

Belleville Crime Free Housing Program



Crime Free Multi-Housing Program

1992

Founded By Tim Zehring
Mesa Police Department



Brief History



- ▣ Started in Mesa, AZ Oct. 1992
- ▣ 3 states by 1993
- ▣ 17 states by 1995
- ▣ 37 states by 1997
- ▣ Schaumburg IL 1999
- ▣ 1700 Communities in 44 states by 2000
- ▣ 45 states by 2010

Canada: 1st Foreign Country



- ▣ British Columbia (first) in 1994.
- ▣ Quebec in 1995.
- ▣ Ontario in 1996.
- ▣ Alberta in 2000
- ▣ Saskatchewan in 2001.

An International Program



- USA
- Canada
- Mexico
- England
- Finland
- Poland
- Nigeria
- Japan
- Russia
- Mongolia
- Malaysia
- Afghanistan
- Puerto Rico
- Antigua

History of Crime Free Program



“I challenge local housing authorities and tenant associations: Criminal gang members and drug dealers are destroying the lives of decent tenants. From now on, the rule for residents who commit crime and peddle drugs should be one strike and you're out.”

**-President Clinton
January 23, 1996**

Upheld by The Supreme Court

2000 9th U.S. Circuit
Court of Appeals.

2002 United States
Supreme Court.



Cities with Crime Free Housing



- ▣ Granite City
- ▣ Fairview Heights
- ▣ O'Fallon
- ▣ Collinsville
- ▣ Alton
- ▣ St. Clair Co.
(developing)

PROGRAM GOALS:

Reduce Crime in Rental Property

Reduce the Fear of Crime

Improve Communication

Build Trust

Goals

- ▣ Bad guys never move in.
- ▣ Their criminal friends don't visit.
- ▣ "One strike you're out" impact on
 - Parents
 - Children
 - Guests
- The property does not attract random opportunist criminals.
- Police communicate with management.
- Management also communicates with the police.
- Residents accept their responsibilities.

Criminal Behavior and Crime Prevention



To Understand Crime...



- ▣ You Need to understand the 'Criminal' Mindset
- ▣ Criminals are *PREDATORS!!*
- ▣ They sometimes *stalk* their prey!
- ▣ They look for the easy victim.

Predators Usually Prey on:

- ▣ Aged
- ▣ Sick
- ▣ Diseased
- ▣ Overweight
- ▣ Or the one who is simply not paying attention

The Two-Legged Predator...



The criminal...
works exactly
the same way!

MOST CRIMINALS LOOK FOR:

The path of least resistance

The easy target

The unaware

The fearful

General Offender Profile:

- ▣ Prefer to commit crimes with as little effort as possible.
- ▣ Prefer targets that offer the higher rewards.
- ▣ Prefer targets that offer the least amount of risk

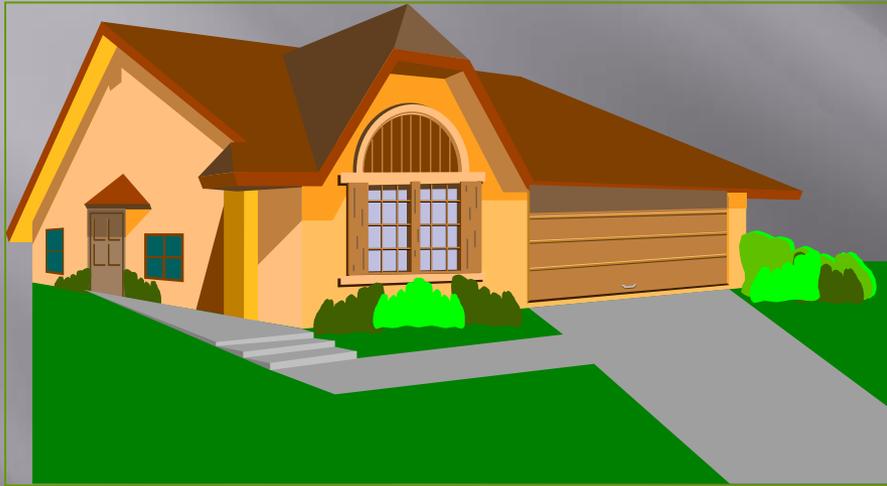
How to encourage criminal activity:

- ▣ Don't Get Involved
- ▣ Give Up Hope
- ▣ Fear Retaliation
- ▣ Expect Criminal Activity

HOW TO DISCOURAGE CRIMINAL ACTIVITY:

- *Emphasize Community Values
- *Implement Community Rules
- *Report Crimes & Follow Through
- *Increase Effort & Consequences
- *Remove Excuses & Rewards

When Criminals 'Blow Into Town'...



