

# HOUSING AUTHORITY OF THE CITY OF FRANKLIN

## **POLICY FOR RENT COLLECTION AND THE WRITE-OFF OF VACATED TENANTS' ACCOUNTS RECEIVABLE**

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RESOLUTION NO. 7 OF 2011

Adopted January 26, 2011

A. PAYMENTS

1. The rent payment and other charges to be paid by Tenant, without demand by the Authority, shall be due and payable in advance on the first day of each month.
2. If any portion of the rent remains unpaid at the close of business on the tenth (10th) of the month, an official Lease Termination Notice and Notice to Quit may be served on the tenant.
3. Tenant payments shall be delivered or mailed to the Housing Authority's Main Office, located at 1212 Chestnut Street, Franklin, PA 16323. Tenants have the option of having the rent and charges automatically deducted from a checking or savings account.
4. Checks and money orders should be made out to: Housing Authority of the City of Franklin. Cash is not accepted.
5. If payment for the rent and charges is mailed or placed in the drop-off box and a receipt is desired, the Tenant must provide a self-addressed, stamped envelope. Otherwise, the Authority will include the receipt with the next billing notice.
6. Late payments and repeated late payments may result in eviction. A Resident against whom court proceedings are initiated by the Authority, shall, if the Authority prevails, become obligated to pay all expenses incurred by the Authority related to initiating said court action, including but not limited to attorney fees, service costs, court and other legal costs due to processing said action, costs of execution and collection, in addition to rent and other charges, i.e., utilities and damage awards. The total of all costs will represent the total monetary obligation of the resident due and payable to the Authority. Payment in full of all due rent, any subsequent months' rent, and other charges may be accepted by the Authority at any time and may be accepted under protest.

B. VACATED TENANTS

1. Tenants who have vacated (hereinafter, "Vacated Tenants,") with a balance remaining due and unpaid on their account, after the transfer of the security deposit, are obligated to pay the account balance in full.
2. Vacated Tenants' account balances remaining due and unpaid shall be annually written off by action of the Authority Board, prior to the close of the fiscal year. A resolution shall be presented to the board listing the Tenant's name, leased address, term of tenancy, and the account balance to be written off.
3. Vacated Tenants who have account balances due and unpaid will be reported to the credit bureau.
4. Vacated Tenants who have account balances due and unpaid will be reported to the Department of Housing and Urban Development.
5. Vacated Tenants who have account balances due and unpaid will be reported to other subsidized housing programs.
6. Vacated Tenants who have account balances due and unpaid or written-off account balances will not be offered housing until the account is paid in full.
7. Vacated Tenants who have account balances due and unpaid or written-off account balances will only be given a payment agreement to facilitate installment payment of amounts due. Such a payment agreement will not make the family eligible to place an application for housing assistance until all amounts due have been paid in full.
8. Nothing contained herein shall preclude any or all collection efforts, at any time, of amounts remaining due and unpaid from any tenant, whether or not such tenant has vacated and whether or not such amounts have been written off.

C. PROCEDURES

1. PAYMENTS

- A. Ordinarily, the Project Manager shall receive tenant payments.
- B. The Project Manager generates the receipt that shows the amount of the payment, the type of payment, the date the payment was received, and prints two copies (one for the tenant and one for the housing authority).
- C. A deposit log is generated and verified to the actual payments.
- D. The Project Manager takes the deposit to the bank.
- E. Payments may be received "under protest" when any dispute exists between the tenant and the Housing Authority or when any tenant is in default or any lease violation has occurred.
- F. Records of accounts remaining due and unpaid shall be kept in perpetuity and payment in full shall be required prior to consideration of any application for housing assistance.

2. Eviction/Judgment Collection

- A. The Project Manager or any other Housing Authority Employee, together with the Housing Authority Solicitor may pursue any or all methods of collecting judgments consistent with Pennsylvania law and HUD regulations whether or not an account has been written off by the Authority.
- B. In the event possession is granted as the result of an eviction case, the authority always reserves the right to file for possession and nothing contained in this policy shall be construed to abridge that right.
- C. All amounts due the Authority may be collected by any and all means provided by the laws of the Commonwealth of Pennsylvania and by all means not restricted by HUD regulations.