



The primary concern of landlords and property managers calling HCCI was to inquire about their rights to pursue eviction for non-payment of rent.

HCCI is glad for the opportunity to counsel both tenants and landlords (and their representatives) about their respective rights and responsibilities. In addition to counseling, HCCI provides sample forms for renters to document (for example) requests for maintenance. HCCI provides sample forms for landlords to document (for example) the appropriate steps they may take within a timeline designated by state law to file an eviction notice.

HCCI's website provides additional information for frequently asked questions.

**Education Classes:** HCCI provided 10 free public education programs that were attended by 106 Lawrence residents.

HCCI's Rental Housing Classes address fair housing law, rights and responsibilities of tenants and landlords, appropriate behavior and communication skills. Counselors presenting classes give "real life" examples of what to expect to find in common rental documents such as:

- advertisements that include occupancy policies (standards),
- lease agreements,
- move-in and move-out checklists.

### **Outcomes of Counseling:**

As HCCI counsels each caller (tenants and landlords), recommendations are given for appropriate options and alternative steps that may be taken for the caller to attempt to resolve their rental housing issue. These recommended options and alternatives are always based on the Kansas Residential Landlord and Tenant Act, city code and Fair Housing Law.

An immediate follow-up survey question asks each person counseled the following two questions.

- a) Was the information given by HCCI, based on the Kansas Residential Landlord and Tenant Act, Fair Housing Law, and/or city code helpful and do you feel more confident about taking options and alternatives to resolve your rental housing issue?

During 2016, 98% of people surveyed immediately following counseling reported the information given was extremely helpful. They indicated they did feel more confident after receiving information from HCCI. [Includes tenants, landlords, and other concerned persons counseled.]

- b) Does the person counseled understand the recommended "next step/s" to resolve their rental housing issue based on the information given to them in the initial phone counsel and are they comfortable to take options and alternatives based on their rights and responsibilities?

During 2016, 98% of persons surveyed reported they had received helpful information from HCCI and they did understand their "next steps" options.

In addition, HCCI makes follow-up calls to at least 10% of persons counseled to ask three questions.

- a) Did the caller implement their rights and responsibilities based on the information they received from HCCI?

During 2016, 86% of persons surveyed following counseling responded they did implement their rights based on information received from HCCI.

- b) Was the caller (tenant) able to remain in their current rental unit or find suitable alternate housing, thus avoiding homelessness?

During 2016, 96% of persons surveyed following counseling reported they were able to sustain housing.

- c) Did the caller utilize community resources recommended to them by HCCI?

During 2016, 23% of persons surveyed following counseling reported they did utilize recommended community resources. It should be noted that often persons seeking counseling from HCCI have been referred by other community agencies (Ballard Center and Salvation Army for example), and are aware of community resources. But many others are unaware of other community resources (for rent and utility assistance for example) available to them. They benefit from the unique rental housing counseling provided by HCCI that is not available to them through other community agencies.

### **3. How have you impacted the citizens of Lawrence?**

**For tenants:** HCCI is especially glad to partner with the City of Lawrence to provide HCCI's much needed HUD approved Rental Housing Counseling and Education Program that compliments the progressive and pro-active work the City of Lawrence is doing to uniformly regulate and monitor rental housing code violations. HCCI saves city staff endless hours of time by helping to educate and counsel tenants, landlords and property managers about their rights and responsibilities under federal and state law and local housing codes.

It is very helpful that HCCI's contact information is listed on the City of Lawrence Rental Housing Inspection website. As described above, some tenants are reluctant to contact the city. Some fear their landlord will retaliate and attempt to evict them. In most cases, HCCI's Rental Housing Counselors can quickly determine if the tenant's complaint is a potential code violation and refer that individual to the City's Rental Housing Inspection Team and also help the renters understand the rights and responsibilities of both tenants and landlords.

When eviction is a potential possibility due to lease violation or non-payment of rent, HCCI counsels tenants about the language in the lease they have signed. HCCI also counsels about the importance of having a signed lease agreement if the caller only has a verbal agreement with their landlord.

As noted above, a primary outcome of HCCI's counseling is that tenants learn the rights and also the responsibilities of both tenants and landlords. HCCI counseling gives tenants important life skills for:

- communicating appropriately with their landlord and/or with the City Code Inspection team;
- documenting issues they are having with their landlord;
- identifying what they, as a tenant, are responsible for doing and what action steps they can take to alleviate or perhaps even resolve their issue.

HCCI Counseling also serves the community as a whole by providing:

- HUD approved workshops for landlords and property managers addressing Fair Housing Law, the Kansas Residential Landlord and Tenant Act and best practice rental housing standards. HCCI's workshops promote the premise that an informed and educated landlord/property manager is a professional landlord/property manager.
- Referral and specific "next steps" action plans for tenants and their advocates when eviction is eminent. HCCI has been - and will continue to be - a trusted local resource when eviction situations involve individual families or many families as was the case in November 2016 when the city cited 20 code violations at an apartment building in North Lawrence; when the fire in an apartment complex on 6<sup>th</sup> Street suddenly displaced many tenants a few years ago; and in 2012 with the sudden eviction of an apartment complex on West 26<sup>th</sup> Street in serious violation of city code.

**For landlords:** the primary reason landlords and property managers contact HCCI is about their rights to pursue eviction notices due to non-payment of rent. In addition to instructing landlords about the appropriate reasons for filing an eviction notice and the timeline for the eviction process, HCCI provides helpful booklets and sample forms that landlords may use to assure they are not violating the tenant's rights.

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

The City of Lawrence Rental Inspection staff probably faces some of the same barriers HCCI encounters. Examples of these barriers are listed below.

- a) Unsubstantiated information in the initial report from tenants that is often an indication of a larger issue.

Example: a report of mold is an indication of a larger health standard issue of leaking or standing water.

Example: a report of boarded windows or windows not repaired is often an indication of a larger safety issue of inadequate egress from the unit.

- b) Vague information in the initial report from tenants that is often an indication of code violation.

Example: report of portable electric space heaters supplementing the heating system is evidence of a rental that is not "weather tight" and/or a code violation regarding the space heaters and furnace.

Example: the number of permanent occupants reported by the tenant at the address may not include frequent guests (that stay).

HCCI's Tenant and Landlord Counseling service is very effectively provided by phone using a call log to respond to callers in the order their call was received. An HCCI counselor returns the call immediately if the caller (tenant or landlord) has an issue that they describe as a situation related to a court action involving an eviction.

The primary barrier for this program is that the telephone number of some callers is discontinued before HCCI can return their call within one to three days. Most often these are persons who are experiencing severe financial hardship.

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

100% of the funding was spent.

HCCI appreciates the opportunity to partner with the City of Lawrence to provide this unique service to counsel both tenants and landlords regarding rental housing issues.

HCCI provides the client situation (on the following page) as one example of the way HCCI's unique Rental Housing and Education Program helps Lawrence residents.

## Example: client situation



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Celeste, a renter, called HCCI to say she was having trouble making her rent payments so she asked her landlord if she could get a roommate to help pay rent. Her landlord readily agreed but told Celeste that she would then become the landlord for her roommate and be responsible for collecting the rent and paying him in full.

Celeste invited a friend to share her home as a roommate but soon everything went wrong. Her new roommate often came home late, inebriated, and very vocal. She frightened Celeste with verbal abuse and stopped paying rent. Soon Celeste was in a worse situation than she was a few months ago. Celeste called HCCI again.

HCCI counseled Celeste that in fact she and her roommate had entered into a verbal agreement which is binding in the eyes of the law. She was now the landlord for all practical purposes. HCCI counseled Celeste that the landlord could also have included a statement in an addendum to her lease indicating that Celeste, as the original tenant, was responsible for collecting a portion of the rent from any roommate and that she, as the original tenant named in the contract, was responsible for paying the rent in full.

This was a teaching moment. Celeste now knows that while she had full permission from her landlord to have a roommate share the cost of rent, she was still the responsible person paying the rent in full and on time.

HCCI counseled Celeste to approach her roommate when she was sober and explain that the living situation was not workable and give her a thirty day written notice to vacate, which is required by law. HCCI counseled Celeste that if she was considering another roommate to first ask the landlord if he would provide an addendum to the lease to clarify a roommate was permitted. In this case, the parties would be jointly and severally combined and each party equally and separately responsible. HCCI counseled that Celeste might also invite a potential roommate for a weekend visit to determine if they could be compatible. HCCI gave Celeste the forms that HCCI provides to landlords to screen potential tenants. These forms include questions landlords typically ask when doing a background check such as place of employment, years of employment, credit reference, and a check for any felonies and a written consent to conduct a background check. Celeste was told another good option would be to pay her landlord the background check fee (typically about \$30.00) and ask that he conduct the background check for her.

During tough economic times families and friends often “double up” to stretch budgets. This client is a good example of how HCCI is a trusted local resource providing counseling for both tenants and landlords (and property managers) about appropriate actions they may take under state and federal law and local housing codes.

HCCI Rental Housing 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 (KRLT). HCCI also provides very helpful booklets and sample forms and HCCI Counselors educate tenants and landlords about the options they may take to resolve issues.

HCCI was founded in Topeka in 1972 and opened an office in Lawrence at the request of the City Commission in 1988 specifically to provide Tenant and Landlord Counseling. HCCI's Lawrence office is located in the United Way building at 2518 Ridge Court. HCCI will celebrate its 30<sup>th</sup> Anniversary serving Douglas County in 2018.