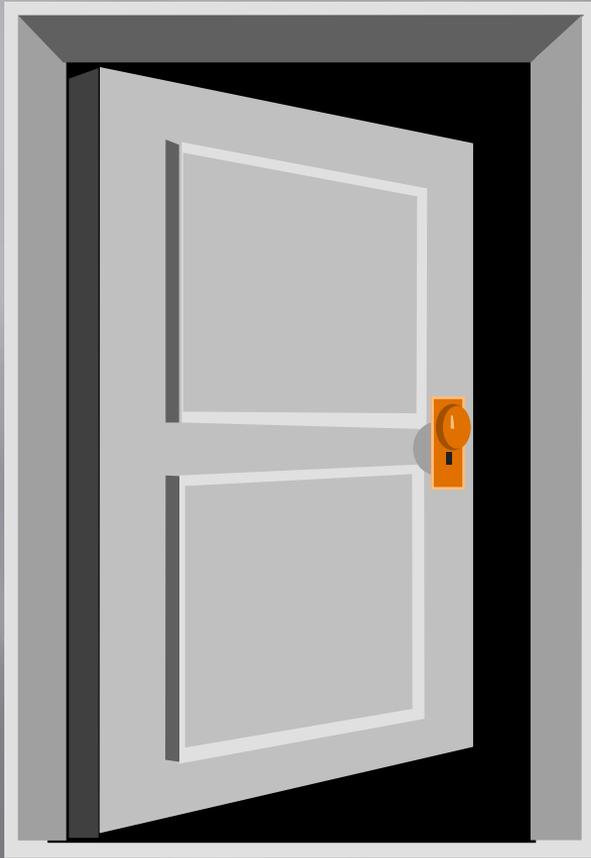
Do You Think
They Build a
House?

Criminals Prefer Rentals

- ▣ They are often very transitory in nature.
- ▣ They want to BLEND into a larger crowd.
- ▣ Asset-Forfeiture Laws do not generally apply
- ▣ If necessary, they can move away quickly.



The *BEST* Way to Prevent Crime?



Stop it at the
Front Door!

If we don't RENT to criminals:

- ▣ We keep them out of our communities.
- ▣ We cut crime in rental property.
- ▣ We cut crime, city-wide overall!



Some might ask:

Aren't you putting the landlord in the role of the police?



Absolutely NOT!



We are only keeping
the landlord in the
role of the landlord.

Who has the power?

- ▣ The police can arrest, but the offenders are usually released immediately
- ▣ They are not afraid of the police or the courts.
- ▣ Only the landlord or their agent has the authority to remove the tenant permanently for the property.
- ▣ We have more impact on tenants civilly than criminally.

**MANY PEOPLE VIEW
CRIMINALS LIKE THEY DO
BIG, HEAVY ROCKS**

You can't move them

You can't budge them

You have to work around them

Criminals are like Weeds...



- ▣ They GROW
- ▣ They ROOT
- ▣ They SPROUT OUT
- ▣ They SPREAD OUT
 - and --
- ▣ They CHOKE OUT the **good** plants!
- ▣ (Criminal tenants have that same effect in housing.)

The **BEST** way to kill a weed...



Is to uproot it!

Eviction serves that purpose. We will cover in greater detail towards the end of PowerPoint

How Can You *Predict* Who Will Do Criminal Activity?

- ▣ Best way to predict 'FUTURE' desire to do criminal activity?
- ▣ Look into their PAST
- ▣ Thorough Screening
- ▣ Proper Orientation to the Crime Free Program



Crime Prevention through Environmental Design:

- ▣ Deadbolts
- ▣ Peepholes
- ▣ Security Strikeplates
- ▣ Anti-Slide/ Anti-Lift Windows and Arcadia Doors
- ▣ Adequate Lighting
- ▣ Proper Landscaping



Safe By Design

- ▣ Four Key Elements:
 - *Surveillance
 - *Access Control
 - *Territoriality
 - *Activity Support

SURVEILLANCE: IS THE ABILITY TO LOOK INTO OR OUT OF AN AREA.

Three Types of Surveillance:

- *Natural

- *Mechanical

- *Organized

NATURAL SURVEILLANCE
IS NATURALLY
OCCURRING.
(CAN BE FORMAL OR
INFORMAL.)

