



# Issue Brief

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## How to Develop an Eviction Prevention Plan in Affordable, Supportive, and Integrated Housing for Property Owners and their Partners

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Evictions have a negative, costly and traumatic impact on tenants, owners, property managers, service providers and communities alike. Typically, eviction prevention is introduced as a component of supportive housing to reverse the housing instability plaguing vulnerable populations. Moreover, if the goal is to create housing to help vulnerable people access and maintain housing, eviction should be the last resort. Equally important, many owners and property managers who do both supportive and affordable housing, understand that preventing evictions for tenants is also key to successfully operating their property. In the supportive housing environment, housing and service providers approach evictions with the goal of working together across all parties to proactively alleviate potential lease violations and only pursue eviction as a last resort. Many of the same principles of eviction prevention in supportive housing can be applied to affordable housing.

Recognizing the importance of preventing evictions to reduce the impact of eviction on low-income households, IHCDA added a scoring element in the 2020-2021 Qualified Action Plan (QAP). The QAP guides properties for implementing management practices in which eviction

is a last resort, and committing to report on eviction activities in annual compliance reporting. This scoring category will be in the 2022 QAP and is intended to remain in the QAP indefinitely. While the QAP mandates that developments submitting applications under the Housing First Set-Aside are required to adopt an Eviction Prevention strategy, the additional scoring incentive expands this best practice to the broader affordable housing applicant pool. [Click here to access the IHCDA 2020-2021 QAP.](#)

### EVICTION PREVENTION COMPONENTS

1. Eviction Prevention Philosophy
2. Resident Engagement Approaches
3. Community Partnerships Connecting Households to Resources
4. Roles and Responsibilities of Property Management Staff and Services Staff and Identify Mechanisms for Coordination and Communication
5. Tenant Knowledge of Roles and Responsibilities
6. Housing Retention Plans
7. Strategies for Mitigating and Responding to Common Lease Violations
8. Eviction Protocols

Each of the core components of eviction prevention should be in any eviction prevention plan. The components are listed here and then described to the left.

**Develop Your Eviction Prevention Philosophy:** Eviction prevention starts with a philosophy that everyone involved, including the owner, property manager, service providers and tenants, have the desire for tenants to be successful in their housing. Equally significant is recognizing that the legal eviction process is costly to the property owner involving legal, security, turnover of units, marketing and new tenant screening.

- Engage resource providers and stakeholders, including tenants, in dialogue to inform and design the eviction prevention philosophy and plan.

**Develop Resident Engagement Approaches:** Adopting practices that include trauma informed care, de-escalation techniques, strengths-based approaches, and good customer service is particularly useful in avoiding lease violations and practicing an eviction prevention approach.

- Tenancy sustaining services are a key part of eviction prevention and include life skills, linkages to education and employment training, and connections to primary, mental, and behavioral health services.
- Property managers and service providers should receive training to implement harm reduction protocols based on the reality that alcohol and substance use can lead to many types of lease violations. Other best practice trainings for property management may include motivational interviewing, active listening, and conflict resolution.
- Peer specialists bring lived expertise that can be effective in reaching tenants at risk of losing their housing for building trust, sharing information, and supporting the tenant in resolution of issues.

**Develop Community Partnerships Connecting Households to Resources:** Tenancy sustaining services must be a key part of eviction prevention. In supportive housing, property management and service providers develop intentional partnerships. There may be supportive service offices or a resident coordinator position on-site who helps to navigate and build relationships with service partners.

- In affordable, 100% supportive housing or integrated (affordable and supportive housing) there are relationships established through Memorandums of Understanding (MOUs). A strong MOU will outline the types of services, roles and responsibilities, communication protocols, and accountability for outcomes.
- Resources may include rental and utility expense assistance, housing counseling, legal representation, and landlord/tenant guides or handbooks.

**Delineate the Roles and Responsibilities of Property Management Staff and Services Staff and Identify Mechanisms for Coordination and Communication:** A key component in eviction prevention strategies is to have clearly delineated roles between property management and services while simultaneously identifying how these two parties work together to mitigate or avoid evictions. These roles can be outlined in more detail in an MOU, but an overview should be provided in the eviction prevention plan. Develop tenant “release of information” forms for communication between services staff and property management staff. The “release of information” form should be limited to only sharing information required to help a tenant maintain their housing.

