoriality you will ensure that access control and surveillance are effective.

Access control and surveillance can be incorporated into a property’s design through the use of the strategies listed in the chart below.

	<b>Access Control</b>	<b>Surveillance</b>
<b>Mechanical</b>	locks, alarms	video cameras, peep holes
<b>Structural</b>	fences, walls, doors, landscaping, signs	window placement, guard houses, site layout
<b>Human</b>	guards, resident patrols police patrols	patrols, neighborhood and building watch, walking clubs

Deciding how to apply these strategies effectively requires an understanding of the risk factors that have been identified for housing design. Risk factors are conditions that can contribute to the occurrence of crime and disorder. Just as there are risk factors that contribute to heart disease (fatty foods, no exercise, smoking), so too are there risk factors for housing design. And just as there are ways to manage the risks for heart disease with protective factors (low-fat diet, exercise, and stopping smoking), there are risk management approaches that help to counter housing design risk factors. These factors are outlined in the following chart:

### Design Risk Management

<b>Risk Factor</b>	<b>Risk Management Approach</b>
<b>Entryways shared by more than 2 units.</b> When common space is shared by large numbers of people, it is much more likely to invite bad behavior.	Lighting, video surveillance, strong resident association.
<b>Large amounts of open space (both interior and exterior).</b> Unowned space can attract activities that are threatening to most residents (drinking, loitering, loud music, littering, etc.)	Divide space among individual units with fencing, landscaping, or structural changes. Create individual yards. Secure interior common space through use of adequate locks, limited access hours, and strong resident organization.
<b>Parking lots.</b> See notes above. In addition, parking lots are very attractive to car thieves.	Utilize on-street parking, if possible, or even individual garages. If a parking lot is necessary, use permits to control parking, post signs indicating parking is only for residents, and consider methods to maintain surveillance to deter car theft, break-ins and hanging out.

<b>Trash enclosures.</b> Can provide cover for drug dealing and prostitution.	If possible, assign small trash containers to individual units. Otherwise, utilize enclosure designs that either do not allow entry or control entry with a locking device.
<b>Buildings oriented away from neighborhood streets.</b> Inhibits neighborhood and police surveillance. Isolates residents from community.	Support development of a strong resident organization. Create partnerships with surrounding neighborhood organizations and police. Consider the use of private security.
<b>Footpaths that do not follow roadways.</b> These can provide easy access and easy escape routes for drug dealers and others who are misusing a property.	Consider eliminating certain paths. Use fencing, lighting, and signs to mark territory and control access.
<b>Dark, unlit areas.</b> People can hide in dark areas.	Install adequate lighting to ensure that people can see and be seen.
<b>Playgrounds, basketball courts, and other recreation areas.</b> These useful amenities can become focal points for gang activity and partying.	Orient playgrounds so that they can be observed by residents from inside their homes. Use fencing and locking gates to control access to recreation areas during late-night hours.

City and County agencies such as CDOT, Engineering, Urban Forestry and the Planning Commission review site plans for single-family and multi-family projects that are proposed. They make recommendations, such as the location of open space and trash enclosures, as well as the location of footpaths and the number of on-site parking spaces required. The intent of the remedial action manual, as it relates to design, shall be consistent with the intent of the design standards and regulations of the City of Charlotte Zoning Ordinance. When public safety issues are considered, City and County agencies will work in conjunction with property managers and owners to resolve the matter amicably. More information about the City of Charlotte Zoning Ordinance is available at: <http://www.charmeck.org/Departments/Planning/Zoning+Administration/home.htm>.

## **GENERAL HOUSING DESIGN PRINCIPLES**

Assign as much space as possible to individual units. This encourages a sense of ownership (territoriality) among the residents of a property. Space can be shared by more than one unit or family, but it is difficult to ensure a sense of ownership if more than six units share a space, such as a hallway or yard.

### **Define territory with landscaping, fencing, and signs.**

Use design elements to clearly demonstrate the boundaries between private and public space. Make it obvious to everyone that someone is responsible for every part of the property. This indication of territoriality will create a perception among residents that

they live in a safe place and it will cause potential criminals to perceive that there is a good possibility that they will be caught if they try to commit a crime.

**Encourage natural surveillance.**

Homes and buildings should have main entries facing the street (or whatever functions as the main thoroughfare). Windows and porches should be designed so that residents can easily observe the front and back yards of a property. These arrangements make it much easier for residents to *naturally* pay attention to what is going on around them.

**Use mechanical and structural strategies together.**

Housing should not be designed with a fortress mentality. Moderate levels of mechanical security like locks and fences, combined with good design and organized residents, will make the housing feel safer and deter all but the most determined of criminals. Overdoing any one type of deterrent can have a negative effect on the other strategies. For example, limiting access by surrounding individual yards with high stockade fencing may make it more difficult for a criminal to gain entry, but it will also limit surveillance opportunities by making it difficult for residents to keep watch over their neighbors' property.

**THE IMPORTANCE OF GOOD MAINTENANCE**

Standard operating procedure should require that management staff inspect the property on a regular basis. This inspection should identify any problems that could affect the condition of buildings, grounds or systems. Attention and responsiveness to these details is absolutely essential for both healthy finances and a secure property. Consistent, proactive maintenance cannot only preserve a property, and show your residents you care about them, it can also deter crime. The chart below, adapted from *Successful Residential Management* by Barbara Kamanitz Holland, illustrates this relationship.

**How Maintenance Relates to Security**

**Excellent Maintenance**

New housing units in good physical condition



Implement a plan of preventive maintenance



Resident complaint addressed promptly



Excellent resident relations, feelings of pride and ownership developing



Initiatives by residents to plant gardens and beautify property beginning

**Poor Maintenance**

New housing units in good physical



No formalized maintenance plan



Resident complaints addressed haphazardly



Unhappy, angry residents – many of whom want to move



Untidy property, graffiti, overall deterioration of property, opportunities for crime



The cycle of decay that begins when a property is not well-maintained can quickly lead to problems of crime and disorder that will contribute to more decay. Just as the design of a place affects people's perceptions, so too does the way it is maintained. Poor maintenance says that no one cares – and if the owner doesn't care about a property, then why should anyone else?

Proper maintenance is one of the basic ways that a property manager can demonstrate territoriality. Replacing burned out light bulbs, mowing the grass, painting, and the numerous other little things are the signposts that demonstrate that there is somebody guarding a property. Such maintenance will help to support the good design elements of a property and to remedy design weaknesses. A sample maintenance checklist is included in the Resources section of this book. Please use it as a model for your own checklist.

## **GRAFFITI**

There are several types of graffiti that you may find painted within your complex; they include:

- Tagging
- Piecing/Bombing
- Gang

Tagging can be identified by a stylized signature. Taggers gain fame by mass producing their signature and usually put their sign in an inaccessible location. The tagger and/or piecing bombing styles are more of an "art" form and are a way for the tagger to get their "Name" out there. Piecing / Bombing looks somewhat like tagger art but are usually colorful and more mural like. The third type of graffiti you as an apartment manager are most likely to encounter is gang graffiti. Gang graffiti is used to mark territory, as symbolism, and to identify the gang.

In recent decades, graffiti has become an extensive problem, spreading from the largest cities to other locales. Despite the common association of graffiti with gangs, graffiti is widely found in jurisdictions of all sizes, and graffiti offenders are by no means limited to gangs. Gang graffiti on the other hand could denote that there is a valid gang presence in the area or living within your community. All types of graffiti need to be reported. Call 911 and ask that a Damage to Property report be taken. You should expect an Officer to take a report and you should request that photographs be taken. After the graffiti has been documented remove it immediately. Some methods include painting over it or removing chemically. Another removal method is by use of a pressure washer.