Formal:

Management, Residents, Maintenance & staff.

Informal:

Mailman, U.P.S., Visitors, Neighbors, etc.

THINGS THAT
ENHANCE
SURVEILLANCE:

Proper Lighting
Proper Landscape
Proper Fencing

Proper Lighting

- ▣ Lighting
 - Motion Detected
 - ▣ Energy Efficient
 - ▣ Tamper Proof
 - ▣ At least 40 watts
 - Porch
 - Back Yard
 - Driveway



Proper Landscaping



- The 3' / 6' Rule
 - Bushes trimmed down to 3 feet
 - Trees trimmed up to 6 feet



- Window shrubs
 - Trimmed down to window sill
 - Thorny / Abrasive shrub

Proper Fencing

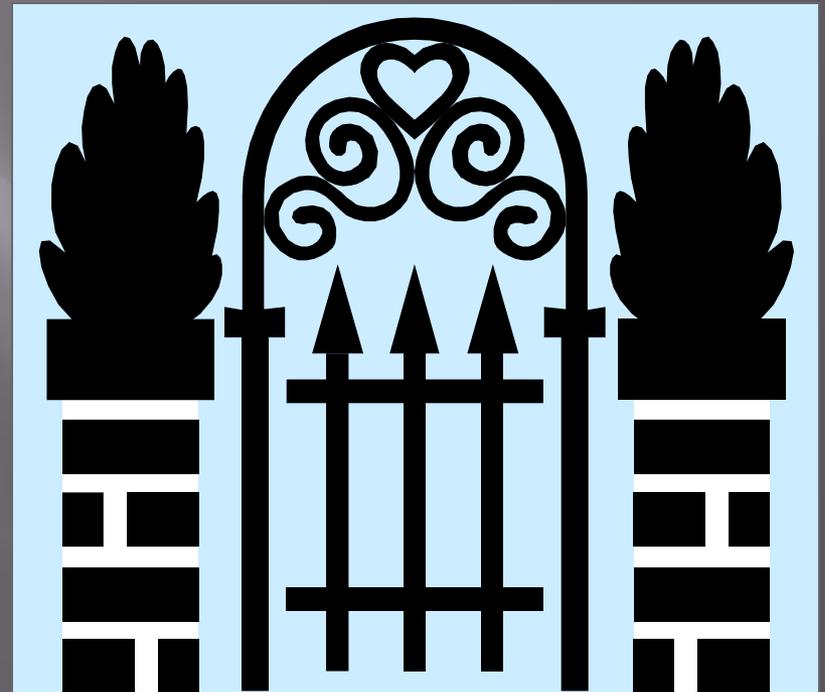


MECHANICAL SURVEILLANCE:
USING AN ITEM (OR DEVICE)
THAT IS DESIGNED TO
ENHANCE VISIBILITY.

Cameras, Mirrors
C.C.T.V., Windows

Access Control:

- ▣ Limit Access
- ▣ Deny Access
- ▣ Control Movement



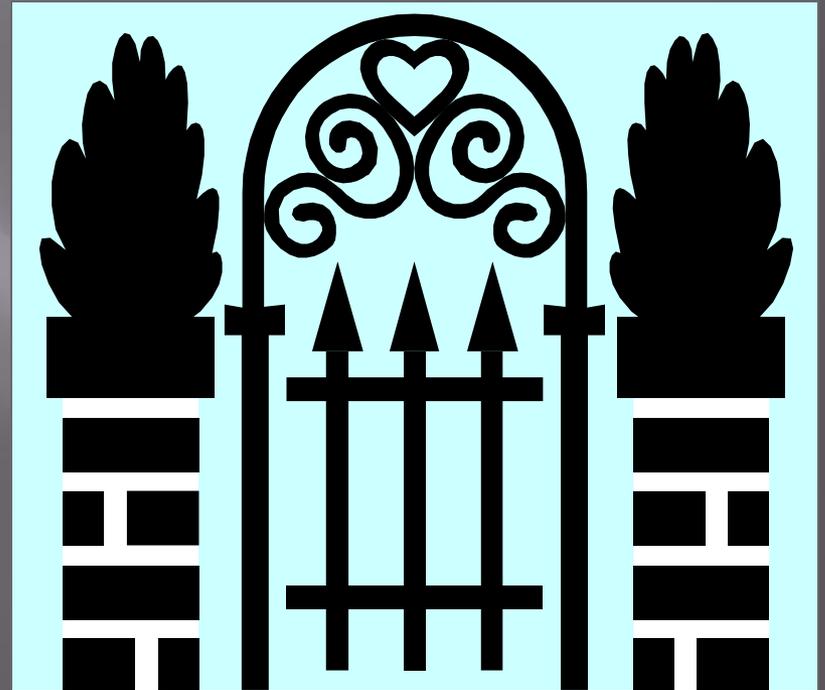
Access Control:

- ▣ NATURAL:
 - Environmental
 - ▣ cactus or
 - ▣ thorny bushes
 - ▣ rocks
 - ▣ dirt berms
 - ▣ ditches



Access Control:

- ▣ Mechanical Devices
 - ▣ gates
 - ▣ deadbolts
 - ▣ etc.



Access Control:

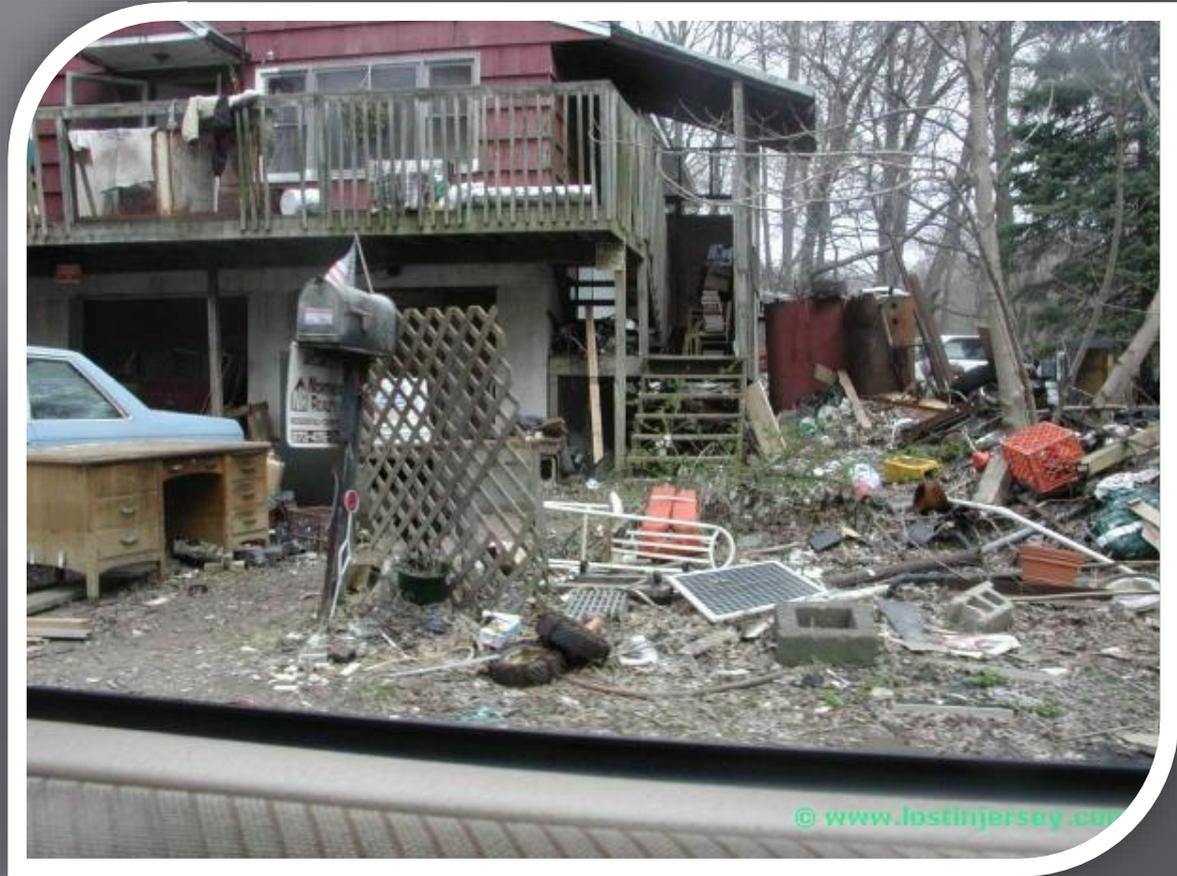
- ▣ Organized
 - Neighborhood Watch (Grass Roots)
 - Guard Shacks
 - Security
 - Resident Managers

TERRITORIALITY

The “IMPRESSION” you
get when you look at a
property.