- Property managers and owners have a responsibility to maintain the property, screen tenants, adhere to local, state and federal laws, collect rent, ensure fiscal soundness, and ensure the safety and security of the broader tenant community, as well as be a good neighbor in the community.
- Tenants are responsible for adhering to lease terms, which generally relate to payment of rent in a timely manner, maintenance of the housing unit in good condition, and to conduct themselves, their household members and guests in a manner that respects the tenancy of neighbors.
- Service providers and case managers provide intermediary support to both tenant and property management to identify concerns, explain requirements and mediate solutions when issues arise. Maintaining tenant's privacy while advocating is an important element in the role of the case manager.
- Regular communications and meetings between the case manager or service provider and property management are a valuable vehicle to identify tenant lease compliance concerns and identify the role or person best able to respond to the concern successfully. Maintenance and other staff can be resources to identify tenancy issues before they escalate to a lease violation.

**Help the Tenant Understand their Rights and Responsibilities as a Leaseholder:** Eviction prevention is often viewed as a series of steps that occur after multiple lease violations occur. However, preventing evictions starts as soon as people move into housing by assisting tenants in understanding their rights and responsibilities as a leaseholder and what they can expect from the property manager or landlord. Although much of the focus may be on the tenant and their responsibilities, there should be equal focus given to what the tenant should expect from the services, property management and maintenance staff.

- The lease defines terms related to payment of rent, utilities, late fees, maintenance of the unit, and ending a lease early.
- When an inspection or entry into a unit is necessary, the landlord is required to provide prior notice related to date, time, and purpose.
- Review procedures for repairs both emergency and regular maintenance. This review may also include who to contact in an emergency and when a 911 call is appropriate.
- Property owners cannot lock out a tenant or change locks, remove doors, or cut off utility services.
- Tenants are responsible for guests' behaviors and compliance with lease terms.
- Tenant handbooks, move-in orientation, regular meetings, and welcome kits are good resources to start the tenancy off on a good foundation. Continuing lease education at intervals throughout the lease term will help a tenant gain a solid understanding of the lease terms.

**Develop Housing Retention Plans:** If a tenant has struggled in the past to maintain housing, a housing retention plan is a good opportunity for the service provider to share with the tenant the goals, actions and benefits of a housing retention plan. If the tenant is interested, the housing retention plan should be developed by the service provider in collaboration with the tenant and

can identify areas of strength that a tenant can build on as they navigate residing in a new unit. Developing and reviewing a housing retention plan is also an opportune time to review the lease.

- Confirm with the tenant their goals to maintaining housing. Work with tenant to incorporate specific steps or actions to take in specific situations or scenarios.
- Address areas that may result in a warning or a written lease violation. Common areas include not paying rent or utilities, not maintaining the unit, or having overnight guests that either stay beyond what is allowed, or guests whose actions disturb neighbors.
- If needed, the service provider can help coach the tenant in navigating the property manager/tenant relationship.
- If applicable, inform and assist the tenant on reasonable accommodation procedures to address potential lease violations that may be related to tenant disability challenges.
- Identify family or friends that may provide support to a tenant that is facing an eviction.

**Develop Strategies for Common Lease Violations:** Eviction prevention is a range of strategies that help tenants remain housed. Since people in crisis may feel overwhelmed by the situation, eviction prevention services must help them recover a sense of control and empowerment to proactively overcome challenges. The property manager and service provider should consistently show respect for the tenants' strengths and highlight progress made. Crisis resolution should focus on personal safety and de-escalating the situation. Some clients may only need advice about how to address a tenancy situation. An explanation of tenant rights and responsibilities may resolve a conflict that otherwise would escalate into an eviction. For other, more entrenched or challenging situations, tenants may require more coaching and support from the service provider and the property manager.

- An important strategy for eviction prevention is to focus on lease violations and not behavior. For example, substance use is not a lease violation; however, it can lead to behaviors that violate the lease. The property manager should focus on the lease violation while supportive services staff assist the tenant in addressing issues that lead to behaviors that resulted in the lease violations.
- Design an assessment tool to identify potential risk factors or activities that may lead to lease violations and eviction; i.e. job or benefits loss or reduction, pattern of late payments, previous evictions or frequent moves, changes in household composition, lack of response to communications, or missed appointments. While not intended to be used as barriers to leasing, awareness of these factors can help property managers and service providers work with tenants in advance of a crisis or backlog of rental payments.
- Include information in rent notices about safety net supports such as unemployment benefits, tax credits, refunds, financial assistance, and connections to resources.
- Steps to resolve common lease violations:
  - *Non-payment of rent:* Work with the tenant to determine the cause for non-payment. It could be lack of resources, other crisis intervention, or they may have a complaint regarding the unit condition. Each reason can generate steps to resolution such as a payment plan, referral to other resources including financial budgeting, a representative payee, or a review of unit condition concerns.

