

City of Lawrence
Social Service Agency
Bi-annual Report
2012

Reports on activity should be submitted electronically to Casey Toomay, Budget Manger at ctoomay@lawrenceks.org. Reports on activities from January to June are due on ~~July 15th~~. Due on July 30, 2012. Reports on activities from July through December are due on February 15th.

Agency Name:

Reporting period: **January - June** **July - December**
(deadline ~~July 15~~ July 30, 2012) (deadline February 15)

1. Give a brief narrative of the activities that were funded with City funds over the reporting period checked above.

The purpose of HCCI's Tenant-Landlord program is to counsel and educate both tenants and landlords regarding their rights and responsibilities based on the Kansas Residential Landlord and Tenant Act, local codes and ordinances, and federal laws that affect landlord and tenant relationships, including fair housing law.

HCCI's Tenant-Landlord program helps people help themselves to secure adequate, safe, affordable and equitable rental housing through counseling, education and collaboration with other agencies. Historically, about 90% of clients served by this program report very low to low-moderate income.

HCCI's Tenant-Landlord Counseling services are available by phone Monday-Friday from 8:00 AM -5:00 PM.

HCCI's Tenant Handbooks and forms are available to tenants at no charge. There is a small charge to Landlords and Property Managers for HCCI's Landlord Handbook.

2. Provide specific detail (and supportive documents, if needed) to demonstrate progress made toward your goals/objectives.

See the attached mid-term report of outcomes.

Also see the attached narratives of two client situations as an example of the type of counseling provided. The narratives include the outcomes as reported by the client after HCCI counseling.

HCCI's Tenant-Landlord program serves Lawrence citizens and the City of Lawrence in the following ways:

- A. provides direct rental housing counseling to approximately 360 unduplicated consumers annually. During the period January-June 2012, 108 persons were served by this program.
- B. partners with other community groups such as Lawrence Douglas County Housing Authority, Tenants to Homeowners, and Salvation Army to counsel individuals and families who are in transition from homelessness to subsidized housing and/or to permanent housing;
- C. helps low-income tenants remain in their current housing by counseling and educating them about their rights and responsibilities under the Kansas Residential Landlord and Tenant Act (KRLT) and giving them guidance about the appropriate "next steps" they may take to resolve their housing issues;

3. How have you impacted the citizens of Lawrence?

HCCI's preventive education services especially target low-income, homeless and other at-risk groups. The programs teach basic life skills essential for renters to be successful as tenants and for landlords to maintain rental units that provide safe, decent, affordable housing and contribute to the housing stability of the community.

HCCI's rental counseling is provided by highly experienced counselors who have extensive background and understanding of the rights and responsibilities of both tenants and landlords under the Kansas Residential Landlord and Tenant Act and under Fair Housing law.

The attached narratives of client situation case studies are examples of HCCI counseling for Lawrence renters. The primary reasons renters contact HCCI is about poor maintenance and unlawful entry by landlords. The primary reasons landlords contact HCCI is about their rights to pursue eviction notices due to non-payment of rent.

Attached:

Client Situation #1: Rental Property in Foreclosure

Client Situation #2: Military Relocation

4. What barriers, if any, have you encountered?

HCCI's Tenant and Landlord Counseling is very effectively provided by phone. Caller's questions are entered into a call log and HCCI counselors typically return calls within two to three business days. If the caller (tenant or landlord) has an issue that involves eviction or the potential for eviction, an HCCI counselor returns the call immediately.

The primary barrier is that some callers discontinue telephone service before HCCI can return their call. Most often these are persons who are experiencing severe financial hardship. HCCI counselors are able to return calls to the majority of renters seeking counseling.

HCCI is able to accommodate a maximum number of clients on a daily basis (about five per day) while also responding to emergency calls about unlawful eviction notices on an immediate basis.

5. Review the line-item budget you provided in your application. How much of your allocation has been spent?

During the time period January 1 – June 30, 2012, 50% of the funding has been spent.