Curb appeal

What does your
yard / house
say about you?



TERRITORIALITY:

Two Components:

Maintenance

Defensible Space

MAINTENANCE

- Clean and Fresh
- No Graffiti
- No Litter
- Etc.



Refuge for offenders:

- ▣ Tall shrubs and overgrown trees
- ▣ Alcoves and recessed areas near structures
- ▣ Blind corners
- ▣ Poor transitional lighting

Broken Window Thesis:

- ▣ Increase in the unrepaired physical deterioration.
- ▣ Increased concern for personal well-being & safety.
- ▣ Decreased resident participation in local events.
- ▣ Increased vandalism, disorderly behavior, rowdiness and also increased delinquency among the residents.
- ▣ Further increase in deterioration process.
- ▣ Further withdrawal of residents and increased crime from outside offenders.

Physical Deterioration

- ▣ Control physical deterioration to reduce the offenders' perception that management doesn't care about or defend their territory.
- ▣ Making physical improvements in certain areas may reduce the idea that the area is going to be an easy opportunity for a criminal activity.

Applicant Screening



HAVE A STATEMENT OF RENTAL POLICY

Have WRITTEN and clearly POSTED policies.

Apply them EQUALLY to All Prospective Residents.

FEDERAL FAIR HOUSING LAWS PROTECT:

- ▣ Race
- ▣ Color
- ▣ Gender
- ▣ Religion
- ▣ Familial Status
- ▣ National Origin
- ▣ Handicap (ADA)
- ▣ Sexual Orientation

**A Person's behavior
is not a protected
class.**

Criminal Behavior & Problematic Behavior

Would you like to live next to a drug dealer, gang member, or renter that has loud and drunken parties every weekend?

The Rental Application:



- ▣ Should Ask About Criminal History
- ▣ Felonies AND also Misdemeanors!
- ▣ *Plea Bargains*
- ▣ Probation/Parole
- ▣ About Current Criminal Activity
- ▣ Illegal Drug Use

The WORST time to 'screen'
your residents?



DURING THE
EVICTION
PROCESS

The Crime Free Addendum

- ❑ Should be presented *BEFORE* they fill out the application.
- ❑ Staple it to the application.
- ❑ Should be presented the same way to all prospective renters.
- ❑ Can be made into a poster on your wall.



Attachment C



City of Belleville
101 S. Illinois St
Belleville, IL 62220
(618) 233-6810

Health and Housing Department
213 S. Illinois St
Belleville, IL 62220
(618) 233-6817 Fax (618) 233-8152

Crime Free Rental Agreement Addendum

The Tenant, any occupant or member of the tenant's household, any guest or any other person or persons associated with the tenant or his or her household, at or near the leased premises (Rental Unit), common areas or appurtenances:

- 1) Shall NOT commit any act or omission that would constitute a felony or a Class A misdemeanor under Illinois law;
- 2) Shall NOT engage in any act intended to facilitate the commission of any act or omission that would constitute a felony or a Class A misdemeanor under Illinois law.
- 3) Shall NOT use or permit the use of the leased premises (Rental Unit) for the commission of any act that would constitute a felony or a Class A misdemeanor under Illinois law;
- 4) Shall comply with all statutes, ordinances and requirements of all municipal, state and federal authorities now in force, or which may hereafter be in force, pertaining to the leased premises (Rental Unit) which is the responsibility of the Tenant or relate to the conduct of the Tenant.

Any violation of the above provisions shall be a material and irreparable violation of the Rental Agreement and good cause for immediate termination of tenancy and recovery of the leased premises (Rental Unit). Unless otherwise provided by law, proof of a violation shall be established by a preponderance of the evidence.

In case of conflict between the provisions of this Addendum and any other provisions of the Rental Agreement, the provisions of this Addendum shall govern to the extent permitted by applicable law.

This Addendum is incorporated into the Rental Agreement executed or renewed this day between the Owner / Landlord / Managing Agent and the Tenant.

This Addendum must include the address of the Rental Unit. It must also be signed and dated by the Owner / Landlord / Managing Agent and all Tenants / Occupants of age 18 or older.