- *Guests and noise levels:* Investigate the complaint and if justified, utilize verbal warnings for complaints from neighbors. If the behaviors continue, the property manager should work with the service provider to help the tenant to understand the seriousness of the violation that is putting their housing at risk, support the tenant to set limitations or gain the tools to better manage the circumstances they struggle to control. Follow-up with the tenant to solidify their confidence and success.
- *Poor upkeep of unit:* Assist tenants to document damage or repairs needed in a unit. Review with tenants their housekeeping strategies, and consequences of causing damage to the housing unit. Investigate flexible subsidy resources that may be available to complete repairs, and/or create a repayment plan with the help of service provider.

**Develop Eviction Protocols:** The process for implementing an eviction should be detailed in the Property Management or Operating Plan and referenced in the Eviction Prevention Plan. Pursuit of an eviction should require approvals by executive staff of the organizations involved. The tenant should have the opportunity to meet with the executive staff and have an advocate or case manager accompany them. Evictions should be the remedy of last resort after all avenues have been exhausted to help the tenant maintain their housing.

- A detailed appeals process, including template forms, documentation requirements and possible resolutions should be part of the eviction protocols.
- Some properties utilize an evictions prevention committee that reviews protocols followed prior to decisions to proceed with the legal eviction. This review should include details of lease violations as well as documentation of all steps taken to resolve the violations.
- Make sure your protocols incorporate knowledge of local court system, bar association, mediation or arbitration avenues, and legal aid eviction prevention programs, and comply with all mandatory legal requirements and notices. It is important to also ensure your protocols comply with all Fair Housing, VAWA, and related nondiscrimination requirements.
- Consider eviction alternatives that are less damaging for the tenant's future housing options such as cash for keys, lease termination, or the nonrenewal of an expiring lease.
- Make supportive services available to residents such as child care, financial and legal assistance prior to and on the day of eviction proceedings.



## EVICTION PREVENTION PLAN

Property Name

### Eviction Prevention Philosophy

Summarize the property's eviction prevention philosophy, or commitment to eviction prevention, in two or three sentences.

### Eviction Prevention Protocol

#### *Purpose*

The purpose of this plan is to establish a standardized framework through which PROPERTY will address lease violations with the goal of mitigating harm to the tenant and property and employing eviction only as a last resort.

#### *Roles and Responsibilities*

- Property Management: Include description.
- Tenant: Include description.
- Service Provider or other Community Partners (if applicable): Include description.
- Other (if applicable): Include description.

#### *Education and Prevention Practices*

Describe any efforts or practices that will be implemented at the property to provide tenants with education or housing stability tools prior to any lease violations occurring.

Include description of education and prevention practices here.

#### *Addressing Lease Violations*

Describe the property's policies and procedures for addressing lease violations, including but not limited to:

- The process whereby the tenant is notified in writing of the lease violation and requested to complete a housing retention plan
- The period when and method by which the housing retention plan is introduced and any resulting follow-up or check-in meetings
- Strategies for addressing specific lease violations (see Appendix A)
- Description of any informal eviction processes that will be pursued if a tenant must leave the property (e.g., nonrenewal of lease, mediation, arbitration, etc.)



We encourage and support the nation's affirmative housing program in which there are no barriers to obtain housing because of race, color, religion, sex, national origin, handicap, or familial status.



- Description of formal eviction process, only to be used in very limited instances as a last resort
- Description of the role and composition of the Eviction Prevention Committee, if applicable
- Method by which tenants may appeal informal or formal eviction decisions prior to the decision being finalized

Include description of policies and procedures here.



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## **Non-PSH Eviction Prevention Example**

### **Eviction Prevention Philosophy**

**INSERT PROPERTY NAME** considers safe and stable housing as essential to a person's health and well-being. Eviction is considered only as a final measure, after all other resolution efforts have been exhausted. To prevent escalation, we proactively engage with tenants at the earliest indication of a problem. Addressing the underlying causes of housing instability often requires a combination of services beyond housing, including financial assistance, legal aid, and access to benefits. We are committed to partnering with tenants, respecting their autonomy, and involving them in the development of solutions.