## Types of Graffiti and Associated Motives

Type of Graffiti	Features	Motives
<b>Gang</b>	<p>Gang name or symbol, including hand signs</p> <p>Gang member name(s) or nickname(s), or sometimes a roll-call listing of members</p> <p>Numbers ††</p> <p>Distinctive, stylized alphabets †††</p> <p>Key visible locations</p> <p>Enemy names and symbols, or allies' names</p>	<p>Mark turf</p> <p>Threaten violence</p> <p>Boast of achievements</p> <p>Honor the slain</p> <p>Insult/taunt other gangs</p>
<b>Common Tagger</b>	<p>High-volume, accessible locations</p> <p>High-visibility, hard-to-reach locations</p> <p>May be stylized but simple name or nickname tag or symbols †††††</p> <p>Tenacious (keep retagging)</p>	<p>Notoriety or prestige</p> <p>Defiance of authority</p>
<b>Artistic Tagger</b>	<p>Colorful and complex pictures known as masterpieces or pieces</p>	<p>Artistic</p> <p>Prestige or recognition</p>
<b>Conventional Graffiti: Spontaneous</b>	<p>Sporadic episodes or isolated incidents</p>	<p>Play</p> <p>Rite of passage</p> <p>Excitement</p> <p>Impulsive</p>
<b>Conventional Graffiti: Malicious or Vindictive</b>	<p>Sporadic, isolated or systematic incidents</p>	<p>Anger</p> <p>Boredom</p> <p>Resentment</p> <p>Failure</p> <p>Despair</p>
<b>Ideological</b>	<p>Offensive content or symbols</p> <p>Racial, ethnic or religious slurs</p> <p>Specific targets, such as synagogues</p> <p>Highly legible</p> <p>Slogans</p>	<p>Anger</p> <p>Hate</p> <p>Political</p> <p>Hostility</p> <p>Defiance</p>

# PEOPLE

Human strategies are an essential component of crime prevention. Together, management and residents can work to deter criminal behavior by demonstrating their ownership of a property.

## ROLE OF THE PROPERTY MANAGER

A property manager can ensure that this cooperative arrangement exists by screening prospective residents, enforcing rules, responding effectively to problems that occur, and nurturing resident involvement.

- A property manager cannot wear blinders and must question what they see and hear.
- The relationship between the property manager and police officer is very important. The officer (s) assigned to the property should know the rental property employees and vice versa. Communication between these two individuals is essential knowing what is happening on the property and identifying any problems.
- The property manager's office should be "friendly" environment. For example, it may contain candy, faxing or copy services, refreshments like water and cookies. Residents like to talk about other residents and a friendly environment will facilitate this.
- The property manager should get out on the property when the residents are present. One particularly good time is when the kids are getting on or off the school bus. Let everyone see you, talk to the children and reward good report cards.
- Training and commitment of the property manager and his or her staff need to be adequately addressed. A property manager has to be able to trust and depend on staff to identify and act appropriately in situations. Everyone (property management staff and resident) has to "buy in" to the process and truly believes it works.
- Be consistent with everything you as management do. Residents get the message quick and they will try and call your bluff.
- Reward good behavior. A small thank you card goes a long way to acknowledge someone's efforts.
- Never promise what you cannot do!

## RESIDENT SELECTION

Resident screening is a critical component of safe housing. Screening and interviewing applicants:

- Demonstrates concern for the property and its residents.

- Informs potential residents that your property has an active management team.
- Reduces potential problems with future residents.
- Contributes to the financial stability of your property.

**The single most important thing in screening applicants is simply to *do it*.**

Irresponsible landlords do not screen, thinking that they are not allowed to, are not good enough judges of character, or that they don't have the time or energy to waste on screening procedures. According to one landlord, 99 percent of these problems can be avoided through effective screening. There is no better investment you can make.

Develop and implement a simple, fair, and legal screening process. There is no single quick and easy way to get all the information you need about an applicant. However, a process that is carried out routinely and applied fairly to all applicants will help to develop responsible, involved residents.

**SCREENING STEPS**

- Let applicants know that you have an active management team and that your goal is to provide quality housing for residents who will make good residents and neighbors.
- Put your criteria in writing and share these criteria with applicants. (Remember to have the criteria reviewed by an attorney before distribution.)
- Do not skip any step in your screening so every potential resident is treated consistently and fairly.

There is often confusion about whether a property manager has the right to turn down applicants. The mission of your housing, whether it was created for particular or special needs populations, and the sources of funding, may limit or influence your screening procedures. However, check to be sure you are using the most current interpretation of funding imposed requirements and ask others how they have met such requirements and guidelines.

Civil rights laws are designed to ensure that all qualified applicants feel able to apply and to protect the way applicants are screened. It is perfectly legal to set fair screening guidelines as long as they are applied consistently and equally to all applicants. In addition, you should have your guidelines and procedures reviewed by a qualified attorney to be certain that they comply with any local and/or state statutes which do vary from jurisdiction to jurisdiction.

**VERIFYING INFORMATION**

It is critically important that you verify the information applicants provide. If someone provides inaccurate information on the application, you may have cause to reject their application and you may want to state so on the application itself.

1. Make sure all information is consistent. Compare the information on the applicant's identification to the information on the application. Addresses, phone numbers, and pictures should all match.

2. Run and analyze a credit report.
3. Identify and contact previous landlords. Insure that the person you are speaking with is, in fact, a landlord, and not a friend or relative of the applicant. You may try to speak with someone other than the person listed on the application. Get their reference in writing along with their signature. Find out about the applicant's behavior as a resident and ask if the landlord would consider renting to the applicant again.
4. Check that all reported sources of income are valid.
5. Checking for criminal convictions. As a considered part of a comprehensive process, background checks can help. Prior to using this information, it is essential to consult with an attorney about the proper use of the information when denying someone housing.
6. Consider making a visit to the current residence of the applicant. Such visits should be conducted by the property manager. Home visits can be time consuming, so they should be a last step when qualifying an applicant.

## **THE LEASE**

Lease provisions and rules are the property manager's first and best opportunity to define what is expected of everyone in the community. These provisions and rules should be clearly explained to new residents and fairly enforced throughout the property. The lease can be used by the property manager as a tool to help implement an effective safety program. It is the legal document that addresses all of the significant rights and responsibilities of the landlord and the resident and, when executed, transfers certain property rights (to possess, use, and enjoy) from the landlord to the resident for a specified period of time and for a specified consideration. The lease should include the actual lease form and any other agreements and addenda, such as policies regarding pets, parking, house rules, and so forth. This is where the good manager can have a substantial impact on the safety and security of a property.

A good lease facilitates the collection of rent and other considerations, states clearly the reasons and procedures for eviction, expounds the landlord's right to inspect and show the apartment or single family rental house, and sets forth remedies available to the landlord for solving problems created by destructive or uncooperative residents. The key provisions that affect the safety and security of a property are:

- 1. Identification of parties to the agreement:**

The section should include the names of all persons of legal age who will occupy the premises. This allows the manager to enforce occupancy restrictions and can help to eliminate unwanted boarders and prevent overcrowding. Residents should be required to have (live-in) significant others sign the lease and comply with lease terms.

- 2. Amount of consideration, due date, late charges, security deposit and other fees:** This establishes the rent payable to the landlord in exchange for the right to occupy the premises. Often, if a resident does not comply with the other provisions of the lease, the rent is also

not paid. In most states, this constitutes the easiest grounds for eviction. The security deposit enforces acknowledgment by the resident that the premises shall be left in good condition upon vacation by the resident.

