

# Housing Division Tenant Damage Billing Procedure

Approved 6/1/16

In order to address physical damage to Housing units fairly and consistently, this procedure explains what maintenance and repairs are the responsibility of Housing and what maintenance and repairs are the responsibility of the Tenant. When the Tenant is responsible, the Tenant may either make the repair or pay Housing to make the repair. This procedure covers the steps we will follow to: document damage, determine the cost of repairs according to the *List of Charges* (included at the end of this procedure), notify the tenant of such cost, and administer and collect those charges.

## ***When Problems Arise***

Tenants are required to notify the Housing Office of any maintenance issues within the unit so that they can be repaired. Inspections are another way the office is notified of the need for repairs. In either case, when a service request is made and the Work Order (WO) goes out to a Technician (following the *Housing Division Work Order Procedure – HDS*), once onsite Maintenance staff will have to make the determination for each WO whether or not it is tenant damage or normal wear and tear.

## Tenant Responsibilities

As a tenant you have certain housekeeping responsibilities to keep the unit safe, clean, and habitable. You are obligated to:

- Keep the rental unit as clean and safe as possible.
- Dispose of garbage, rubbish, and other waste regularly and in a safe way.
- Keep plumbing fixtures as clean as their condition permits.
- Fix things you, your children, your pets or your guests break or damage.
- Notify Housing promptly of defective or dangerous conditions on the property.

Tenants are responsible for day-to-day minor maintenance, for example:

- Light bulb replacement.
- Smoke-detector battery replacement.
- Snow shoveling.
- Lawn mowing.

Tenants are responsible for repairing or replacing things that are broken or damaged by you.

- Door handles and hardware.
- Light fixture shades or coverings.
- Cabinet drawers or hardware.
- Doors and windows.

- Plumbing fixtures – if your toilet is clogged because a child flushed a toy or your babysitter flushed a diaper – do not expect Housing to pay for the repair.
- Damage from water leaks that go unreported are your responsibility. If damage to a floor or wall cabinet results from a leak that you failed to report, that damage will be charged to you.

Tenants must not change door locks without notifying Housing. Under the lease, Housing may enter the home to repair or inspect, and if we have to force a door open because you changed the lock without notice – the cost falls squarely on the Tenant.

### Landlord Responsibilities

The Landlord (Housing) is responsible for making sure the rental unit is “habitable.” That means that Bois Forte Housing will make repairs and do maintenance to ensure that the unit has adequate heat, water, electricity, and is structurally sound. (Housing will be sure that the unit is clean when you move in, but after that ordinary housekeeping by the Tenant must keep it clean.)

Housing will, for example, do the following:

- Replace carpeting that is worn due to normal wear and care.
- Repair or replace both ventilation fans and electrical fixtures that fail (other than light bulbs).
- Repair or replace plumbing fixtures (except when damage is due to misuse).
- Replace heating elements that fail under ordinary use.
- Replace smoke and/or CO detectors that fail.
- Maintain floors, stairways and railings in good repair.

### *Documenting the Damage*

When a request for service is made, the staff person who first receives the request will review all available information and if it appears to be the Tenant’s responsibility, will write “tenant damage” on the digital copy of the form near the repair information. The Maintenance Technician, to whom a WO is assigned will make a determination of whether the repair is the Tenant’s responsibility or Housing’s responsibility. The Maintenance Technician will make the determination of responsibility and the reason for it on the request for service.

When a service request is called into the office and it is initially unclear if it is normal wear and tear, the staff person simply writes the request as usual, leaving it up to the Technician to determine once on site.

Ultimately, it is the Maintenance Technician that determines whether or not the repair or replacement needed to complete the service request is billable to the Tenant, or is a cost to be borne by the Housing Department.

## ***Tenants Fixing or Paying for Damages***

### ***Tenant Agrees to Repair/Replace Damages Themselves***

Once a determination of tenant responsibility has been made by the Technician, the Technician may ask the tenant if they are able to repair or replace the damage, so long as it is not hazardous to the tenant. If the tenant agrees, they must sign the WO Form stating they will have the repair completed by a certain date within a reasonable timeframe. The Technician signs it as well. The WO Form is then brought into the office and an office staff person enters the information into HDS to the corresponding WO. A copy is mailed to the tenant as a reminder, the original copy with signatures is placed in their tenant file. The same Technician to whom the service request was originally assigned to is thereafter responsible for verifying that the tenant had completed the service request.

### ***Tenant is Unable or Does not Wish to Repair/Replace Damages Themselves***

If the tenant and other household members are unable, unwilling, or the repair required is beyond their skill level, Maintenance staff will instruct the tenants how to perform the repair, so long as there is no safety concern. If there is a safety hazard issue, Maintenance staff will carry out the service request. The tenant will be provided a *Tenant Damage Billing Information Sheet* for their reference as to the potential cost of the repair. The information sheet is provided at the end of this procedure.

### **Charging to the Tenant**

All cost associated with repairs and replacements need to be indicated on the WO Form. The tenant must sign the form acknowledging the charges that are going to be posted to their account.

The Technician turns the form in to the Office Manager, and he or she writes a memo to Accounts Receivable to post the charge to the tenant's account. Payments are due within 30 days of the posting. A copy of the letter is then sent to the tenant, along with a copy of the WO Form, reminding them of their duty to pay for the tenant damage.

### **Disputes**

In the event that a Tenant does not agree with a determination of Tenant responsibility, the Tenant must notify the Housing Office within ten (10) working days. The Housing Commissioner and the Maintenance Supervisor will have the final say as to the final determination of responsibility.

### **Tenant Refusal to Pay**

If the Tenant refuses to pay, the lease agreements each clearly state that the contract could be terminated due to the nonpayment.