



# Commonwealth of Massachusetts

## EXECUTIVE OFFICE OF HOUSING & LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Edward M. Augustus Jr., Secretary

### Attachment B

#### Vacant Unit Best Practices

EOHLC presents this series of best practices for Local Housing Authority (LHA) vacant unit turnover processes. Critically, these best practices should help LHAs re-occupy units as quickly as possible, to maximize the use of this scarce affordable housing resource.

A successful turnover procedure will involve *both* LHA administrative and maintenance staff. The process below is not a one-size-fits-all formula and LHAs should strive to develop a consistent procedure that works well for their agency. In general, however, the vacancy turnover process should always include several basic steps (some of which can happen simultaneously):

1. Receive thirty (30) day notice to vacate from tenant or lease is terminated;
2. Conduct move-out inspection with the vacating tenant (if possible);
3. Change locks;
4. Perform vacant unit inspection (LHA assesses the needed maintenance repairs, estimate costs and timeline for completion, requests waiver if needed). At times, this may be conducted at the same time as the move-out inspection. Assess any legal or storage needs regarding abandoned property left in the unit;
5. Inform tenant selection staff of the vacancy and provide an estimated maintenance ready date;
6. Conduct CHAMP tenant selection (list pull) to identify an eligible/qualified applicant that will coincide with the maintenance ready date;
7. Report the vacancy in the EOHLC online reporting system immediately. All vacancies must be reported within thirty (30) days of the vacated date;
8. Create a vacancy work order;
9. Maintenance and/or Contractor perform the necessary work;
10. Conduct a quality control inspection *prior* to lease-up;
11. Enter Maintenance Ready Date and updates occupancy data in the EOHLC online vacancy system;
12. Conduct Move-in inspection with new tenant.

LHAs do not always have the time and resources to perform major capital improvements during the vacancy turnover, but they should use the process as an opportunity to thoroughly assess the current and future capital needs of the unit and/or property.

Each major step in the vacancy turnover process is described in more detail below:

## Notice of Vacancy

- In most cases, the LHA will receive a thirty (30) day notice from the tenant. Administrative staff should promptly report any upcoming vacancies to LHA maintenance staff. Strong communication between administrative and maintenance staff is crucial. A successful and efficient unit turnover process should simultaneously focus on the performance of maintenance work and the administrative aspects of re-occupancy. By communicating regular updates regarding the turnover status, both teams can improve their coordination and operational effectiveness.
  - **Best Practice:** Maintenance staff should change the locks on the same day the occupancy ends, or after the lease is terminated.
  - **Best Practice:** A white/dry-erase marker board placed in the administrative office is a great visual aid to keep your vacancies organized, on schedule, and out in the open. You may also choose to use an excel spreadsheet. If using a spreadsheet, you should distribute it electronically with regularity, post it in a central location and update it with every new vacancy and/or any changes in the progress of a given vacancy. LHA staff should check it daily.

## Move-Out Inspection

- Following the thirty (30) day notice to vacate, or termination of the lease, the LHA should schedule a move-out inspection with the vacating tenant (if possible); this inspection should be used to assess the condition of the property and identify any necessary repairs or maintenance issues that need to be addressed;
- The Executive Director and/or other assigned administrative employee should accompany the designated maintenance person conducting the inspection;
  - **Best Practice:** Bring the move-in inspection report/last annual inspection report and any pictures for reference;
- During the move-out inspection the LHA should also assess for damages beyond normal wear and tear, including damage caused by the occupancy;
- The move-out inspection is a great opportunity to get a *general* sense of what will be required for the unit turnover, such as, the need for a potential waiver and to order any obvious materials like paint, flooring, hardware, cleaning supplies and schedule contractors, as required.
- **Best Practice: The tenant selection process and the maintenance turnover process should begin at the same time.** If you do not have an active list(s) in CHAMP from which to fill a unit, you should pull a list in CHAMP, ideally as soon as the tenant provides notice of termination, or when designated maintenance staff communicate that the vacancy inspection revealed that the turnover does not call for major capital work.

## Vacant Unit Inspection

- Once the-tenant has moved out, the LHA should conduct a formal vacant unit inspection to determine the scope of repairs, waiver needs and the estimated maintenance ready/ turnover time. Maintenance staff must notify the administrative team of the estimated maintenance ready date.

- **Best Practice:** If possible, conduct this assessment on the same day the tenant moves out.
- **Best Practice:** Maintenance staff provide relevant administrative staff with the estimated maintenance ready date, on the same day the vacant unit inspection is completed.
- Documentation, which could be written, photo, or video, should be created during this inspection. Maintenance should also make a list of what will be required for the unit turnover. Adhere to [procurement regulations](#) while ordering any additional materials like paint, hardware, cleaning supplies and, if needed, procuring and scheduling contractors. This information will help create your vacancy work order and/or vacant unit checklist, and if appropriate, vacant unit waiver request.
- What to look for? Conditions that could lead to re-occupancy delays such as extensive repairs and/or procuring outside contractors:
  - Carpet or other flooring.
  - Appliances
  - Cabinets
  - Plumbing
  - Electrical
  - Building Envelope/Carpentry
  - Other Conditions that may require a waiver or capital repair.