Rental Unit Address: _____

_____ Landlord Printed Name	_____ Landlord Signature	_____ Date
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_____ Tenant Printed Name	_____ Tenant Signature	_____ Date
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_____ Tenant Printed Name	_____ Tenant Signature	_____ Date
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HOW TO VERIFY INFORMATION:

Don't Take Shortcuts

Compare ID to Information Given

Identify PREVIOUS Landlords

Have a STANDARD List of Questions

HOW TO VERIFY INFORMATION:

Get Co-Signers

Verify Income Sources

Run a Credit/Criminal Check

Verify Other Information Per Your Criteria

MOST IMPORTANTLY:

WHEN DENYING AN APPLICANT

“Plan your words **VERY CAREFULLY**-- Most discrimination suits are filed when the manager said too much.”

Property Management Magazine: Oct. 1992

Background Check Sources:

Landlord Tenant Services:

www.LTservices.us

Landlord Shield

www.mylandlordshield.com

Welcome Home (CIC)

www.tenantscreeningonline.com

Addl. Background Check Source

KMA Certified Testing Inc.

6400 West Main Street Suite 1A

Belleville, Illinois 62223

618-213-7668

CRIME FREE LEASE ADDENDUM

This is attached in your packet

Rental Law- Resources for eviction and other legal information

- ▣ A landlord must have a legal reason, or cause, to make a tenant move out of a rental unit before the tenancy term has ended. There could be several potential reasons for a landlord to end a tenancy early. The most common reasons have to do with the tenant not paying rent or violating the lease or rental agreement. The landlord can also end a tenancy early if the tenant has used or dealt drugs at the rental unit. Different notices are needed for these different situations.

Five -Day Notice to Pay Rent

- ▣ Five-Day Notice to Pay Rent: If a tenant fails to pay rent when it is due, the landlord can give the tenant a five-day notice. This notice will inform the tenant that unless the tenant pays rent in full within five days, then the landlord will terminate the tenancy and begin eviction proceedings against the tenant 9see 735Illinois compiled statutes 5/9-209.

Ten-Day Notice

- ▣ Ten-Day Notice: If the tenant violates any portion of the lease or rental agreement. The landlord does not need to give the tenant any time to correct the violation. If the tenant doesn't move out within 10 days, then the landlord can terminate the tenancy and file an eviction lawsuit with the court (see 735 ILL Comp Stats 5/9-210).

Unconditional Quit Notice

- ▣ Unconditional Quit Notice: A landlord can evict a tenant who uses or sells illegal drugs or controlled substances on the premises of the rental unit. This notice informs the tenant has 5 days to move out of the rental unit. If the tenant does not move out by the end of the five-day period, then the landlord can terminate the tenancy and file an eviction lawsuit against the tenant (see 740 Ill Comp Stats 40/11).

30 Day Notice of Eviction

- ▣ 30 day notice of eviction may be used by a landlord to terminate a month to month or oral lease for any or no reason.

Delivering Notices to tenants

- ▣ Lawfully evicting a tenant under Illinois law requires delivering proper service of process to the tenant. You have a couple options for properly delivering the notice, you can either
 - ▣ Hand deliver the notice to the tenant or someone who is at the rental unit that is at least 13 years old.
 - ▣ Leave the notice on the ground in front of the tenant in cases where the tenant refuses to accept it.
 - ▣ Send the notice via certified mail receipt requested.
 - ▣ Post the notice on the door of the rental unit if nobody appears to be living there.

Affidavit

- ▣ Complete an affidavit of service and have it notarized. The affidavit of service is an official document stating that you have delivered the notice of eviction to the tenant. Check with your local eviction court for specific affidavit of service procedures that must be followed.

Complaint

- ▣ File a complaint if the tenant does not remedy the situation or vacate the rental unit. Complaints can be filed with the St Clair County Circuit Clerks office. There will be a filing fee. After paying the fee you will be given a copy of the complaint and a summons, which will include a court date that you and the tenant must attend.

Court

- ▣ Bring a copy of all pertinent information associated with your lease and violations to court.
- ▣ If you win your case the tenant will generally be required to vacate the premises in less than 30 days. Every case is a case by case basis.

Belleville Police Department Code Enforcement Division

- ▣ (618) 234-1212

- ▣ Kristen Hoepfinger, Crime Free Housing Assistant
 - ext. 4283

- ▣ Det. Brenda Donat
 - ext. 4282
 - donatb@bellevillepolice.org

- ▣ MSgt. Sam Parsons
 - ext. 4285
 - parsonss@bellevillepolice.org

Belleville Police Department

- ▣ For non-emergency calls
 - 618-234-1212
 - ▣ ext. 1711
- ▣ Emergency Dial 911