

NORTH ANDOVER HOUSING AUTHORITY

**One Morkeski Meadows
North Andover, MA 01845**

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Board Adopted November 19, 2015

COLLECTION POLICY

Tenants who have not paid their rent by the 1st business day following the 5th day of the month will receive a reminder letter. Tenants may pay their rent in person at the North Andover Housing Authority main office during normal business hours by placing the check in the rent collection mailbox in the front lobby. Rent checks can also be placed in the mail slot of the authority main office front door after normal business hours. Tenants may also mail their rent payment to the main office address above. The NAHA does not accept cash payments. All rent payments must be in the form of a check or money order.

Tenants who have not paid by the 1st business day following the 10th day of the month, who have not contacted the Authority as to why their rent is late, will receive a letter from management requesting attendance at a private conference with the resident and/or the resident's authorized representative at a convenient time and place. If, after the conference, management still intends to proceed with termination, it shall give a 14-day notice to quit unless a reasonable payment schedule has been agreed upon. Tenants who agree to a payment schedule will be sent a confirmation of this agreement to pay. Should the agreement not be followed, a 14-day notice will be sent.

Following the private conference between management and tenant required as a first step in all termination cases, a tenant behind in his/her rent has the right to request a hearing before the Grievance Panel prior to management sending out the notice to quit. However, in order to have a hearing, the tenant must:

REASONABLY ESTABLISH THAT HIS NON-PAYMENT OF RENT IS RELATED TO AN ACT OR FAILURE TO ACT BY THE AUTHORITY, AND NOT A NEGLIENT OR WILLFUL DISREGARD OF THE OBLIGATION TO PAY RENT. PLEASE NOTE THAT ALL LEGAL STATUTES WITHIN THE COMMONWEALTH REGARDING WITHHOLDING OF RENT APPLY.

or, if the arrearage is related to a dispute over the amount of the rent,

THE TENANT MUST PAY TO THE HOUSING AUTHORITY, ALL UNDISPUTED AMOUNTS OF RENT DUE BEFORE A HEARING CAN BE HELD.

If the presiding officer of the hearing panel determines upon review of the tenant's request that the facts do not warrant a hearing, or if in the case of a rental dispute, the tenant has *not* paid the undisputed amount of rent, the presiding officer can deny the request for a hearing. Such a determination shall be final, subject of course to appeals to the court.

Equal Housing Opportunity

If the presiding officer denies the request for a hearing, management shall proceed with termination for non-payment of rent.

If the presiding officer determines that the tenant's case warrants a hearing, the procedures for said hearing are outlined in Section 4 of the Grievance Regulation. The procedures for the hearings and any actions resulting from the hearing, including appeals to the LHA Board, DHCD, HUD or the courts are governed by the appropriate sections of the Lease and Grievance Regulations.

Once the 14-day notice is sent and the action is started, the action will continue until the balance is paid in full. Any agreement made at this point will only be made with a judgement entered in court.

Two 14-day notices to quit within one 12 month period constitute mandatory eviction.

Three conference letters within one 12 month period will generate a late payment report to the local credit bureau.

The Executive Director or designee will prepare the 14-day notices and a constable will serve them. Once the 10-day payment period as set forth in the 14-day notice has past, the Executive Director or the Authority's attorney will file a Summary Process in the Commonwealth of Massachusetts, Northeast Housing Court.