## Report the Vacancy

- **IMPORTANT:** LHAs must report all vacancies to EOHLC in the online vacancy system within thirty (30) days of the unit surrender or lease termination.
- If the unit cannot be leased within thirty (30) days due to physical condition or administrative challenges, review [PHN 2024-03](#) and the [waiver table](#) to determine if the reason that the unit cannot be leased within thirty (30) days fits one of the available waiver criteria. If so, the LHA should request a waiver in HousingApps. Be sure to include the necessary information in your request.
- To comply with PMR guidelines, Local Housing Authorities (LHAs) must request waivers within thirty (30) days to avoid a finding. Additionally, LHAs are required to request waivers before sixty (60) days to prevent incurring vacancy fees.
- If you lack the maintenance staffing or resources to quickly turnover the unit, please consult with your EOHLC Facility Management Specialist (FMS)
- If capital/significant work is required, consult with your EOHLC Construction Advisor (CA) or RCAT Project Manager.

## Create a Work Order/ Maintenance/Contractors Complete Necessary Work

- Every vacant unit must have a corresponding Vacancy Work Order.
- LHA should also consider using a Vacant Unit checklist which should include creation and completion dates and reflect all work being performed within the unit.
  - **Best Practice:** Every vacancy should have a vacant unit turnover checklist posted in the unit. All work should be tracked and documented. Maintenance staff should date and initial each item, as completed. When completed, maintenance staff should include the

checklist as an attachment to your vacancy work order and file it at the administrative office.

- The checklist will ensure consistency in unit turnover and increase accountability among staff. Please reach out to your assigned FMS to request a template or help developing a checklist. All required work should be easily referenced in the form of a checklist or work order.
- Supervisory or management staff should physically check the unit weekly to ensure it is on schedule.
  - **Best Practice:** LHA Administrative and Maintenance staff should communicate frequently to discuss progress and completion timelines.

### **Final Inspection by LHA BEFORE lease-up.**

- Supervisory or maintenance staff should conduct a final walkthrough to ensure all items are completed and unit is ready for lease-up.
- Document the unit condition with photographs, video, or other written documentation.
- Enter the final maintenance ready day and relevant occupancy data in the EOHLC online vacancy system.

### **Move-In Inspection**

- The LHA must conduct a move-in inspection with the new occupant, including a pest inspection as required by the 2023 State Sanitary Code changes, [105 CMR 410.550](#) sections, (F) & (G);
- LHA and Tenant both sign off on move-in inspection form acknowledging condition of unit at time of lease-up, including the results of the pest inspection;
- LHA should provide a copy of the inspection results to tenant, and also file its own original in the tenant file including any pictures of unit condition at time of lease-up. These photographs may be needed to establish tenant caused damage in a lease enforcement case.

### **Special Circumstances**

The above guide describes a typical vacancy turnover procedure. However, EOHLC recognizes that LHAs face many different circumstances such as:

- Unexpected death or nursing home admission;
- Evictions;
- Tenant vacates without notice, or the LHA is uncertain whether the tenant intends to return to the unit;
- Abandoned Property is left behind following lease surrender or termination.
  - **Best Practice:** LHA Maintenance and Administrative staff should all be familiar with the [EOHLC standard form lease](#) which includes the procedure to follow when property is left behind following the end or termination of the lease.

The LHA should always take reasonable measures to make sure a vacant unit is safe, being proactive to make sure the property is responsibly cared for, including:

- Make sure the unit locks are changed, and the unit is locked and secure;
- Make sure unit is heated/cooled at an adequate temperature to help prevent frozen pipes or the unit overheating;
- Make sure the oven is off;
- Make sure all faucets and water sources are turned off;
- Make sure windows are locked and the unit is secure;
- Remove anything that would attract bugs, trash, etc.
- **Best Practice:** Always leave a notice of entry that includes the date, time and reason for entry.

Unit is not vacated unless keys are turned in, the tenant has confirmed in writing that they are no longer returning to unit and the LHA can dispose of property left behind, or there has been a legal declaration that the lease is terminated, usually in housing or district court. The LHA should also ensure that any paid rent on the unit has lapsed and confer with legal counsel before the LHA begins any unit turnover work, particularly when a unit has paid rent on the books.

Every circumstance is different, and an LHA will need to carefully assess the risk before storing or moving property based on the specific circumstances of the tenancy that has ended. Advice of counsel can be helpful, and often necessary, in these situations.