3. **Use of premises:** Requires the resident to use the apartment or single family rental house solely as a private residence for the occupants and no other person or persons without the written consent of the owner. The resident also agrees to use the premises and all common areas in accordance with the house rules and regulations, a copy of which, by reference, are made a part of the lease. The resident agrees to use good judgment and thoughtfulness for others in the use of the apartment or single family rental house.
4. **Termination procedures and notice requirements:** Provides the manager with the ability to control renewals and to document that appropriate notices are sent and received. This provides ammunition in court when pursuing resident evictions.
5. **House rules and policies:** Should be included as an addendum to the lease. These rules should be reviewed with each resident, be signed by the landlord and resident, and be posted in a conspicuous, highly trafficked area within the building. The house rules should cover behavioral activities as well as the use of laundry and other common facilities. And, they should be revised periodically with the revisions, published in a newsletter or other notice, and agreed to by the residents.
6. **Criminal Activity:** There should be a clause in the lease that states that the no unauthorized occupant nor any guest will engage in or facilitate any criminal activity (including drug-related criminal activity) anywhere on or near the property.
7. **Banning Policy:** . The lease should include a reasonable policy authorizing the landlord to ban people from any common areas who have committed drug offenses or other illegal acts that threaten the safety or quiet enjoyment of the residents and the management of the property.
8. **Noise:** Requires the resident to agree not to allow any excessive noise or any other objectionable behavior on the premises, which disturbs the right of quiet enjoyment of the other residents.
9. **Abandonment:** Provides the manager with the opportunity to terminate the lease if the resident is absent from the premises for a predetermined number of consecutive days while all or any portion of the rent is unpaid. The laws regarding the landlord's authority to determine abandonment and disposition of the tenant's personal property are codified in NCGS 42-25.9 and 42-36.2. It would be wise to consult with legal counsel regarding lease provisions and actions to take.
10. **Transferability:** Mandates that the lease is not transferable without the prior written consent of the landlord and does not allow the

resident to sublet the premises to anyone without the landlord's prior consent. Most landlords do not allow assignment or subletting of apartments or single family rental houses but will take referrals from residents and apply their screening criteria to them. This gives management the ultimate control of persons moving into their buildings and assures that the appropriate screening is applied.

- 11. Right of entry:** Provides the manager with the right to enter the apartment or single family rental house at reasonable times to inspect and make repairs. This allows the manager to establish policies and procedures permitting access to an apartment or single family rental house and can be used to oversee the behavior of problem residents by setting up routine inspections as well as alerting maintenance staff to potential problems which they should look for in their normal course of work.
- 12. Default:** If a resident breaches or violates any provision of the lease, including the addenda, or includes any untrue or misleading information in their rental application, that is grounds for lease termination. Visitors/guests can create huge problems (and usually have limited accountability), as they must do something wrong to trigger a landlord reaction, and it's not reasonable for landlords to stop visitors to check their ID. Managers should be encouraged to monitor residents who are not lessees, and to encourage their inclusion on the lease agreement – in order to have better records and help deal with the consequences of events.
- 13. Injunctive Relief Statute:** In situations involving serious criminal activities as defined in the Expedited Eviction of Drug Traffickers Act, codified in NCGS 42-59 et seq., the landlord has options to seek temporary emergency injunctions while pursuing eviction actions. This act also provides landlords with a number of other options, including the eviction of selected residents or guests who are causing problems, while leaving good tenants in place. It may be advisable to consult with legal counsel before taking action.
- 14. Repairs, alterations, and improvements:** Requires the resident to keep the apartment or single family rental house in a decent, safe and sanitary condition, allows the Landlord to charge resident for any repairs caused by the resident or Guests other than normal wear and tear. Prohibits the resident from making any alterations to the premises without the landlord's prior written consent.
- 15. Contractual Damages:** The lease may also include terms that impose financial penalties on a tenant if certain events take place. One example of this would be not rolling in the trash bin within the appropriate time period. It is up to the tenant whether or not to accept terms in your lease involving extra fees and penalty payments. It may be advisable to consult with legal counsel before taking action.

Prior to the signing of a lease, these, and other significant provisions should be reviewed with the resident to reduce the probability of resident misunderstandings or claims that the resident was not aware of certain clauses. Having the resident initial these sections of the lease will document that they have read and understood those provisions.

All of the above lease provisions should be included in a good lease but should be modified by management's legal advisor for conformance with applicable landlord/resident legislation. By including these provisions, the manager can enforce policies and procedures imposed on a property to support an effective safety and security program, and can terminate the lease of any violator. Sometimes when terminating the lease it becomes necessary to take the tenant to Small Claims Court. If a manager must take a tenant to Small Claims Court based on criminal violations, then when filing the Claim, the manager should also file a subpoena for an officer to appear in court to testify to the criminal incident. However, as with any tool or device, the success is the uniform, constant, enforcement of the lease and addenda. (See appendices for small claims process map.)

### **PRIVATE SECURITY**

Deciding whether to hire private security guards is a decision that depends on the type of property you manage and the security issues you face. In making this decision, consider these questions:

- Is your property large enough in terms of area, population, and finances to make private security affordable?
- Have you implemented the crime prevention and security measures recommended in this manual? Private security will not help if your management practices do not support their work.
- What problems do you want private security to address? How well have you tried to address these problems? The more clearly you define what you want security to do, the more likely they will accomplish your goals.
- In considering the scope of work for private security, is there any task that might be better performed by a member of your staff? Could another agency, like the police, or a social service organization perform the task?
- What characteristics will the private security firm require to perform the tasks you have identified? Should the security guards carry lethal weapons like guns, non-lethal weapons like stun guns or pepper spray, or no weapons at all?
- If you decide that the security guards need to carry lethal weapons, have you considered what problems this might create? Once again, is there any way that the police might be able to either perform the task you have identified or help with the problem in some other way?
- How will the residents of your property view the use of security guards? Will they be supportive? Have you consulted with the resident association about both the problem and the use of private security?



## WHEN CRIME OCCURS

Property managers should develop and maintain a written plan for responding to crime and security issues (especially emergencies) so that everyone – staff and residents – will know how to respond to problems. Components of this plan should include:

- Who to contact in an emergency.
- A system for notifying residents about important events so that facts, not rumors, are communicated.
- An incident report form to document incidents so that patterns and chronic problems can be identified and addressed.
- Procedures for helping residents who have been victimized.

Once a written safety plan is prepared, the next step is to ensure that all management staff and property residents understand it. Schedule regular training sessions at staff meetings and resident associations. Include training about the plan in all orientation sessions with new residents and employees. Post signs in visible locations that explain what to do if a resident or staff member is a witness to a crime (or any other emergency).

When crime occurs, its impact reaches beyond just the resident who was victimized. Crime and violence can destroy a property's sense of community and threaten its viability. By responding with sympathy and support, and by taking action, a property manager can dramatically affect the way that an incident is perceived by the victim, the victim's family and friends, and all of the residents.

Although a criminal act may occur, its impact continues to be felt by the individual victim, their family, and community residents long after the incident is over. Someone whose home was broken into may feel violated and too frightened to return home. Someone who was attacked may be unable to sleep and fear going out. The range of reactions that individuals have to crime is varied and depends on their personality, their individual circumstances, and their previous experiences. As a first step towards helping a resident who has been victimized, it is important to understand some of the common post-crime reactions listed below:

- Fear and vulnerability *"I'm afraid to go out. What if this happens again?"*
- Loss of control *"I can't even be safe in my own home..."*
- Confusion/Disorganization *"I just don't know what to do or who to call..."*
- Anger *"How could anyone do this to me? I wish I could kill them..."*
- Self-Blame *"If only I hadn't taken that shortcut in the alley..."*
- Sleeplessness and/or nightmares *"I keep dreaming that it's happening over and over again."*
- Isolation *"I don't feel like seeing anyone – I just want to be left alone..."*

## RESPONDING TO A VICTIM

While taking the first step to reach out to a victim may seem difficult, just the act of offering help can be important to a victim and their family. Here are concrete steps you can take:

- Visit the individual and express your concern for their well-being.
- If the police have not yet been called, offer to do that for them (but don't push too hard for them to report the crime if they don't want to).
- Let them know that you're sorry that this happened.
- Offer to call a trusted friend or family member, if necessary.
- Try to identify any security breaches in the building that you may be able to remedy.
- Help the victim to place blame where it belongs – on the perpetrator – rather than on themselves.
- When they are ready, give the victim a list of local service providers that can offer counseling and information.
- If you have the resources of support services directly associated with your property, consult with them to get help for the resident or ask them to join you on the visit.
- Finally, understand that many victims don't experience the effects of a crime until a significant amount of time has passed. Check in with them after some time has passed to see how they are faring and to let them know that you are still concerned.

### **HELPING RESIDENTS RESPOND TO INCIDENTS OF CRIME**

Let residents know the facts about what happened rather than allowing rumors to spread. However, it is also important to respect the privacy of the individuals victimized. They may not want everyone discussing their business. Balancing these competing goals can be a challenge. One rule of thumb is to provide information about incidents that concern all residents. For example, if a burglar got into the building because someone left a stairwell window open, residents need to know so that they can help prevent a recurrence. Tell residents about actions management has taken to increase safety and emphasize your intention to make the property as safe as possible.