### **Eviction Prevention Protocol**

The eviction protocol process will only be used when all other eviction prevention interventions have been utilized and all partners agree that exiting the property is the only option. When possible, the property will work with the tenant to allow them to vacate without a formal eviction and the service provider will work with them to find alternative housing to avoid a return to homelessness.

1. The Eviction Prevention Committee {The Eviction Prevention Committee includes members from Property management company and services provider who are not working with the resident at the property level-fill in the staff titles/positions that will comprise the EP committee} will review information in the tenant's file, including all eviction prevention efforts, and talk with involved parties, to determine if tenant will be required to vacate the unit.
2. If vacating the unit is determined, A Notice to Vacate or a Notice of Eviction will be served to the resident. At that time staff will work with them to identify ways to avoid formal eviction and a timeline, such as referrals to other housing in the area, early lease termination, non-renewal of their lease, and settling the eviction outside of court.
3. At the same time, staff will inform tenant of their right to appeal the decision, and that they have {10 days-fill in your timeline} to appeal and instructions on how to do so.
4. Appeals for non-formal and formal evictions will be reviewed by {fill in which staff positions from your agencies—i.e. Property management Regional Manager, Regional Vice President, service provider Chief Operating Officer}. Property management will coordinate with service provider to provide a response in writing to the resident within 10 days.
5. If the resident doesn't file an appeal or vacate through informal means within the established timeline the property can file for a court ordered eviction.

- i. The final decision to file for eviction with the court will come from {must be a member(s) of executive leadership from either the PM or services agency-fill in the title of staff who will be making the final eviction determination} after evaluating the written recommendation from the Committee. All recommendations must have a written justification which should include the following:
  - The lease violation(s) that occurred by the tenant
  - Eviction prevention and mitigation efforts that were used
  - Why the eviction is the only/final option

\*Emergency eviction procedures: Any resident who has demonstrated actions that are an imminent threat to other residents or associates of {enter Property management and service provider}, or the property will be evicted immediately upon approval from the Committee and other required parties and may not be given the opportunity to move informally. This will only exist in situations when all parties agree the resident needs to vacate the property immediately.

### **Roles and Responsibilities**

Property Management Staff serves as the initial point of contact for residents experiencing difficulties, and identifying early warning signs of a potential eviction risk; Communicating properly, clearly and compassionately with residents about lease obligations, payment issues and available resources; Coordinate with services staff to connect residents to supportive services such as financial counseling or legal assistance; Maintain accurate records of all communications, interventions and outcomes related to eviction prevention efforts; and Participate in ongoing training on trauma-informed practices and fair housing laws.

Supportive Services Staff (if applicable) provides individualized support to residents, including case management, benefits navigation, and referrals to partner agencies; Facilitate resident workshops on topics such as budgeting, tenant rights, and accessing community resources; Collaborate with property management to develop and implement intervention strategies tailored to each residents' needs; Advocate for residents by helping them access emergency assistance, meditation, and legal aid when appropriate; track and evaluate service delivery outcomes to ensure continuous improvement in eviction prevention efforts.

Maintenance Staff responds promptly to maintenance requests, ensuring that habitability issues are addressed before they escalate into major problems that could jeopardize housing stability; Proactively identify and report potential health and safety hazards or property concerns during routine inspections or while on site; Communicate effectively with property management and services staff regarding maintenance issues that may impact residents' ability to comply with lease requirements.

## Education and Prevention Practices

**INSERT PROPERTY NAME** will provide clear, accessible information to all new and current residents about their lease terms, rights and responsibilities at move-in and through ongoing communication. Educational materials will be distributed in multiple formats including print and in-person orientations to ensure residents understand:

- Lease agreement provisions, including payment deadlines, maintenance responsibilities and community rules.
- The eviction process and steps to take if they receive a notice.
- How and when to communicate with property management about issues or financial hardships.
- Available support services and resources for financial, legal or personal challenges.

Regular informational workshops and Q&A sessions will be held to address common questions and empower leaseholders to take an active role in maintaining their housing stability. Materials will be culturally and linguistically appropriate, and feedback from residents will be solicited to improve the effectiveness of education efforts over time.

