

Sample Management Plan

(Use this sample as a guide to create a plan specific to your property/management company.)

SAMPLE MANAGEMENT PLAN

This Management Plan is developed and effective as of _____ for *XYZ Apartments, Topeka, Kansas*.

Owner's Responsibility

- A. The owner's role is to develop and provide over-sight of all policies, procedures and regulations pertaining to the operations of the *XYZ Apartments*. All policies, procedures, and regulations shall adhere to the appropriate Federal, State and local laws.
- B. The owner shall provide management with copies of all contractual documents necessary for management to develop an appropriate Leasing/Marketing Plan, and to maintain continual compliance with any special conditions outlined in the documents.
- C. Owner shall clearly communicate to management what the first year of the compliance period is to be. This will either be the year the development is placed-in-service, or the following year.
- D. Owner shall be responsible for signing the Annual Owner's Certification or for assigning the responsibility to its designee.
- E. Owner shall be responsible for notifying the State Agency of any impending changes of ownership.
- F. Owner has ultimate responsibility of compliance with all regulations outlined in the IRS Code, and as outlined in the contractual documents.
- G. Owner will maintain involvement in the operations of the *XYZ Apartments* and be available to deal with tenant disputes/grievances unable to be settled at the management level.

Management Responsibility

- A. Management is responsible for the day-to-day operations of the *XYZ Apartment* and will keep the Owner informed of relevant issues pertaining to the apartments.
- B. Management implements the owner's policies and procedures in compliance with Federal, State and local statutes.

- C. Management handles the records and files for compliance, maintenance of buildings/units/grounds and overall tenant satisfaction with their apartments.
- D. Management will hire and supervise all employees associated with *XYZ Apartments*, including site manager, maintenance, lawn care, etc.
- E. All marketing and leasing efforts are handled through management. Refer to:
 - 1) Affirmative Fair Housing Marketing Plan
 - 2) Kansas Residential Landlord and Tenant Act
 - 3) Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970
 - 4) Lead Based Paint Regulations
- F. Management ensures compliance with the terms and conditions outlined in the lease and house rules. This includes notifications of lease infractions, evictions or terminations, renewals, rent increases, notifications, handling grievances and disputes.
- G. Management is responsible to the State Agency for ensuring the property and its records are ready for site visit.

Procedures for Determining Eligibility and Certifying/Verifying Incomes

The following documents shall be used as a reference tool:

- A. Management shall refer to the State Agency's Compliance Monitoring Procedures and Reporting Forms
- B. HUD Handbook 4350.3
- C. IRS Section 42
- D. Any other program rules and regulations

Leasing and Occupancy Policies

All marketing and leasing activities shall be done in accordance with the Affirmative Fair Housing Marketing Plan.

Leases *should include*:

- A. Rent payment date
- B. Late fee policy
- C. Name, address and telephone number
- D. Lease term
- E. Property renting at
- F. Names of occupants
- G. No new occupants without prior notice/approval
- H. Special provisions
- I. Special agreements
- J. Recertification requirements
- K. Drug-Free Lease Addendum
- L. House Rules

Suggested policy rules:

- A. Accuracy in reporting (no fraud)
- B. Follow rules
- C. Equal Opportunity statement
- D. Reporting any changes of status (i.e., household composition)
- E. Any special needs (accessibility or modifications)

Rent and Collection Policies

Should outline due date and what happens if rent is not received timely. Policy should align with KRLTA.

- A. 3-Day Vacate Notice
- B. Unlawful Holdovers
- C. Damages
- D. Eviction
- E. Abandonment

Maintenance, Repair and Replacement

- A. Outline how services requests are handles and tracked. Explain the process for notice before entry.
- B. Describe preventative maintenance procedures.
- C. Describe pest control procedures.
- D. What is the standard/policy for replacing carpet/paint/appliances?
- E. Explain fines for destruction of property and/or is there a list of standard charges for items at move-out.
- F. Explain/provide notice regarding dismantling of the smoke alarm.

Tenant Participation

- A. Does the housing development have a tenant association? If so, provide details.
- B. Explain what type of security is in place.
- C. Describe what to do in a tornado or fire
- D. Explain how to operate appliances and heating/air conditioning controls.
- E. Explain how to file a grievance or notify management of problems.
- F. Explain how to make a request for maintenance assistance.
- G. Full use and enjoyment of the common areas, grounds, and facilities. Provide copies of policies for these areas/items.

Management Training

- A. Attendance at the State's Training Workshops or Housing Conference
- B. Crime-Free Multi Housing Program Management Training
- C. Fair Housing Training
- D. Describe any other required training

Sample Affirmative Fair Housing Plan

(Use this sample as a guide to create a plan specific to your property/management company. *The HUD AFHMP should be used when applicable.)

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

Management should ensure site staff are trained in accordance with this Affirmative Fair Housing Marketing Plan (AFHMP).

Direction of Marketing Activities

The plan should be designed to attract applications for occupancy from all potentially eligible groups of people in the housing market regardless of race, color, religion, sex, age, familial status, national origin or disability.

Management should observe the terms and conditions of the LIHTC contractual documents between the State Agency and the owner to determine specific targeting or the existence of a homeless unit.

The AFHMP should identify sources of marketing such as newspaper/publications, radio, TV, billboards, signage, etc.

Any radio, TV or newspaper advertisement, pamphlets, brochures, etc. must identify the complex as handicap accessible and should identify the appropriate fair housing logotype or the equal housing opportunity slogan. The Fair Housing Poster should be displayed in the rental office or the official tenant bulletin board.

Property's Signage

A permanent sign identifying the property is required for all tax credit developments. It should be located in a primary area close to the entrance and be readable by roadside. The sign should direct the traffic flow into the property where further direction would identify the leasing office.

The leasing office should be wheelchair accessible and there should be ample parking available outside the leasing office.

Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the international symbol of accessibility. The sign should be mounted on a post at a height readily visible from an occupied vehicle. In snow, the sign needs to be visible above piled snow.

When the continuous unobstructed ingress/egress handicap accessibility route to a primary building entrance is other than the usual or obvious route, the alternate route for handicap accessibility shall be clearly marked with handicap symbols and directional signs to aid a handicapped person's ingress/egress to the building, through an accessible entrance, and to accessible common use and public living areas.

Staff Training

All staff persons responsible for renting the units must have had training provided on Federal, State, and local fair housing laws and regulations and in the requirements of fair housing marketing and in those actions necessary to carry out the marketing plan. Copies of the instructions to staff regarding Fair Housing must be attached to the AFHMP and maintained as of record.

Service/Therapy Animals

Service or therapy animals should always be allowed at the request of a tenant. A service animal will have a certificate of training from the school that trained it. Management is allowed to ask for a copy of the certificate. A therapy animal will have a doctor's statement allowing the use of the animal. The doctor's statement should be provided to management as a matter of record.

Tenants with therapy or service animals should keep the animals vaccinated appropriately. Tenants should be able to care for their animals or have an alternate method of care established.

Management cannot charge deposits and additional fees for having therapy/service animals. This does not include charges for damages.

Reasonable Accommodation

Reasonable accommodation is a request made by the tenant to management that may affect policy or procedure. Management should always attempt to reasonably accommodate the request of someone with a disability.

Example: There are no individual parking spaces assigned at *XYZ Apartments*. John Smith has a disability and requests that he be assigned a personal parking place close to the entrance of the complex. Since this request would not place an undue burden on the owner/management, the request should be approved.

Reasonable Modification

Reasonable modification requests constitute a change to the physical aspects of the building, grounds, and/or apartments for a tenant's full enjoyment of the property. Reasonable modifications should be made at the owner's expense unless this would place an undue hardship on the owner. If it will, the tenant should be allowed to make the modification him/herself at his or her own expense. The owner has the right to ask that a professional complete the work. Units that have been modified must be returned to their original state unless this would not be feasible (i.e. A doorway made to be 36 inches would not be feasible to be returned to a 32 inch doorway).

Senior Housing

Senior Housing or Housing for Older Persons is allowed as an exception to the Fair Housing Law under Familial Status. Management should be well trained in renting under this exception to avoid losing this exemption under the Law for the owner.

Testers

Testers have been known to visit affordable housing complexes. If management suspects an applicant is posing as a tester, the tester should be given full cooperation. Avoiding costly discrimination charges is why training is so important for site staff.

Affirmative Initiative

The State Agency encourages property owners and managers to “affirmatively further” Fair Housing when possible. Tax Credit owners are encouraged to select at least one fair housing initiative a year in addition to what the law requires.

Sample Grievance Procedure

(Use this sample as a guide to create a procedure specific to your property/management company.)

SAMPLE GRIEVANCE PROCEDURE

The following shall be considered as the XYZ Apartments' official grievance procedure. Management staff and residents of this housing complex shall be expected to abide by the terms and conditions outlined herein.

- A. When a tenant has cause to grieve due to inappropriate treatment or a dispute with another tenant or with management staff, the grievance must be submitted in writing. The grievance shall outline the problem, date of occurrence, any person(s) involved, and be dated and signed by the resident. The letter should be hand-delivered to the office during normal business hours, if possible, for the quickest resolution.

Issues considered as an emergency or life threatening may be addressed to management by telephone, but residents should consider telephoning the Police instead.

- B. Management will review the grievance letter and clarify any missing or ambiguous issues with the resident.
- C. Within 72 hours, management will investigate the complaint to determine the factual elements of the grievance and make a determination of the best approach to deal with the grievance.
- D. The resident filing the grievance may be called upon to attend a conciliation meeting with management staff and the other resident(s) or person(s) outlined in the grievance letter.
- E. The outcome of the grievance will be documented by management and maintained as a part of the office records.
- F. Dissatisfaction with management's handling of a grievance should be voiced to management and the resident should request a meeting with the owner or owner's representative (other than management staff).
- G. Dissatisfaction with the owner or owner's representative handling of a grievance should be forwarded to the State Agency or other outside source (i.e., Housing and Credit Counseling) for resolution. If the grievance involves discrimination, it should be forwarded to either HUD Enforcement or the Human Rights Commission.
- H. At any time during the grievance process, the resident should have a right to legal representation if requested and at the resident's expense.

Contacts:

Kansas Housing Resources Corporation
611 S Kansas Avenue, Suite 300
Topeka, KS 66603
(785) 217-2001

U.S. Department of Housing & Urban Development
400 State Avenue, Suite 200
Kansas City, KS 66101-2406
(785) 551-5462

Housing and Credit Counseling, Inc.
1195 SW Buchanan
Topeka, KS 66604
(785) 234-0217

USDA – Rural Development
1303 SW 1st American Place, Suite 100
Topeka, KS 66604
(785) 271-2700

Tenant Selection Criteria

(Use this as a guide to create criteria specific to your property/management company and one that aligns with program rules.)

The Tenant Selection Criteria should be in writing and available to all applicants. The criteria should include details regarding program rules that may impact a household's eligibility, specifically those relating to income maximums and student rules.

If a minimum income standard is required, the plan must state Section 8 voucher holders are exempt from the minimum income requirement. If the criteria allows for co-signers or rent guarantors, the criteria for when that would apply and for individuals eligible to be a co-signer or rent guarantor must be included.

Suggested screening criteria is listed below.

- A. Rent payment history
- B. History of Notice of intent to vacate
- C. Any lease violations
- D. Criminal background check
- E. Credit history

The plan must detail what is acceptable and/or what is considered grounds for rejection. The fee charged for processing an application cannot exceed costs incurred by the owner/agent, for example if a third party is used.