### **SERVING SUBPEONAS TO POLICE OFFICERS**

Sometimes an officer responds to a call for service on a rental property. Based on the circumstances, the seriousness of the call for service and the lease, the landlord might choose to evict the tenant involved. If the landlord is evicting based on the call for service, an officer will be needed in court to testify to the events of the call.

There are several ways a landlord can find out the name of the officer responding to the call for service. One of the ways is to obtain a copy of the police report from the police department. This information can also be obtained on-line by using CMPD's web-site (<http://www.charmeck.org/departments/cmpd/forms/home.htm>) and using the "Contact Us" site. The landlord could then find the name of the officer involved.

The landlord could also contact the community coordinator when an event has occurred on his/her property. At that time the officer could give a summary of the report and the name of the responding officer. This is where the communication channel

between landlord and police officer is essential. There may be times where the landlord is not aware that an incident occurred and he/she will need to rely on the officer informing him.

If the landlord chooses to evict based on the information given, at the time of filing the court papers the landlord MUST tell the Clerk that an officer needs to be subpoenaed. The Clerk will hand the landlord a blank subpoena. Once the landlord completes all of the paperwork and returns it to the Clerk, the Clerk will set the court date for the officer's assigned court date. The Clerk will then forward the subpoena to the Court Liaison Officer for service. Copies of the process map illustrating the subpoena process along with copies of a Mecklenburg County Summons and Subpoena documents are found at the end of this manual after the additional resources section.

## **CRIME VICTIMS COMPENSATION**

Every state has a mechanism to provide financial compensation to victims of violent crime. Though the guidelines in each state vary, the intention is to help cover costs related to the crime including medical expenses, counseling and, in some instances, loss of wages. To be eligible for compensation, victims cannot have been involved in the criminal activity and must:

- Report the crime.
- Apply within the specific time limits (usually one year).
- Cooperate in the prosecution and investigation of the crime.

## **DOMESTIC VIOLENCE**

For many years, domestic violence was viewed as a private matter. It was an uncomfortable topic to discuss or even acknowledge. Myths and falsehoods circulated to rationalize the existence of domestic violence and to minimize its importance. Over the past few years, research on domestic violence, dramatic cases that have received public attention, and changes in public policy and public education have given rise to a new understanding that domestic violence is a crime with serious consequences.

Domestic violence includes a variety of behaviors that usually get worse over time. The forms of violence vary but domestic violence involves coercion and the effort to gain power and control by one person over another. Domestic violence may take place between people currently or formerly involved in intimate or familial relationships. Batterers use many other tactics to maintain control, including:

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- Psychological abuse – (*name calling, isolation, blaming, intimidation, jealousy, belittling, harassment*).
- Economic abuse - *controlling all household funds, making the victim account for every penny spent, not allowing the victim to work*).
- Physical abuse – (*slapping, hitting, restraining*).
- Sexual abuse – (*forced sex, physical assault during sex*).

It is important to remain alert to the various kinds of abuse a victim may suffer. Just because hitting hasn't occurred doesn't mean the victim isn't living in fear and danger.

### **COMMON MYTHS**

*Myth:* Domestic violence is not that much of a problem.

*Fact:* This crime is widespread. Every year, 3-4 million women in America are battered by husbands or romantic partners.

*Myth:* Drugs and alcohol cause domestic violence.

*Fact:* Alcohol and drugs are often associated with abuse, but they have not been shown to cause it.

*Myth:* Men are victims of domestic violence as often as women.

*Fact:* In over 95% of domestic assault cases, the victims are women.

*Myth:* Domestic violence only happens in uneducated or poor families.

*Fact:* Battering crosses all social, economic, religious, professional, and ethnic lines.

*Myth:* The police can't do anything about domestic violence – don't even call them.

*Fact:* Police departments have a critical role to play in responding to domestic violence. Not only can they ensure that a victim knows that domestic violence is against the law, but they can arrest the offender and inform a victim of available help.

### **Facts About Domestic Violence**

- Domestic violence affects women from all socioeconomic, racial, religious and ethnic backgrounds.
- An act of domestic violence occurs every 15 seconds in the United States.
- 6.2 million women (1 in 10) are the victims of any violence (includes slapping or pushing) by their husband or live-in partner every year in the United States. 1.8 million (1 in 29) are severely attacked.
- 30 percent of women murdered in the U.S. in 1992 were killed by husbands or boyfriends.
- It is unlawful for landlords in N.C. to discriminate against a tenant by terminating her lease, refusing to renew her lease, or refusing to rent to her because of a household member's status as a victim of domestic violence, sexual assault, or stalking according to NCGS 42-42.1.

### **COMMON QUESTIONS: WHY DOES SHE STAY?**

This is one of the most frequently asked questions about domestic violence. Even by phrasing the question this way, we place blame and responsibility for the violence on

the battered women rather than on the abuser. Women stay in horrible (and often life-threatening) situations for a variety of compelling and personal reasons including:

- Economic dependence,
- Fear of losing their home,
- Fear of retaliation and greater physical danger if they leave (in fact, the vast majority of domestic violence-related attacks occur after women have left or tried to leave),
- Cultural and religious belief,
- Concern for uprooting their children,
- Lack of job skills,
- Hope that the abuse will stop,
- Fear of not being believed,
- Not wanting to enter a shelter that will isolate them from friends and family,
- Not having friends or family (perhaps due to immigration) that they can turn to for help; and
- Fear of being deported if their immigration status is linked to their partner.

### **WHAT CAN YOU DO TO HELP?**

Domestic violence is so widespread that if women reside in your building, you are likely to encounter it. You may hear complaints of fighting from neighbors, you may notice bruises on a woman, or you may have other reasons to suspect that abuse is taking place.

- Let residents know that you can help by raising the issue of domestic violence at residents' meetings (an annual meeting is a good time to do this because there is usually a large turnout). Mentioning the issue in a public forum will help battered women to understand that they are not alone and that you are sensitive to the issue and could be helpful. It will also put batterers on notice that this is an issue you will not ignore.
- Distribute informational flyers on domestic violence to residents periodically just as you give out other safety information on fire and crime. Putting this information under doors is helpful because people can read it in private.
- Include questions on domestic violence as part of your resident screening to alert applicants that violence will not be tolerated, but don't punish battered women who need a home by excluding them.
- Call the police if you believe an assault or other violent behavior is taking place. Remember that the safety of residents is the primary concern.
- Allow tenants who need to move as part of a safety plan to terminate their leases without further liability, pursuant to N.C.G.S. 42-45.

- Promptly change the locks of victims of domestic violence, sexual assault, or stalking, within at least 48 hours of a tenant's request, pursuant to the statute at NCGS 42-42.2.
- Identify local resources and shelters so that you can refer a battered woman if necessary.
- Talk with other local housing providers about this issue and try to establish a cooperative arrangement where you transfer victims in your property to another housing provider to provide a living arrangement for battered women.
- Raise the issue of domestic violence with your housing organization and create a policy defining steps to help battered women. Consider making domestic violence a priority for:
  - ⊖ Housing transfers among different properties.
  - ⊖ Working with women who leave permanent housing temporarily to be in a shelter and are unable to pay rent for a period of time.
  - ⊖ Collaborating with any social service providers that assist domestic violence victims.

Remember it is extremely important to let a domestic violence victim know that what she tells you will be kept in confidence. Not only is it crucial to earning her trust, but it is essential for her safety. Do not discuss her situation with other residents. Do not get frustrated if a victim does not take action right away. Many domestic violence victims are not ready to take action and in some cases it may be dangerous for them to do so. By being supportive, non-judgmental, and providing information, you may actually be helping a victim build her resolve.

### **NURTURING RESIDENT ASSOCIATIONS**

Establishing good relations with, and among, residents is a key factor in effective property management. When relationships are strong, residents are more likely to be better residents – paying rent on time, caring for the building and each other. This creates the sense of ownership and territoriality that is so important for safety and crime prevention. Aside from maintaining the property and being responsive to residents' complaints and requests, one of the most important ways to create strong relationships is to support resident associations. Some methods that property managers use to do this include:

- Bulletin boards
- Newsletters
- Social events
- Regular meetings
- Financial assistance (funding for certain activities, initial start-up costs for an association, in-kind contributions, etc.)
- Leadership training
- Links to social services.