## Addressing Lease Violations

The following strategies are implemented to mitigate and respond to common lease violations:

- **Noise Complaint:** Tenant repeatedly plays loud music late at night, disturbing neighbors. This violates the lease's quiet enjoyment clause. The property manager will remind the residents about the noise restrictions and inform the tenant that they must reduce the noise after 10pm and refrain from playing loud music. We recommend that the tenant uses headphones if they still want to play music after 10pm. Staff will monitor any further complaints and schedule a follow-up call if we receive any more complaints within a two-week period.
- **Unauthorized Pet in Unit:** Tenant has a dog in a no-pet property, violating the pet policy. The property manager will review the pet policy with the tenant. We will allow the tenant 7 days to remove the pet from the premises or apply for reasonable accommodation, if applicable. We will try to get in touch with the local pet shelter in town (PET HOMES – 317-857-3369), to see if they are able to rehome the animal. Staff will verify that the tenant is compliant and inspect the unit after the 7-day window.
- **Failure to Pay Rent:** If the tenant is at least two months behind on rent payments the office will notify them and the service provider. We will go over the lease payment obligations and the late fee policies. The tenant will have 10 days to pay the outstanding balance, set up a payment plan, or make changes to an existing plan. We will refer the tenant to (Apricot County Township Trustees office – 317-852-7485)

- **Unit Not Maintained in Clean Condition:** The property undergoes inspections twice a month. If there is significant trash build-up and unsanitary conditions the supportive service provider will proceed with reviewing the cleanliness standards with the tenant. The tenant must thoroughly clean the unit within 5 days and maintain the cleanliness. We will refer you to (Stacys Cleaning Services – 317-858-8585). The property manager along with the service provider will re-inspect the unit within 5 days and maintain ongoing monthly checks for the next 3 months, to ensure the unit has not returned back to the original condition.

These strategies are designed to resolve issue collaboratively, reduce the risk of eviction, and promote a stable and supportive living environment for all residents.

# Individualized Housing Retention Plan

## Information Coversheet

Tenant Name: \_\_\_\_\_  
 Lease Term: \_\_\_\_\_

Identifier/Address: \_\_\_\_\_

**History of Notifications:**

Ref #	Date of Lease Violation	Violation	Action Taken
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Include here a standardized summary of the role of housing retention plans in the property's eviction prevention efforts. This summary may be used to describe the purpose of the housing retention plan as a tool to address lease violations when meeting with tenants.

### Housing Retention Meeting and Strategy Worksheet

A new workflow should be completed for each lease violation. For lease violations where multiple meetings/violations are involved, the staff member(s) conducting the meeting and date of meeting must be noted and documented for the corresponding workflows.

- **Lease Violation:** Clearly describe the lease violation, focusing on the violation as the central issue being addressed in this meeting. Include the reference number assigned to the lease violation in Section 1.
- **Education:** If necessary, review the section of the lease that was violated. Review the tenant's rights and responsibilities in terms of receiving notice, correcting the issue, participating in, or failing to participate in, a housing retention plan, etc.
- **Actions:** Share with the tenant what actions the property requires the tenant to take to correct the issue and discuss whether the tenant anticipates that they will need additional supports to make these changes. Additional supports may include being connected to a cleaning service; engagement with a community partner for assistance with medical, mental, or behavioral health needs; support from the property for enforcement of security/trespass policies; receipt of a payment plan and coaching for the payment system, etc. Clearly describe who will complete each action and the expected timeline for completion.
- **Follow-up:** Determine whether any follow-up is needed, and if so, when/where/how it will occur, what actions should be taken by the time of the follow-up, and by whom.

Name of Staff Member(s):  Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

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Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

Name of Staff Member(s):

Date of Meeting:

Lease Violation (Ref #)	Education	Actions	Follow-Up

## Individualized Housing Retention Plan: Check-in Worksheet

Tenant Name:  Identifier/Address:   
Staff Member:  Date:

### Action Item Report-Out:

Is the issue resolved?  Yes  No

If not resolved, clearly describe the actions required to resolve the lease violation, the date by which the resolution must occur, and supports to be provided, if applicable:

If resolved, describe any additional actions that the tenant, property, or partners intend to pursue individually or jointly to prevent future lease violations, if applicable:

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Follow-up Meeting Scheduled:  No  Yes      Date of Next Meeting:

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Other comments: