



## **GETTING ALONG WITH YOUR NEIGHBORS: EXPECTATIONS & COMPLAINTS PROCEDURE**

Adopted 6/2/2015

### **1. Solving Your Problem Independently:**

HRB encourages and expects all residents to get along with each other and to work out differences in a respectful, cooperative, mutually productive manner. Should there be a situation that needs to be resolved, try this approach:

#### **DO's**

Go to speak privately with the individual with whom you have the problem.  
Be respectful and friendly and explain your issue and how it adversely impacts you.  
Ask if the two of you can work out a solution and discuss some options.  
Agree on a solution and put it into effect.  
If that solution is not effective, talk to the person you have the problem with again.  
Chose another solution together and put it into effect.

#### **DON'Ts**

Don't approach someone in anger, don't demand, don't use bad language or threats.  
Don't gripe & complain to others who cannot solve the problem. That is poisonous.  
Don't commiserate with complainers. Tell them to talk to the person who can solve the problem. If they come back, say "Let's go together to speak with "X" & work it out.  
Don't presume what the other person means. If unclear, ask.  
Don't ask or tell others besides the problem person. Maintain confidentiality.  
Don't hint around about the problem, speak clearly and directly about the problem.

### **2. Informal Reporting Regarding Problem/Complaint**

If you are unable to work out the problem independently, go to see or phone the Property Manager and explain the problem. The Property Manager may have insight into the problem and suggest a solution you could follow up on.

Or if the issue happens to be a violation of agreements in the lease, the Property Manager may choose to take some action. The Property Manager may explain the rules or related issues that are related to the problem and why he/she will not take action.

Without making a formal written complaint, it is important to realize there is no obligation on the part of the Property Manager to take any action to resolve the problem.

### 3. Making a Formal Complaint

1. To enable Management to be most effective in dealing with a problem reported, **submit a formal Complaint to Management, in writing and signed.** (Due to a disability, you may request reasonable accommodation to submit a Complaint in an alternative format.)
2. A formal Complaint must **include, in writing, the time, date, place, persons and action that constitutes the problem.** So you need to state, in writing, what happened, where, when, and who did it. Be as specific and detailed as possible. Report only your own personal observations or experience. Explain how this is an adverse experience for you.
3. **If others approach you about the same problem, encourage them to follow this same approach from the start and to file a Complaint if nothing is resolved through this process. Their Complaint should include** their own observations or experiences reported. The more complete the information is, and the more people who are affected by a problem, the easier it is for HRB to take effective action.
4. To get the best results, submit a formal Complaint within 7 days of the date the problem or incident occurred or was discovered or as soon as other independent means to solve the problem have been exhausted. **Be timely** because HRB cannot act effectively with old information.
5. HRB will normally notify you within 3 business days after your Complaint has been received and let you know whether they are able to act on it, and if not, what is needed to take action. They will determine what action they can take, which may remain confidential to HRB, and proceed with it.
6. HRB will make a follow up call to you approximately one week after they have taken action on the Complaint to inquire whether the problem has ceased. This is when you will know that HRB has taken action appropriate to the problem.
7. Should the problem reoccur, it is very important to submit additional formal Complaints to HRB, signed and in writing, each time, by each witness. Written, signed consistent documentation is critical to taking effective action to correct the problem. If HRB has served a notice to comply, they need to know if there is compliance. If there are no further verifiable Complaints, HRB will assume the problem is resolved and no further action is necessary.
8. Should the problem also be a violation of an agreement in the HRB/IT lease or Rules & Regulations, the final result may be termination of residency (as specified in the Lease or Rules and in compliance with the Washington State Landlord - Tenant Act) if the resident does not comply.
9. For a first violation of a Lease or Rules & Regulations provision reported in a formal written Complaint, the resident who is the Subject of the Complaint will be given a written warning to comply with a 10 Day Cease or Vacate notice for noncompliance.

