



## STANDARD OPERATING PROCEDURE – LATE RENTS & EVICTION

### Standard Operating Procedure

| Maintenance > Payments > How to Process bills? |       |                   |     |
|--|-------|-------------------|-----|
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## PURPOSE:

This SOP provides step-by-step instructions to be followed to evict when any Tenant fails to pay rent within the stipulated timeframe.

## OBJECTIVE:

1. Follow up with Tenants who aren't paying rent on time
2. Apply Late Charges
3. Initiate Eviction Process if still unpaid

## PROCESS OVERVIEW:

1. When any Tenant is due 10 days of paying their rent:
  - a. Verify whether the rent is still paid or not
  - b. Follow up and request payment
2. If still there is no response, start the eviction process.

### Note:

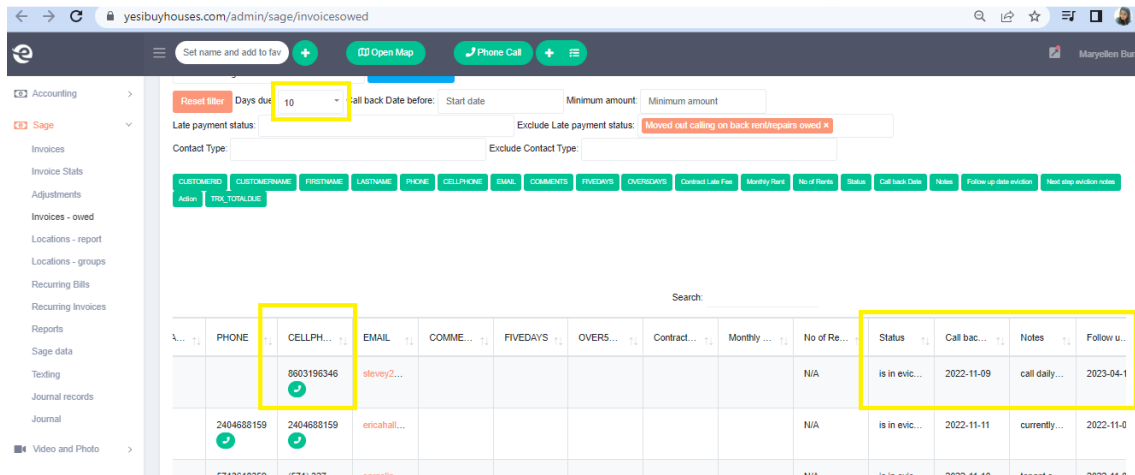
- *Do not wait for more than 10 days. Initiate the Eviction process immediately. For example, if the rent is due on 1st November and the current date is 10th November, they are already due for 10 days. Hence, immediately call the attorney and start the eviction process on the 10th day itself.*
- *Exception: If the Tenant has a long history with us and never paid late, try to reach them for another 2 more days using the hammer time approach. If there is still no response, then start the Eviction process.*

## LATE RENTS

### LATE RENT FOLLOW UP STEPS:

1. Before proceeding to follow up, follow the below steps to verify whether the payment is still due or not:
  - a. Navigate to [yesibuyhouses-invoiceowed](#) link
  - b. Check the status of Tenant's whose payment is due 10 days
  - c. Select 10 from "Days due" drop down. The data related to selected 10 days appears.
  - d. Check the last **payment status, notes and status** before proceeding with the follow up.

*Note: If the status is already "In Eviction", check the notes column and follow the Eviction steps as mentioned in the "[Eviction](#)" section.*



- e. Check [ZOHO](#) to verify whether any rent payment is made in the last 7 days
- f. Check YIBH and select filter “Past 7 day’s active and closed bills”
2. Once confirmed that the payment is still past due using the above, follow up using the below methods and their respective scripts in sequence based on the Tenant’s response:
  - a. [Call](#)
  - b. Send [email](#)
  - c. Send [Voice Mail](#)

## Call Script

*Hey XXX! This is XXX calling from the Rental office. I hope everything is okay?*

*I’m just reaching out as we haven’t received your rent payment for the month of XXXX.  
Your rent amount of \$ XXX plus a late fee \$ XX is due immediately.*