Submitted 7/20/2012

Housing and Credit Counseling, Inc.
City of Lawrence
6-Month Progress Report
2012

HCCI's Tenant-Landlord program helps people help themselves to secure adequate, safe, affordable and equitable rental housing through counseling, education and collaboration with other agencies. Historically, about 90% of clients served report low-moderate income.

HCCI has a strategic plan for 2012 as follows:

1. provide direct counseling to approximately 215 unduplicated consumers annually, as of mid-year, HCCI provided counseling to 108 unduplicated consumers which is 50.2% to goal
2. develop and present approximately 4 community education programs targeting 40 renters, as of mid-year HCCI has not provided education programs but anticipates providing them before year-end
3. continue active participation in partnerships that develop affordable housing units, and
4. concentrate on partnerships that move homeless individuals and families from shelters to homes.

HCCI's Tenant-Landlord Counseling services are available every day from 8:00-5:00. Persons using the HCCI TLL service typically telephone HCCI to ask their questions. HCCI counselors typically respond to telephone calls within a 24 to 48 hour period if they cannot respond on the same day the inquiry was made. Anju Mishra, Branch Manager of HCCI's office, serves the public directly from the Lawrence HCCI office located in the Douglas County United Way building and 2 other counselors in Topeka provide daily telephone call-back service in response to specific inquiries about tenant/landlord issues. These three staff provide resource referrals to other Lawrence agencies, as needed. In addition, HCCI provides support for the program through staff dedicated to administrative oversight, reception duties and data management responsibilities.

When an individual contacts HCCI, they are entered into the HCCI database as a client and are only counted one time regardless of how frequently they may contact HCCI for assistance about that particular issue.

HCCI's preventive education services are targeted for low-income, homeless and other at-risk groups. The programs teach basic life skills essential for renters to be successful as tenants and for landlords to maintain rental units that provide safe, decent, affordable housing and contribute to the housing stability of the community.

Programs for tenants include:

- fair housing law,
- basic rights, responsibilities, appropriate behavior and communication skills;
- affordable housing options.

Programs for landlords and the public provide information about the rental application and screening process including:

- fair housing law,
- appropriate maintenance,
- drug and behavior issues,
- landlord's rights and responsibilities regarding entry to the rental unit and
- tenant evictions.

HCCI has been invited to present programs at SRS Full Citizenship, City of Lawrence Landlord Seminar, The Landlords of Lawrence Association and the Salvation Army. HCCI is very willing to develop and present programs for these groups and others in the Lawrence community.

HCCI prioritizes involvement with programs and partnerships to offer more extensive life skills and homeless prevention programs. (See next section for details.)

- 1) **sustain housing** – meaning they will understand their rights and responsibilities and take steps to:
 - a) retain their current rental housing by taking actions such as clarifying the rental agreement with their landlord, paying delinquent rent, or working through the city's code enforcement agents to rectify maintenance issues; or they will
 - (b) examine their legal options and find other rental housing.

At least 80% of persons utilizing HCCI's counseling service will sustain housing – meaning they will remain in place with suitable arrangements with their current landlord or they will find alternate housing and avoid homelessness. As of mid-year, 100% of persons receiving counseling have sustained housing.

- 2) **utilize community resources** – meaning they will understand their rights and responsibilities and learn from HCCI what community resources are available to help meet their particular needs.

At least 30% of persons will qualify to utilize local community resources (such as funding for utility assistance or a food bank). As of mid-year, 14% of persons receiving counseling have utilized community resources.

- 3) **implement their legal rights and responsibilities** – meaning
 - a) tenants will know their rights under the Kansas Residential Landlord Tenant Act and will understand what their "next steps" may be and how to proceed to self-advocate for their rights. Examples include: resolving maintenance issues with their landlord, securing the return of a deposit, avoiding eviction, receiving reasonable accommodations for a handicap.
 - b) landlords will know their rights under the Kansas Residential Landlord Tenant Act and will understand what their "next steps" may be and how to proceed to be fair and responsible landlords. Examples include: appropriately screening tenants prior to offering a contract, giving verbal and written eviction notice, knowing the legal responsibilities and procedures for disposing of abandoned property.