10. At the time of a second violation by the same person(s) the Residents Committee will be fully informed about the issue by Management. For a second violation of a Lease or Rules & Regulations provision reported in a formal written Complaint, the resident who is the Subject of the Complaint will receive a 10 Day Cease or Vacate notice, specifying the violation, and a request to appear before a representative committee of the Residents Committee. The representative committee will not include members who know either party in the Complaint and will be appointed at the time needed. They will inquire as to how he/she (the Subject of the Complaint) will correct the violation and stress the importance of complying with the Lease and Rules, of using good communication, and working together to solve problems.
11. For a third violation of a Lease or Rules & Regulations provision reported on a formal written Complaint, the Subject of the Complaint will receive another 10 Day Cease or Vacate notice, again specifying the violation. He/she will be required to report to the Director of HRB to discuss his/her violation, how it will be corrected, and receive a warning that one more violation will result in termination of their residency. He/she may be given a suggestion to begin seeking alternative housing if their behavior does not change.
12. For a 4<sup>th</sup> violation of a Lease or Rules & Regulations provision reported on a formal written Complaint, within any 12 month period, the Subject of the Complaint will be evicted.
13. The landlord may (in its sole discretion) file an unlawful detainer action for any reasons allowed by applicable law. Please see the HRB Rental Agreement page 8, under Termination of Agreement by Landlord.

- 4. If the problem continues unabated despite following this procedure:**  
If a formal Complaint has been properly submitted and followed up with additional Complaints when the Subject of the Complaint has not complied and has accumulated 4 Cease or Vacate Notices within a 12 month period and is still out of compliance and not being evicted, the complainant may file a Grievance against HRB or IT for failure to act which has had adverse impact on the Complainant.

## **5. Complaints Procedure When Complaint Is Not a Lease or Rules & Regulations Violation**

When a formal Complaint has been received by Management, they must first determine whether the matter involves violation of a Lease or Rules & Regulations provision. If it does involve a Lease or Rules violation, the above procedure will be followed. If Management receives a formal Complaint that does not involve a Lease or Rules & Regulations violation, the following procedure will be followed:

1. A subcommittee of the Residents Committee will meet with the Complainant (who made the Complaint) and the Subject of the Complaint (about whom the complaint was made).
2. Ask the Complainant to describe the problem they experienced and explain why it was a problem for them. (No commentary from Subject of the Complaint.)

3. Ask the Subject of the Complaint to repeat the description of the problem presented by the Complainant, but in their own words illustrating their understanding of why it was a problem for the Complainant.
4. Ask the Subject of the Complaint to describe their circumstances around the problem and any intent they had regarding their actions. (No commentary from Complainant.)
5. Ask the Complainant to repeat in their own words what circumstances surrounded the problem for the Subject of the Complaint and what his/her intentions were.
6. Brainstorm solutions: Ask each party to define how they would solve the problem (aside from the other party being a different person). If Complainant and the Subject of the Complaint do not develop possible solutions, accept solutions from others present. Accept apologies. Explore consequences of various choices.
7. Ask the Complainant about a preferred solution that will honor their own rights and not violate the Subject of the Complaint's rights. (Or ask the group to explore and choose a "best" solution.)
8. Ask the Subject of the Complaint if he/she can honor this particular solution.
9. Ask both Complainant and the Subject of the Complaint to honor this agreement.
10. The Subcommittee will review the policy for "Getting Along with your Neighbors: Expectations". Read and review #1 "Solving Your Problem Independently". Indicate that it is expected that residents will use these guidelines to solve problems together in the future. Assure them you are confident that each is able & capable of doing that.

## **6. Alternative Processes to Resolve Complaints that Do Not Violate Lease or Rules & Regulations Provisions:**

1. The Subcommittee of the Residents Committee may choose to meet with the Complainant and the Subject of the Complaint separately. The Subcommittee may choose a solution and ask both parties to comply with it. In this situation members of the Subcommittee serve as "go-betweens between the Complainant and the Subject of the Complaint seeking a just solution for both parties.
2. The Subject of the Complaint may opt to using the Dispute Resolution Center as mediators between the Complainant and the Subject of the Complaint. The two parties will share the cost of mediation services.