Every building has its own sense of community, its own culture or way of

operating. Many people believe that this culture develops on its own and cannot be changed. While each building does, to a certain extent, have its own personality, there are many factors that influence the nature of the community and many ways that the sense of community can be enhanced.

Building a community within a property means that residents know one another, share a set of common rules and expectations, and come together to confront problems that affect all residents. While this makes for a more pleasant place to live, its impact is even greater. When residents know one another, they begin to connect. Residents begin looking out for one another, communicating with one another and identifying themselves as part of the same community. When this happens, safety is enhanced. More eyes are watching what happens, more people are aware of one another, more residents know who visiting and who belongs in the building – and who may not. The building develops a reputation as a desirable place to live and the investment made in the property is protected.

## **GANGS**

Gangs are a persistent nuisance for residents and businesses in the Charlotte area. The area has a number of gangs that mimic gangs that originated in larger urban areas and prisons. By definition, a gang is a group or organization consisting of three or more persons whose primary activity is committing criminal or delinquent acts. Gang members use various signs, symbol, clothing colors, and names to create an atmosphere of fear and intimidation. Being in a gang is not illegal, but specific characteristics of different gangs have been identified by law enforcement of criminal gangs. Educating the public on gangs is an important part of controlling gang activity.

## **HISTORY**

Gang characteristics can be traced to two main gang sects; Folk and People. Gang sects/alliances have evolved from prison inmates grouping together to fight rival gangs. Gangs that have aligned themselves with the “**People**” alliance dislike gang members in the “**Folk**” alliance. Rival gangs may tag graffiti of other gangs to disrespect the rival gang. Below, is a list that illustrates how gangs align themselves with the two sects:

### **FOLK**

- **Gangs:** Bloods, Kings, Counts, and Vice-lords.
- **Symbols:** Star of David 6 point star,
- **Colors:** Blue, Green, Black
- **Clothing:** These gangs dress to the right side. For example, folks may tie their right shoe or roll up the right leg of their pants

### **PEOPLE**

- **Gangs:** Crips, Cobras, Black Gangsta Disciples.
- **Symbols:** Crowns, Staff, Number 5, Spanish cross, Five point star
- **Colors:** Blue, Green, and Black
- **Clothing:** Gang members in this group dresses to the left

## **GANG CATEGORIES**

There are various types of gangs a few examples are street gangs, prison gangs, white supremacy groups, and subversive groups. In the Charlotte Area street gangs have slowly increased in popularity among the youth.

## **GANG IDENTIFIERS**

Gangs have developed different methods to show their presence. Gangs have written documentation, recruitment, initiation, Graffiti, Symbols, Tattoos, and Clothing that clearly marks each specific gang.

**Recruitment:** The hardcore members target young adults as potential gang members. In turn, the young adults want to prove themselves to the hardcore members.

**Initiation:** Initiation is the process where Wanna-be's prove themselves and gain acceptance into the gang

- ♣ Crimes: Larcenies, Burglaries, and Robberies
- ♣ Violence Crimes: Drive by Shooting, Assaults, Harassment
- ♣ Tagging area with Graffiti used to stake out territory

## **GANG STRUCTURE**

To better understand gangs, it is important to understand the hierarchy of a gang. The hierarchy of a gang is divided into four basic members: Hardcore, Regular members, Could-be's, and Wanna-be's

- **Hardcore:**  
The Hardcore gang member is a seasoned veteran usually around 21, but they can be much older. Many times called "OG"'s these hardcore members are the gang's ringleader. Although Hardcore members are only 5 to 10 percent of the gang, they are the most violent hardcore members that do most of the shooting.
- **Regular members:**  
The regular members (associates) do most of the gangs' crimes. An associate is expected to rob and steal and perform whatever tasks the OG gives them to do. They have been initiated and back up the hardcore gang members.
- **"Wanna-be's":**  
Wanna-be's are usually between the age of 11 and 13. They also are expected to steal, but they have not yet been initiated into the gang. They are trying to prove themselves to gang members.
- **"Could-be's":**



This is the lowest level of a gang. These members are children under 10 who hangout with or have a family member who associates with the gangs. The children are at risk for becoming fully involved in the gangs as they get older.

### **Gang Members**

- High school dropouts
- Males and Females
- All races
- All income levels and neighborhoods.

### **WAYS TO IDENTIFY YOUNG GANG MEMBERS/ACTIVITY IN YOUR AREA**

Youths on the fringe of gang involvement may display some of the following behaviors:

- Group of youth hanging around
- Frequent contact with police
- Graffiti in the complex
- Youth shows a lack of interest in school activities
- Youth who have large blocks of unsupervised time
- Imitating gang dress or behavior
- Tattoos drawn of the body
- Use of gang hand signals

### **GANGS IN CHARLOTTE**

In Charlotte, there are not any signs that point to corresponding gangs working in conjunction with gangs in other larger cities. There are three main gangs in the Charlotte Area. These include the: Crips, Bloods and MS-13 (Mara Salvatrucha).

#### **Crips**

- Generally align with the Folk sect, originally from LA.
- Extremely violent
- Color Blue
- Refers to each other as “Cuzz” and “Blood Killas” (BK)

#### **Bloods**

- Wear the color red
- Graffiti: 6 pointed star
- Cross out letter “C” to disrespect the Crips

#### **MS-13 (Mara Salvatrucha)**

- **MOST VIOLENT GANG IN AMERICA**
- 13 stands for “M” which is 13<sup>th</sup> letter in the Spanish alphabet or “Mexican Mafia”
- All gangs want to kill MS-13
- Not to be confused with separate gang, SUR-13

### **HOW TO COMBAT GANG ACTIVITY**

- Be selective in the tenant selection process-ask for references
- Have a crime free addendum in the lease agreement addressing gang activity
- Get rid of any graffiti immediately-ask residents if they saw suspects
- Be alert for gangs signs and documentation
- Educate staff on gang activity
- Have a good working relationship with Police Officers, Community Coordinators, and Street Crimes Officers

## **BUILDING RELATIONSHIPS WITH RESIDENTS**

Developing good relations with residents is an ongoing process that begins during the first meeting with a potential resident and continues through every formal and informal contact with residents.

- **Orientation:** This is the time to explain the property's rules and regulations, specific procedures, to review resident's rights and responsibilities, and introduce the new resident to other residents. It is also an opportunity to welcome new residents, making them feel comfortable and answering any questions they may have. In some buildings, the property manager brings toys or paper and pencils to entertain small children during the orientation so that their parents can concentrate on the information being processed.
- **Resident Handbooks:** A handbook can provide written reference for residents to consult when they need information about the property and its policies. Handbooks generally include the rules, rights and responsibilities, emergency procedures and phone numbers, as well as information about the local community. It should also include any incident report or repair request forms. Making the handbook easy to read, short and attractive will increase the likelihood that residents will understand and use it.
- **Bulletin Boards:** Placed in a common area (Laundry room, mail room, etc), a bulletin board can hold documents that explain policy changes, repair schedules, etc. Bulletin boards can also be used to announce social events and can be used by residents who want to inform the building of something.
- **Newsletters:** Because newsletters can be placed under individual resident's doors, they offer an opportunity to reach all residents. Newsletters can contain social information, announcements of neighborhood events, and important news about the building including reminders to check smoke alarms, for example, or announcements of new staff members. Be faithful to a regular schedule. Encourage residents to be contributors to the newsletter and have a calendar of upcoming community and building events.
- **Formal and informal contacts:** Periodically calling or visiting Residents can help to build good relations and show your concern. In addition, the chance meeting in the hall or at the mailbox provides an excellent opportunity for you to communicate with residents and to take an interest in how they're doing.
- **Social Events:** In addition to addressing management's relationship with residents, it is important to focus on resident's relationships with one another. The building is their home and they need to connect in order to develop a community. One way to foster this is through social events. These events can be organized by resident leaders, interested residents, or management. Consider sponsoring both indoor and outdoor events to promote

the use of common areas as well as develop good neighborliness. The following list provides a sampling of ideas that have worked well:

- Collective yard sales
- Pot-luck suppers
- Walking clubs
- Creating a community garden
- Game nights and/or video nights
- Spring clean-up of common areas
- Holiday get-togethers
- Reading groups.

- **Resident Meetings and Education:** Throughout the course of the year, periodic meetings with residents should be scheduled. Most managers schedule at least one annual meeting. Additional meetings provide more opportunities for face to face communication with residents and allow everyone to come together. They also provide a forum for residents to raise questions or to address issues of concern. Meeting with residents are excellent opportunities to educate residents. Speakers can be invited to talk about a wide range of topics (diversity, parenting techniques, crime prevention, etc) that will help to build a stronger, safer community. Create a process for calling special meetings when a crisis occurs or residents are having a problem. Publicize that process so residents can be empowered to engage in problem solving with management and their neighbors.

## **INCORPORATING SOCIAL SERVICE SUPPORT INFORMATION**

Supportive housing – the provision of on-site social services or social services linked to housing – is an integral component of housing developed for special needs populations or properties in communities needing assistance. If your property has a supportive housing component, the social services coordinator and other staff can be a resource to help address problems and maintain a stable building. The following questions will help to identify steps you can take to coordinate your efforts with those of the social service personnel.

- Have I met with the social services staff to clarify our goals and to establish a system for working together?
- Do I know about the services they are able to provide (for example, can they provide transportation to a job? Do they offer childcare? After School programs for youth? Are there special services for seniors) and how to access those services.
- Have we established a mechanism to keep residents informed of available services?
- Have we set up a way to communicate regularly about ongoing issues?

If your answers to these questions indicate the need for some more work, here are some suggested steps for making contact with social service providers:

- Identify local information and referral services/agencies that might exist in the area.
- Contact the local police precinct's community services liaison (most have them) and get advice (before it's needed) regarding agencies or providers that provide social services in your community. The same approach can be tried with the social services department of a local hospital or clinic. The office of elected local officials (e.g., mayors, council members, state assembly and senators, county executives) would also be a good place to ask about available services. Most have offices that deal directly with constituent problems.
- Call the local (county, city) social services department and get any service and referral information you might need in the future. Be sure to know (again, before it's needed) where to refer victims of violence, domestic violence and rape.
- Make sure the property manager knows where to refer people who need: mental health services, substance abuse services, victims services, educational/vocational counseling, financial assistance, medical services, etc.
- If the property has an adequate meeting room, managers might consider scheduling regular information nights where different providers come and explain the services available through their agencies. This can be arranged through the speaker's bureaus of various social service agencies. Have top management from your organization come and speak with the residents.

## **RESOLVING CONFLICT BETWEEN RESIDENTS**

Even the most cordial of neighbors occasionally have disagreements. In apartment buildings, where people live closer to one another and share public spaces, the potential for disputes on issues like noise, cleanliness, and pets (to name just a few) is even greater. Often, individuals can iron out their differences on their own, but sometimes the assistance of an outsider is needed.

Conflict resolution, or mediation, can provide this assistance. Mediation is a process in which a neutral third party helps those involved in a conflict to develop a solution to their problem. During a mediation session, each party has a chance to tell their side of the story without interruption. The mediator helps the parties to identify common goals and encourages the participants to explore ways to act in the future that are acceptable to all. Mediators do not solve problems, but help people negotiate with each other and craft agreements.

Mediation is now widely available. To find a mediator in your area, check with local colleges and law schools, community centers, and district attorney's offices. Some

of these programs may also provide training and assistance to residents who want to establish an in-house panel of resident mediators.

Charlotte-Mecklenburg Community Relations Committee provides mediation between landlords and tenants or between tenants. The phone number to the Community Relations Specialist is 704-336-5330. You can also reference a new handbook entitled “When You Rent: A Rental Housing Handbook” that was edited by the Charlotte-Mecklenburg Community Relations Committee. This handbook is a comprehensive guide of useful information for renters, residential rental property owners and managers.

## **PARTNERSHIPS**

Crime problems that affect a rental community can often come from outside the property. Dealing with those problems requires developing partnerships with members of the

surrounding community (residents, merchants, clergy, and government agencies). Just as neighbors in a building depend on one another for support, so too do the other stakeholders. The members of the broader community that encompasses your property rely on each other to create and maintain a neighborhood. Building a neighborhood means creating a community that shares common goals and can work together to achieve them. Developing an identity as a neighborhood and identifying your property within the community can dramatically increase the safety of your building and the surrounding neighborhood.

### **Collaborative Problem Solving**

As you begin to work with the larger community to address crime prevention, security, and quality of life issues, there are likely to be difficulties and controversies that arise. The technique of collaborative problem solving places you, your neighbors, and other stakeholders on the same side to resolve problems. The following steps – the OSCAR process – can be implemented to help you work through a problem whether it is in your property or community.

- **Observe** – Identify a problem or a condition that affects safety in your property or community. Define what is happening. A problem might be a type of behavior, a place, a person or persons, a special event or time of day, or any combination of these examples.
- **Scrutinize** – Analyze the problem. Why is it happening? What conditions encourage it? Who is involved? What time of day does the problem occur? Develop a detailed description of the issue and develop a theory for why it might be happening.
- **Collaborate** – Find allies. Who else is affected by the problem? What are the roles of the various stakeholders? Identify them and get together. Discuss the problem and define it as a group.
- **Act** – Develop a strategy for intervention. What techniques might solve the problem? What are the roles of the various stakeholders? Decide what to do and then start doing it.
- **Review** – After a specified time, assess what effect your strategy has had. What worked? What didn't work? How can you measure your progress? What could have been done differently? What should be done next?

### **OSCAR in Action**

Some residents in an apartment complex observed a problem in the parking lot. Young men were gathering late on Friday nights to play music, talk, and, apparently, drink alcohol. A few of the concerned residents thought that the youths might be selling drugs and one resident said that he had seen a gun. They decided to bring this issue to the resident association meeting later that week.

At the meeting, the concerned residents explained what they had observed. Others in attendance had also been bothered by the noise, and a committee was formed to explore ways to scrutinize the problem.

The committee spent the next Friday night carefully studying what was going on in the parking lot. They tried to identify who the young were and made note of when the party

began and ended. They determined that only one of the 15 youths lived in their complex and that the party began around 11 pm and ended just after 1 am. They noticed some drinking, but no apparent drug dealing or guns.

They reported their findings to the president of the resident association, who then convened a meeting with a number of stakeholders to collaborate in the development of a plan to address the problem. Those attending the meeting included:

- Resident members of the committee
- Property manager of the complex
- Police officer assigned to the community
- Director of the local YMCA

After much discussion about the nature of the problem, the stakeholders developed a plan and agreed to act. The police officer and the property manager agreed to approach the youths the next night. The director of the YMCA agreed that she would post information on the complex's bulletin boards about her new Friday basketball program. Everyone thought that this would encourage the young men to quit using the parking lot on Friday nights. They agreed to meet two weeks later to review the outcome of this strategy.

Two weeks later, some of the youths had quit coming to the party and one of them had even become a regular at the YMCA. Unfortunately, a stubborn group of young men had refused to leave and continued to disrupt the parking lot. The property manager had even begun calling the police to press trespassing charges, but whenever the police arrived the young men would hide. Although the stakeholders had hoped for a slightly better result, they maintained their resolve to address the problem. They knew they would have to go through this process a few more times, to develop additional creative strategies. They were determined to make a real difference.

### **A Few Words about Tactics**

Crime fighting techniques are like hand tools; there is more than one appropriate technique for every problem, and there are many, many, many different techniques. Deciding on which technique to use depends very much on the conclusions reached when you observe and scrutinize a particular problem. And the success of the techniques employed depends very much on how well you conduct your analysis.

### **Working with the Police**

Over the past few years, police departments around the country have an enhanced understanding of their role and how to work best with their constituents. Whether it is called community policing or problem oriented policing, the goal is to have an officer become part of the community by getting to know residents, local leaders, and merchants. This approach enables officer to be proactive in working with the community to solve problems and prevent crime rather than responding to individual, isolated incidents. The role of the community police officer is not just to apprehend criminals, but to have a positive effect on other quality of life issues.

### **Establishing a Relationship**

It is important to build a relationship with the police department before there is a crisis. Learn about the structure of the police department, the chain of command, and find out who is the most appropriate person for you to meet with. Invite them to a meeting and give them a tour of your property. Let them know about problems you are facing and projects you would like to work on with their help. Make it clear that you want to work as partners in resolving problems and that you don't expect the police to do it all alone.

## **HOW THE POLICE CAN HELP**

The police can take a variety of steps to enhance the safety of your property and the surrounding neighborhood. The key is to think creatively about their role, to build a relationship, and to seek their help when needed.

### **What the Police Can Do**

- Conduct undercover investigations and arrests
- Carry out street sweeps – arrests of low-level dealers and buyers
- Conduct vertical (floor by floor) patrols inside apartment buildings (with property owner's cooperation)
- Arrest people loitering in and around buildings for trespassing (the property owner's cooperation is necessary) or issue summonses, if local nuisance abatement laws exist
- Meet with landlords to obtain their cooperation to address drug dealing on their property
- Confer with other government agencies – such as housing code enforcement, licensing, the Internal Revenue Service, etc. – to come up with creative solutions to crime problems
- Help concerned citizens link up with one another and with existing community organizations
- Encourage neighborhood residents to start a residents or block association
- Train residents to report crime conditions effectively and start an anonymous reporting system if none exists
- Assign personnel to hotspots during hours when criminal activity is reported to take place, rather than according to inflexible shifts
- Set up temporary roadblocks and conduct driving while intoxicated (DWI) checks
- Communicate regularly with concerned residents about progress and barriers in addressing problem conditions
- Encourage community participation in problem identification and development of strategies

In addition, police can help with:

- Coordinate and offer after-school programs
- Provide safety information and instruction to children (for example, workshops on bicycle safety)
- Conduct preventive educational programs for youth on a variety of topics including drugs, street smarts, dating violence, etc.
- Offer PAL (Police Athletic League) sports and other activities for children



## **Other Resources**

In addition to the police and the district attorney, there are many resources to draw upon. The following list includes other organizations that can help you. Reach out to these groups by introducing yourself to their community representative(s). Talk about ways of working together to further your shared interest in creating a strong community.

- **Chamber of Commerce:** The Chamber of Commerce is a membership organization that includes local businesses, restaurants, retail establishments, service providers, and entrepreneurs. Because their members have an investment and an interest in the community, they often provide support in a variety of ways.
- **Neighborhood Associations:** These groups include members from a variety of places (private homes, buildings, businesses, etc) who have a common concern for the neighborhood. Associations can set their own agendas and respond to specific needs in their community. For example, if the safety of children walking to and from school is of concern, a Neighborhood Association could set up a walking patrol of adults to accompany children or to monitor the street at different points on the route to and from school.
- **Religious Institutions:** Synagogues, churches and mosques have a tradition of being involved in community affairs and having an ability to organize their congregations. Identify these institutions in your neighborhood and try to get to know the religious leaders.
- **Other:** Most neighborhoods have other organizations or institutions that make their community unique and may be a potential partner on community safety. For example, is there a hospital on the next block? A fire station? A museum? A community college? All of these institutions, and many others, have a proprietary interest in keeping the neighborhood safe and should be included as you identify potential partners.

## **Afterword**

Effective property management is a skill that, while challenging, can be learned by all owners, managers, and housing organizations. Creating and maintaining a crime-resistant property is like juggling. In juggling, tossing one or two balls between hands may be easy, but it is not entertaining. In property management, only taking care of one or two aspects can be worse than boring – it can be dangerous for you, your property, your residents, and your financial situation. By learning to juggle all three aspects of crime preventions and property management – **Place, People, and Partnership** – you will create a safer, more cohesive rental community.

## **Mandatory Remediation Strategies**

When a residential rental property that falls at or above the Disorder Risk Threshold for its residential rental property category the owner shall register the property (Sec. 6-582) and be notified by certified mail of a mandatory meeting (Sec. 6-584). Within thirty (30) days after the notice has been provided to the owner, a mandatory meeting shall be held

between the owner and the police official. At the mandatory initial meeting, the police official and the owner, at a minimum, shall review the data that established the Disorder Activity Count for that property and any relevant evidence provided by the owner that may establish that the property does not fall at or above the Disorder Risk Threshold. In the event that the adjusted Disorder Activity Count for the property falls at or above the Disorder Risk Threshold, then the owner and the police official shall sign a Remedial Action Plan and the property shall be set for a six-month review date (Sec. 6-585).

If the Disorder Activity Count continues to fall at or above the Disorder Risk Threshold, at the first six-month (6) review, then the property will be designated as In Need of Remedial Action and the police official and the owner shall amend and sign the Remedial Action Plan and a second six (6) month review date. A third six (6) month review date may be set if the Disorder Activity Count continues to fall at or above the Disorder Risk Threshold (Sec. 6-586).

The goal is to provide the opportunity for the property to fall below the Disorder Risk Threshold. To accomplish the goal the Remedial Action Plan shall include the mandatory strategies including, but not limited, to:

1. Landlord/owner will furnish copy of the utilized lease, attachments, active addendums, and any property rules to the CMPD. CMPD and landlord/owner will review all lease provisions with the goal of strengthening them.
2. All lease provisions must be adhered to by both parties involved; landlord and tenant.
3. All leases must address the following provisions: eviction resulting from criminal activity, drug activity and possession, authorized and unauthorized occupants and guests.
4. Landlord/owner will comply with North Carolina General Statutes to provide a fit premise.
5. Property lease and rules provisions will be enforced consistently and promptly. Proof of lease and rules enforcement will be provided to the CMPD representative.
6. The property owners/managers conduct inspections of the rental property grounds and units/houses at least quarterly. Proof of these inspections will be provided to the CMPD representative.
7. Prospective and current residents are informed in writing that crime is not tolerated on the property, and that every effort will be made to identify, prosecute, and remove all residents who break the law and/or property rules or their guest break the law and/or property rules.
8. All residents are screened carefully for histories of criminal behavior during tenant selection process. Proof of these criminal history checks will be provided to the CMPD representative.
9. All existing outside lights must be functioning properly.
10. The CMPD has been provided maps of the property, locations of alarms, phone numbers of key owners and staff associated with the property.

## Security Checklist: Property Management Checklist

The following checklist is intended to serve as a guide for property managers to inspect their properties to help insure safety of the tenant. This checklist is a tool to enhance communication between the property manager and police officer. It should be a guide for discussion and offer suggested recommendations for possible solutions to problems. Working together can help make the rental property a safer place to live and community safer.

Issue	Yes	No	Action Needed	Action Taken
<b>ADMINISTRATIVE POLICIES</b>				
Is the physical property kept clean, in good repair, and aesthetically pleasing?				
Does the organization have an ongoing relationship with CMPD and other safety agencies?				
Has the CMPD reviewed and commented on current safety procedures or building design?				
Has the CMPD been given maps, locations of alarms, phone numbers of key people connected with the property, and keys to facilitate access when necessary?				
Does management cooperate fully with the CMPD during investigations, surveillance, and resident training?				
Are safety inspections conducted at least monthly to see if conditions have changed?				
Is there adequate key security and control system?				
Is security equipment checked regularly?				
Are all broken windows and doors repaired within twenty-four hours?				
Are all unit entry locks re-keyed or replaced when tenants move out?				

<b>Issue</b>	<b>Yes</b>	<b>No</b>	<b>Action Needed</b>	<b>Action Taken</b>
Are residents who violate rules regarding criminal activity, disturbances and safety evicted consistently?				
Is there a procedure for addressing resident safety concerns quickly and efficiently?				
Is there a strong management presence; does management staff walk through the property regularly, getting to know residents and regular visitors?				
Is this a drug-free workplace?				
Are employees held to the same standards as residents?				
Are all rule violations documented in tenant files?				
Are fire drills held regularly?				
Are fire extinguishers easily accessible as required by code?				
Is the property equipped with both visual and audible fire and smoke alarms?				
<b>TENANT SCREENING</b>				
Are prospective residents informed that crime is not tolerated on this property, and that every effort will be made to identify, prosecute, and remove all residents who break the law and property rules?				
Does the rental agreement stipulate that only the persons listed on the lease may live on the property?				
Is it emphasized verbally and in writing that failure to comply with this rule will lead to eviction?				
Is an interview a part of the application process, or is the application form actually completed by a staff member during an interview? If filled out by a staff member, does the applicant certify in writing that the information is true?				