**\*\*\*Hear them out & Acknowledge and ask the below questions\*\*\***

- *Alright! Can you let me know when you are going to pay them? Can you provide me with an actual date of payment to be expected?*
- *And how much will you pay?*
- *What would be the payment method? (eg. bank transfer, bill.com)*

*Positive Response -> Wonderful! I’ll make a note of that and come back to you if we find any difficulties in receiving the payment. Have an amazing day ahead! Cheers, Bye!*

*Negative Response -> I understand that these things happen occasionally due to financial difficulties but I hope you understand we cannot furnish free housing without getting into financial difficulties ourselves. I*



*suggest it is always to your benefit to pay before any legal actions are pursued as it would affect your credit history and overall credit rating.*

*Because, as per the protocols, if your rent payment remains past due, we are obliged to commence the eviction proceedings immediately. I'm really hoping we don't have to go that far and make it difficult for you to find rental homes in the future as well as these will reflect on your credit history. Hope you understand the situation. Thanks, bye!*

### **E-mail Template (If unable to reach via call)**

*Subject: Past-Due Rent Notice*

*Date (dd/mm/yyyy): \_\_\_\_\_*

*Tenant's name(s): \_\_\_\_\_*

*Address of rental unit:*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*This notice is to inform you that we have not received your rent payment which was due on \_\_\_\_\_. This payment is owed for the time period of \_\_\_\_\_ to \_\_\_\_\_.*

*According to the terms of your rental agreement, you are also responsible for a late rent fee of \$\_\_\_\_\_. In combination with the rent payment, the total amount of \_\_\_\_\_ is due by \_\_\_\_\_ (date)\_\_\_\_\_.*

*If you have any questions or believe this is a mistake, you can contact me at (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_.*

*Looking forward to hear from you.*

*Sincerely,*

*XXX*

*The Rental Office*

### **Voice Mail Template (If unable to reach via call)**



Hey XXX!

This is XXX from the Rental office. I hope everything is okay on your end?

I'm trying to reach out as we haven't received your rent payment for the month of XXXX.  
Your rent amount of \$ XXX plus a late fee \$ XX is due immediately.

I just wanted to remind you. as per the protocols, if your rent payment remains past due, we are obliged to commence the eviction proceedings immediately. Hope you understand the situation.

Looking forward to hear from you.

Have an amazing day ahead! Cheers, Bye!

## EVICITION

### EVICITION - STEPS TO FOLLOW:

1. If the Tenant's rent payment is already 10 days past due, and no success through "Late Rent Follow up" process as mentioned above, e-mail the attorney using the [Email Template](#) for the specific submarket and ask them to start the eviction process. Attach the Lease document, Ledger, and also the Intake Form along with the e-mail.
  - a. Lease copy of the respective Tenant can be found in the contacts module under the "Attachments" section at the very bottom of the page.

The screenshot shows the CRM interface for a contact named Richard Hamlin. The 'Attachments' section is highlighted with a yellow box. It lists four files:

| File Name  | Attached By  | Date Added           | Size      |
|--|--------------|----------------------|-----------|
| Richard_Hamlin_Reports_07.11.22_1657543547013.pdf            | Marvell Burr | Aug 5, 2022 01:40 AM | 117.14 KB |
| Chelsie_Forbes_Reports_07.09.22_1657374446648.pdf            | Marvell Burr | Aug 5, 2022 01:40 AM | 179.77 KB |
| 153 Jones rent and Security check Hamlin.jpg                 | Marvell Burr | Aug 5, 2022 01:40 AM | 45.73 KB  |
| 153 Jones Bill, cleaned lease, to attach Aug 8 2022 14:40:00 | Marvell Burr | Aug 5, 2022 01:40 AM | 45.73 KB  |

- b. Ledger can found under [Sage Invoices](#)
  - i. Search for the customer name under invoices and download as Excel, CSV, or PDF to attach in the e-mail to be sent to the eviction attorney.