At least 70% will report they successfully implemented their rights and responsibilities under the Kansas Residential Landlord Tenant Act and as the law was explained to them by HCCI counselors. As of mid-year, 82% of those counseled have implemented their rights and responsibilities.

Advisors and staff would be happy to answer any questions you have. Please feel free to call Teresa Baker, Tenant-Landlord Program Supervisor (785-234-0217 Ext. 322), Jennifer Whitt, Office & Reports Manager (785-234-0217) or Marci Francisco, Advisory Council (785-842-6402).



Client Situation: foreclosure of rental property mortgage affects current tenant

7/19/12

The #1 reason renters contact Housing and Credit Counseling, Inc. is to seek help with maintenance issues. This situation, however, is about a renter who liked his rental property, had a signed lease with his landlord, paid rent on time, was a responsible tenant, but was still served an eviction notice. How could this situation happen?

HCCI Counselors do not mediate and they do not provide legal advice but they can and do provide valuable information regarding the rights and responsibilities of landlords and tenants as defined by the Kansas Residential Landlord Tenant Act (KRLTA). HCCI also provides very helpful booklets and sample forms and HCCI Counselors educate tenants and landlords about the options that may be taken to resolve issues. There is never a charge to tenants for this service. Landlords are asked to pay a reasonable fee for printed materials.

Cody Jackson (the client's real name) called HCCI in July 2012 saying he was being evicted and had no idea who could help him. Every call to HCCI is answered by a "live" person so that people can explain their issue and get help from the HCCI counselor who can best meet their needs. HCCI's very efficient receptionist, Connie Hull, took Cody's call and immediately realized the urgency of his situation. She connected Cody with Teresa Baker, Supervisor of the Tenant and Landlord Counseling Education Program. Teresa listened carefully and gathered these facts from Cody as he anxiously described his unusual situation.

1. Renter signed a lease with his landlord in August 2011 and moved into the rental house.
2. In May 2012, renter received a written notice from a Lawrence bank and a letter from an attorney saying mortgage foreclosure action was being taken against his landlord regarding the property he was renting.
3. His landlord would not talk with him about the matter. Landlord said everything was "OK."
4. Within days, Cody received an eviction notice from the Lawrence bank stating he had three days to vacate the property.

At that point Cody called HCCI. He was shocked. He always paid rent on time. He was a responsible tenant. He understood the seriousness of an eviction notice and he was afraid he was going to be put out on the street in three days through no fault of his own.

Teresa gave Cody the following information from federal law, Protecting Tenants At Foreclosure Act, 2009, and from the Kansas Residential Landlord and Tenant Act and helped Cody understand what his options were.

1. The Foreclosure Act of 2009 states that when there is a written lease the tenant is allowed to remain in the rental property through the term of the lease.
2. If a new landlord purchases the property with intent to use the property as a personal home, then the new owner must give the tenant at least 90 days notice to vacate the property. This ruling applies whether the tenant has signed a 12 month lease agreement with the original landlord or a month-to-month lease.

3. If the new owner has purchased the property as a rental investment, then the tenant's lease continues without interruption until the termination date. The renter simply has a new landlord.

Regardless of whether the new owner is an individual, a bank, or an attorney working on behalf of a client, the tenant still has rights under the KRLTA including the right to expect maintenance issues will be resolved and that he may maintain the residence for at least 90 days or until the end of his lease if the property remains a rental unit.

A satisfactory ending

Teresa gave Cody a form HCCI developed to explain tenant's rights under the KRLTA and Federal Foreclosure Law and recommended he complete the form, give a copy to the Lawrence bank, and keep a copy. Cody was counseled to call HCCI immediately if the bank insisted the tenant move as this situation would then be considered unlawful eviction under the KRLTA.

