

How to Spot and Deal With Unauthorized Occupants by Chris E McGoey, CPP, CSP, CAM

Rental housing crime studies have repeatedly shown that moderate to high-crime problems can usually be traced back to a small percentage of residents. Those causing the crime problems are often the acquaintances, ex-spouses, or boyfriends of a legal resident who decided to move in without your permission.

Resident Screening

The best way to head off this problem is to practice resident screening and enforce clearly defined and articulated community rules that are emphasized during the lease application process. The resident needs to know that their tenancy may be in jeopardy if they bring in an unauthorized (and unscreened) occupant. Proof of this method is well documented in apartment properties all over the country, as police calls for service seem to fluctuate proportionally as resident screening standards and rule enforcement vary following management changes.

Good resident screening involves checking credit, employment, rental history, and criminal background, if available. A good screening plan should call for all non-dependent occupants to be included on the lease and subject to the same resident qualifications. All children should be identified on the lease along with maximum occupancy limits. In this day and age, resident screening is more than just establishing the ability to pay rent. In my experience, properties that tend to have a higher percentage of unauthorized occupants have lowered their screening standards on credit, rental and employment history, and don't do available criminal background checks. A policy of collecting double deposits or getting co-signers for an otherwise unqualified applicant is asking for trouble down the road and is unfair to the other residents.

Criminal Infiltration

When career criminals (usually males) cannot qualify to rent, they will try to infiltrate your property by secretly moving in with a legal resident. As you might expect, these undesirable occupants tend to attract other unsavory characters. The character of your property can change drastically, if left unchecked. The problem becomes acute when these unauthorized occupants are unemployed criminal types who hang out all day and all night and begin to ply their trade within your community. A symptom of this condition is people hanging out in the parking lot and high foot traffic in and out of a unit or group of units.

To fix serious illegal occupancy problems, sometimes you have to clean house and evict residents for non-compliance with your residency requirements. You need to re-emphasize your occupancy standards and then fairly but firmly enforce the rules. The Crime Free Multi-housing Program lease addendum is a good example of community rules that can be legally enforced. Eviction rates as high as sixty-percent have been necessary to regain control over seriously troubled properties. Although financially painful in the short term, landlords soon get paid back in increased net operating income. It is common to see a property return to profitability after a few months with 98% occupancy rates and a waiting list.

How to Spot Unauthorized Occupants

A fair question often asked is how do you identify an unauthorized occupant versus a short-term social guest? The answer is to **know your residents**. This may seem like an impossible task, especially when your community exceeds one hundred units. Your community rules should have a written procedure for notifying management when a social guest has an extended stay and to arrange for a parking space. To solve this identity crisis, property managers around the country have found creative ways to get to know their residents.

What follows are some ideas to help you identify and deal with unauthorized occupants:

- Establish written community rules for visiting social guests
- Add new occupants/roommates to the lease only if they pass screening
- Regularly audit units for unauthorized occupants (formally and informally)
- Photograph each resident for the lease file for ID purposes (helpful for unit lockouts)
- Assign coded parking spaces and record vehicle information (easy to spot new cars)
- Require parking permit decals on cars and motorcycles
- Require overnight guests to park in designated guest spaces only (get vehicle info)
- Train staff to be alert for illegal occupants, new vehicles, and new children
- Periodically, inspect units (smoke detectors, A/C filters, furnace ventilators, lock checks)
- Always follow up all verbal occupancy warnings with a letter
- Serve non-compliance notices for every rule violation. Be consistent
- Evict residents who violate community rules and house illegal occupants
- Be fair, firm, consistent, and document, document, document

For more information, call (951) 461-8950 or (415) 225-9500 or visit www.crimedoctor.com.

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