Issue	Yes	No	Action Needed	Action Taken
Are all residents screened carefully for histories of criminal behavior during tenant selection process?				
Are at least two forms of identification (at least one of which is a government issued ID) required in order to apply, and is that information double checked against the information on the application form?				
Are incomplete applications returned to applicants as unacceptable?				
Is lying on an application documented grounds for rejection?				
Are credit checks run, and is that information double checked with all other information on the application, e.g. names, past addresses, etc.?				
Are applications checked to make certain that income is sufficient to cover known expenses, or is all income verified to come from a legitimate source, including bank statements and tax returns for the self-employed?				
Are previous landlords' and employers' addresses and telephone numbers double checked with telephone books, check stubs, and county property information?				
Is a visit to the applicant's current residence a part of the application process?				
<b>TENANT EDUCATION</b>				
Have residents been informed of emergency procedures?				
Have all residents received orientation about the rules of the property and have they signed indicating receipt ?				
Have residents been encouraged to get to know each other so that they may better recognize outsiders?				

Issue	Yes	No	Action Needed	Action Taken
Has a resident council become active in designing policies and procedures for the property?				
Has the resident council been active in joining with the larger community to police the neighborhood?				
Do tenant council activities and management operations reinforce each other?				
Are tenants taught the importance of keeping doors locked, and of regularly checking exterior doors?				
Are tenants reminded frequently not to admit strangers into the building? Are proper intercom policies in place?				
<b>SIDEWALKS, STEPS, PARKING LOTS &amp; OTHER EXTERIOR AREAS</b>				
Is there adequate exterior night lighting & are all bulbs functioning?				
Are pathways and doorways well lit?				
Are parking areas well lit?				
Is access to rear yards restricted through adequate fencing?				
Are tree limbs cut seven feet from ground level?				
Are fences in good condition?				
Do gate locks work properly?				
Do self-closing gates work properly to shut gates behind people?				
Do parking area gates open and close properly?				
Are breezeways, stairs, balconies and sidewalks kept free of obstructions?				
Are parking rules enforced?				
Are residents and guests issued parking tags for identification purposes?				

Issue	Yes	No	Action Needed	Action Taken
Are abandoned and junked vehicles promptly towed?				
<b>PUBLIC AREAS &amp; OFFICES</b>				
Are office hours and emergency phone numbers posted on outside of offices?				
Are exits lighted and kept free of obstructions?				
Are all common areas well lighted?				
Are TVs/VCRs and other equipment well secured in common areas?				
Is all trash disposed of frequently?				
<b>DOORS &amp; WINDOWS</b>				
Do all resident doors have 180 degree peepholes				
Are all exterior doors solid core?				
Do all unit and exterior doors have dead bolt locks?				
Do all deadbolts extend at least one inch into frame?				
Are all exterior doors equipped with automatic door-closing hardware?				
Are all door frames in good condition as required by code?				
Are all strike plates securely fastened to door frames with two inch screws?				
Is there a directory at the front door, and is the doorway adequately lit?				
If hinge pins are on the outside, are they non-removable?				
Do sliding glass doors have pin locks?				
Do all casement windows close tightly?				
Have casement windows been pinned or locked through handle?				
Do sliding windows fit securely in tracks?				

Issue	Yes	No	Action Needed	Action Taken
Can windows on ground floor levels be secured?				
Do second floor windows, especially rear windows, fasten securely?				
Are windows directly above canopies or building entrances securely fastened?				
Are ground floor windows, second floor rear windows, and windows above canopies and entrance ways equipped with window guards?				
Are entrances to mechanical equipment areas kept locked?				
Are locks on laundry room doors working properly?				
Are vacant units difficult to identify from the outside?				



## ADDITIONAL RESOURCES

These are some websites that may provide more information and be helpful in managing rental property.

**NC Landlord Tenant Statutes (Chapter 42):**

[http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter\\_42.html](http://www.ncleg.net/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_42.html)

**Inmate/Warrant/Arrest Inquiry:**

<http://www.charmeck.org/Departments/MCSO/Inmate+Information/InmateLookup.htm>

**Arrest Inquiry:**

<http://arrestinquiryweb.co.mecklenburg.nc.us/>

**Bureau of Justice Assistance:**

<http://www.ncjrs.gov/pdffiles1/bja/148656.pdf>

**Charlotte-Mecklenburg Police Department:**

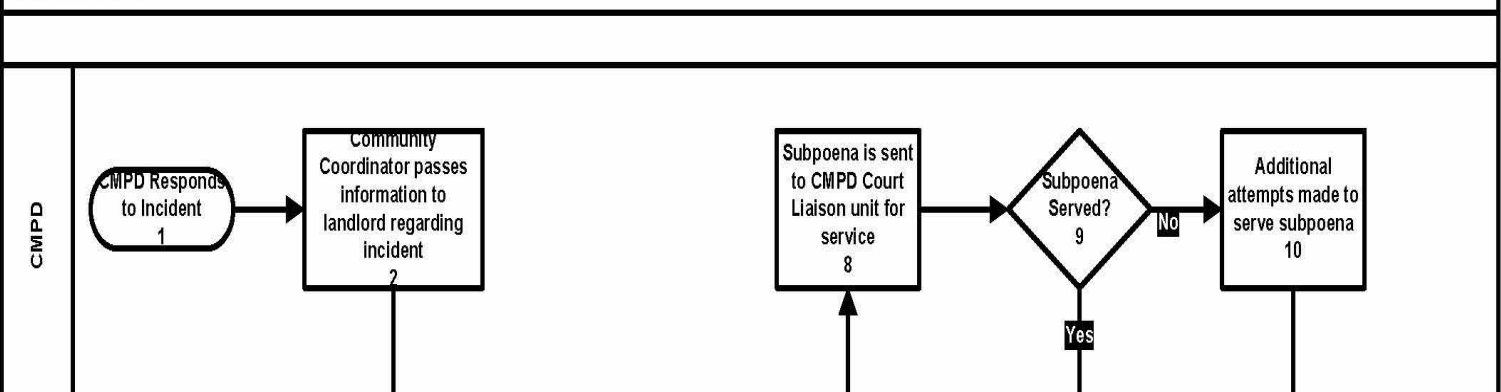
<http://www.charmeck.org/Departments/CMPD/home.htm>

**Charlotte-Mecklenburg Community Relations Committee**

**“ Why You Rent: A Rental Housing Handbook” revised 2008**

## Small Claims Process

Subpoena Process



STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice  
 District  Superior Court Division

Additional File Numbers

VERSUS

SUBPOENA

G.S. 1A-1, Rule 45

Party Requesting Subpoena

State Plaintiff  Defendant

**NOTE TO PARTIES NOT REPRESENTED BY COUNSEL:** Subpoenas may be produced at your request, but must be signed and issued by the office of the Clerk of Superior Court, or by a magistrate or judge.

TO

Name And Address Of Person Subpoenaed

Alternate Address

Telephone No.

Telephone No.

**YOU ARE COMMANDED TO:** (check all that apply):

appear and testify in the above entitled action before the court at the place, date and time indicated below.

STATE OF NORTH CAROLINA

File No. \_\_\_\_\_

\_\_\_\_\_ County

In The General Court Of Justice  
District Court Division-Small Claims

*Plaintiff*

**MAGISTRATE SUMMONS**

ALIAS AND PLURIES SUMMONS

**VERSUS**

G.S. 7A-217, -232; 1A-1, Rule 4

*Defendant 1*

*Date Original Summons Issued*

*Date(s) Subsequent Summons(es) Issued*

**TO:**

*Name And Address Of Defendant 1*

**TO:**

*Name And Address Of Defendant 2*