| Tenant Name   | Record Number | Record ID | Customer ID | Description | Status         | Posting Date | Due Date   | Invoice Amount | Paid Date  | Total Paid | Balance Remaining | Days Past due days | Late fee | Message |
|---------------|---------------|-----------|-------------|-------------|----------------|--------------|------------|----------------|------------|------------|-------------------|--------------------|----------|---------|
| Shantier C... | 19824         | Y1BHLR... | C12518      |             | Partially P... | 2023-02-15   | 2023-02-15 | 65             |            | 45         | 20                |                    |          |         |
| HAP-BHSP...   | 21248         | Y1BHLR... | C12529      |             | Paid           | 2022-10-23   | 2022-11-02 | 2543           | 2022-11-02 | 2543       | 0                 |                    |          |         |

c. Intake Form template

## E-MAIL TEMPLATE

*Subject: START EVICTION REQUEST for [Property Address]*

*Hello Atty. XXXX,*

*Good Day!*

*This is XXX from SSG Real Estate working with Avi and Maryellen.*

*May we request you to start eviction for tenant Nicole Brewster - 96 Coen St (2nd flr)? (Include Name and Address of the tenant)*

*Please see attached Intake form, Lease and Ledger for your reference.*

*Looking forward to hearing from you.*

*Sincerely,*

*XXX*

*The Rental Office*

2. After sending an email, follow up with attorney via call immediately asking them when they can serve the Notice to Quit (NTQ). If they say tomorrow, enter the follow up date on eviction with



tomorrow's date and in the Next Step Eviction, enter "Call tomorrow to confirm if NTQ was served".

*Note: NTQ is basically an order to pay now or move out in 5 days so essentially giving Tenants a 5 day notice period.*

3. Follow up again with the attorney as per the Next Step Eviction to verify if they have served NTQ. If yes, get a copy of the NTQ and upload in the Eviction module. Also, ask when does the NTQ date expires because it is the legal 1st date where we can file in the court to start the eviction in the courts.

*Note:*

- *This is a key date because until we start a court filing, we can't get a court date and we can't start a court date without a NTQ served.*
  - *Typically, the date from which you serve the NTQ and presuming you file the court papers the very day you are eligible you can't even get tenants out for about 2 months best case. (In PG county Maryland, it is 6 months). Hence, it is imperative that these are to be done on a timely basis.*
4. In NTQ expiry date, update the NTQ date you got from attorney.
  5. If they fail to pay within NTQ, start a legal proceeding to begin to vacate them.
  6. On the NTQ expire date, call the attorney to confirm if they have filed with the court hammer time. If not, ask them to file.
  7. Ask the attorney the next step in the legal process and get copy of filing to put in eviction next steps.
  8. Get court date and Actual Court Date:
    - a. Enter Estimated Court Date and Actual Court Date in eviction module and put this as next step on eviction and next step eviction follow up date.

*Note: Some jurisdictions when you file NTQ will give you a court date online, some will **Connecticut** give an answer date where the tenant can respond why they did not pay. While the others say that attorney will receive the court date by **mail**. Moreover, the attorney for property manager should typically know approximately how long it will take to get a court date.*

- b. Get Actual court: 1 day before court you will need to update attorney with latest ledger since the Tenant may have paid some rent. Notify them that they have sent it.
9. On day of court, put in eviction steps what happened at court
  - a. Execution: If the tenant did not respond because of a car accident or any other unfortunate incident, then usually we have to wait for 5-10 days to file. So, in this case, ask attorney about the next step. If attorney says we can execute file in 10 days, put that date as next follow up date and put next step as call attorney to confirm he/she has filed for the execution.



10. After execution is filed, it has to be granted by the judge, follow up with attorney if it was granted and know the next step.

*Note:*

- *Typically after it is granted, the judge in court will send the execution approval to the Sheriff's department in Maryland, DC, and Virginia. Gather Sheriff Department contact details from Attorney/Property Manager and confirm if they have received the approval and then ask them approximately when they will pull the tenants out.*
  - *In some counties like PG, even though the Sheriff gets the execution request they may not be able to pull the Tenant out for 3-6 months as they are a small office. So, it is critical to know approximately when they can pull them out. If they can't get you the exact date, ask them for the approximate date to follow up. For example, if they say 2 weeks, enter that in next step, but call within 1 week for a follow up.*
11. Know about several dates in advance before the date Sheriff Pulls the Tenant out because:
    - a. We need to put utilities in our name
    - b. We have to send someone to the house to change the locks.
    - c. In some jurisdictions like PG county and Maryland, they also make us hire 25 people to move the tenants stuff to the street curb.
    - d. In CT, the attorney needs to work with sheriff who hires moving company (which we have to pay for) to move their belongings to curb.

So, this date we must let everyone on our team know the date is pulling tenant out of the home and you need to know that we have someone going to house to change locks. Also, we will then need to coordinate with repairs and advertise for rent/sale or both.

In between, the Sheriff normally delivers a letter informing Tenants they are coming to vacate them so they give them a few days to move out peacefully, which is the best case if it happens we can save money and time, this is why it's important to stay in touch with Tenant as well. Legally if Tenant is cooperative and gives us keys that is legally they are moved out.

12. When we vacate tenant whether by Sheriff or they vacate themselves and handover keys to us, update ZOHO contact regarding their actual move out date and Tenant type to Tenant moved out.
13. Inform our team, accounting and Cristina and office staff.
14. Perform tenant moved out steps:
  - a. Remove/stop recurring Tenant invoice in bill.com so they stop getting invoices
  - b. Mark contacts as moved out
  - c. Calculate security deposit return and revert to them if they are eligible to receive any after money owed or damages or any fees within 30 days.





#### EVICTON STEPS:

| # | Step Description  | Who              |
|---|---|------------------|
| 1 | Follow the Late rent process  | Property Manager |
| 2 | If the Tenant fails to answer the call or refuses to answer the call after 5 attempts, start the eviction process   | Property Manager |
| 3 | Call the designated attorney in that market and request a Notice to Quit to be served <ul style="list-style-type: none"><li>• Give details of the amount owed</li><li>• How many days are due</li><li>• How many times was the tenant late in payment</li></ul> | Property Manager |
| 4 | Request a date on when the NTQ will be served. This information will be placed on the tenant's notes on Sage.   | Property Manager |
| 5 | Add the Eviction Date and Follow-Up Date  | Property Manager |
| 6 | On the date advised by the attorney, follow up on the NTQ if this was already served  | Property Manager |
| 7 | After 5 days of the NTQ being served, start the eviction process  | Property Manager |

#### CONTACT DETAILS:

| COUNTY                  | PERSON  | PHONE        | ADDRESS  |
|-------------------------|---|--------------|--|
| For MD and VA evictions | Allison Williams – Helps on VA beach/Richmond market and DC | 443-545-6698 | Associates Property Management - 10515 Theodore Green Blvd, Suite 201 White Plains, MD 20695 (301) 934-9985 - Office |
| CT evictions            | Joseph Sastre   | +12035308367 | -  |
| Northern VA             | Betsy Ross  | -            | -  |

not va beach not richmond but seth will help in those markets

|       |  |
|-------|--|
| Email | <a href="mailto:andrewlawrence617@gmail.com">andrewlawrence617@gmail.com</a> |
| Phone | +17033525858   |

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The Law Office of James Steele PLLC for Roanoke market 927 emerald see zoho vendor 15403397775



## EVICTON CHECKLIST:

Daily Checklist to check each Eviction phase:

- ☐ Check the summary on [ZOHO Dashboard](#)
- ☐ Check if we have missed to notify any Evictions to attorney
- ☐ Check if any Tenant still owes money (on [Invoices – Owed](#) page) and are ignoring calls. If yes, start Eviction process right away.
- ☐ Check if any attorney has not sent out NTQ after you asked them to start eviction.
  - ☐ Check if NTQ copy is received or not.
  - ☐ If no, reach out to them and ask to send NTQ.
- ☐ After receiving the NTQ copy, ensure to track the progress of getting this NTQ served to Tenant.
- ☐ Check the NTQ expire day to see whether we are eligible to open up a court case
- ☐ Check to see which files the attorney has not opened up a court case (that means we did not get a court date or an estimated court date).
- ☐ Follow up with the attorney or property manager/agent when you can expect a court date and get copy of the filing. If they have a date, enter the court date. If they have no date, ask for an estimated court date.
- ☐ On day of court, check whether compliance is followed or not ensuring whether we got stipulated agreement to all pay dates we agreed to and also track its progress.

## EVICTON PHASES WITH RESPECTIVE DIFFERENT COUNTIES:

| # | Phase                          | CT   | Maryland  | DC  | Virginia  |
|---|--------------------------------|--|---|---|---|
| 1 | Notice to Quit                 | We can start after 5 days late on rent   | No 5 day notice   | No 5 day notice we have to have attorney file   | We have to file with a sheriff a notice to quit   |
| 2 | Summary Process                | If tenants does not move out we can start summary process after 14 days this costs about 200 in court fees | Attorney files court papers that go to tenants too. They file online and can get a court date for us in few days. | Attorney files court papers that go to tenants too. They file online and can get a court date for us in few days. | Attorney files court papers that go to tenants too. They file online and can get a court date for us in few days. |
| 3 | Court date with Tenant , Court | On day of court in CT, they make us mediate to try   | On court date, if we win, the court has a waiting period of about 10 days. If                                     | On court date, if we win, the court has a waiting period of about 10 days. If                                     | On court date, if we win, the court has a waiting period of about 10 days. If                                     |

|   |   |   |   |  |  |
|---|---|---|---|--|--|
|   | rules in our favor or not   | to resolve. If we can't they will schedule a court date for further date, we need to track this date  | tenant does not move out in those days they file for a writ of possession that then goes to sheriff, who have to coordinate with on when they can pull tenants out  | tenant does not move out in those days they file for a writ of possession that then goes to sheriff, who have to coordinate with on when they can pull tenants out   | tenant does not move out in those days they file for a writ of possession that then goes to sheriff, who we have to coordinate with on when they can pull tenants out  |
| 4 | If we get award the court makes you wait a certain number of days then we can file for possession | On court date, if we win, the court notifies all parties that we won. However, we have to wait 10 days approximately. If tenant does not move out then we have to file for possession and that can take some more days. Once they grant possession then we can get that possession court notice and give to Sheriff | On court date, if we win, the court notifies all parties that we won, However, we have to wait 10 days approximately, if tenant does not move out then we have to file for possession and that can take some more days. Once they grant possession then we can get that possession court notice and give to Sheriff | On court date, if we win, the court notifies all parties that we have won. However, we have to wait 10 days approximately, if tenant does not move out then we have to file for possession and that can take some more days. Once they grant possession then we can get that possession court notice and give to Sheriff | On court date if we win the court notifies all parties that we won, however we have to wait 10 days approximately, if tenant does not move out then we have to file for possession and that can take some more days. Once they grant possession then we can get that possession court notice and give to Sheriff |
| 5 | Sheriff gets notice from court that we were granted possession and can get                        | Once sheriff has possession papers, we have to contact them and ask when they are going to move tenant's items to curb. We have to pay  | Once sheriff has possession papers we have to contact them and ask when they are going to house to move tenant's items to curb. We have to pay for movers to move stuff to curb. We need to track   | Once sheriff has possession papers we have to contact them and ask when they are going to house to move tenant's items to curb. We have to pay for movers to move stuff to curb. We need to track  | Once sheriff has possession papers we have to contact them and ask when they are going to house to move tenant's items to curb. We have to pay for movers to move stuff to curb. We need to track  |



|   |  |  |  |  |   |
|---|--|--|--|--|---|
|   | tenants out  | for movers to move stuff to curb. We need to track this date. They usually work with attorney but we can call.               | this date. They usually work with attorney but we can call.  | this date. They usually work with attorney but we can call.  | this date. They usually work with attorney but we can call.                     |
| 6 | Sheriff pulls tenants out of the house and we get possession | Sheriff pulls tenants out. We need to have someone at the house to change locks and to pay sheriff for moving stuff to curb. | Sheriff pulls tenants out. We need to have someone at the house to change locks and to pay sheriff for moving stuff to curb. In MD, Sheriff forces us to hire 25 people to move all tenants stuff to curb. Then we get possession and change locks | Sheriff pulls tenants out. We need to have someone at the house to change locks and to pay sheriff for moving stuff to curb. In MD, sheriff forces us to hire 25 people to move all tenants stuff to curb. Then we get possession and change locks | Sheriff pulls tenants out we need to have someone at the house to change locks. |

Exceptions to Eviction Steps due to Covid Protection:

The whole steps are the same, the only difference is with NTQ:

| FOR COUNTY | EXCEPTION   |
|------------|---|
| CT         | We can't file NTQ until 30 days late and only if we have a unite ct case number |
| Maryland   | We can't file NTQ until 14 days   |
| DC         | Similar to Maryland   |
| Virginia   | Similar to Maryland   |