Cody called back to let HCCI know that he met with the bank president and that the bank had been very reasonable after hearing the information HCCI had given to Cody and seeing the completed form HCCI had provided to him. The bank president offered to work with him through the end of his lease.

Ultimately the community has been served as the bank realized its responsibilities as a new landlord as part of a foreclosure action and – best of all – the renter's rights were honored. He was able to stay in his rental home through the end of his lease.

Other foreclosure situations

Unfortunately this is not an isolated case. HCCI was contacted on two separate occasions in 2011 by the property managers for two very large apartment complexes in Topeka when foreclosure action was taken against the property owners. Fortunately, HCCI was able to educate the property managers and counsel all of the tenants about their rights and responsibilities as tenants during a foreclosure action. HCCI's ultimate goal is to counsel people about their options so they do not face eviction.

HCCI serves as a trusted resource for both landlords and renters. There is never a charge to tenants for HCCI's Rental Housing Counseling and Education Program. Landlords are asked to pay a reasonable fee for printed materials. The counseling HCCI provides keeps people in their homes.



Client Situation: military deployment causes renter to cancel lease

7/19/12

The #1 reason renters contact Housing and Credit Counseling, Inc. is to seek help with maintenance issues. This situation, however, is about a renter who liked his rental property, had a signed lease with his landlord, paid rent on time, was a responsible tenant, but had an emergency situation because he got military orders to deploy for active duty. What were his rights as a tenant in this situation?

HCCI Counselors do not mediate and they do not provide legal advice but they can and do provide valuable information regarding the rights and responsibilities of landlords and tenants as defined by the Kansas Residential Landlord Tenant Act (KRLTA). HCCI also provides very helpful booklets and sample forms and HCCI Counselors educate tenants and landlords about the options that may be taken to resolve issues. There is never a charge to tenants for this service. Landlords are asked to pay a reasonable fee for printed materials.

John M. contacted HCCI when he received orders from the United States Air Force, Kansas Air National Guard, stating that his unit would be deployed for active duty March 14, 2012 until March 15, 2015. John and his wife immediately decided it would be best if she and their children moved to the town where her parents live while he was gone. John asked HCCI if he could terminate his rental lease without penalty.

HCCI's Rental Housing Counselor first thanked John and his wife for their service to our country. The counselor told John the Service Members Civil Relief Act (SMCRA) allows a service member to terminate a residential lease entered into while in the military, if the service man or woman receives permanent change of station (PCS) orders, or orders to deploy for a period of not less than 90 days. The SMCRA not only provides protection for the service member, but also his/her dependents. She said landlords and property managers are usually familiar with the Service Members Civil Relief Act but they often do not know the details about when it is their legal responsibility to release the tenant from their lease.

HCCI gave John a form specifically developed to address this situation. She counseled John to put his request to terminate the lease in writing to his landlord and include a copy of his deployment orders. She also counseled him to keep a copy of his letter to the landlord. John was told he could hand deliver the letter, send it by commercial carrier, or by US Post with a return receipt requested. HCCI always recommends that if the notice is hand delivered, that another person goes along as a witness.

HCCI told John about his responsibilities as a good tenant to clean the rental property thoroughly and take photos as proof that the unit was left clean and in good condition. John was told that under Kansas law, the landlord is required to complete a move in inspection with renters but is not required to conduct a move out inspection. John was given information about factors that would cause a landlord to keep a security deposit.

A satisfactory ending

John called back to tell HCCI that his landlord was not familiar with the SMCRA; however, after reading HCCI's form, the landlord said he would let John and his wife out of the lease. The landlord had no problem giving John an itemized list of any damages and/or returning John's security deposit within 30 days. John and his wife were glad HCCI could help them resolve a major issue at a stressful and busy time in their lives.

HCCI serves as a trusted resource for both landlords and renters. There is never a charge to tenants for HCCI's Rental Housing Counseling and Education Program. Landlords are asked to pay a reasonable fee for printed materials. The counseling HCCI provides keeps people in their homes.