



What you should know about Crime-Free Housing Ordinances

Elected officials are understandably concerned about crime. Sometimes, they craft so-called “crime-free” ordinances which target rental properties for special attention. These ordinances can require evictions of residents or fines on property owners in areas where criminal activity is reported.

Crime-free ordinances can play a vital role in reducing crime, but if they are not carefully crafted they can infringe on property owners’ rights and even run afoul of existing state and federal laws.

Here are common pitfalls with crime-free ordinances and how Illinois communities can address private property concerns while protecting both renters and property owners.

Problems

Solutions

Eviction Requirements

Some municipalities call for property owners to evict someone from a rental unit, even if it isn’t clear if a tenant was responsible for any criminal activity. This can result in evictions which aren’t fair to the property owner or the tenant.

Policing works best if efforts can be targeted toward problem areas. Ordinances should be crafted so that property owners can partner with police. This means there must be due process provided for all parties involved.

Transparency

Communities have adopted ordinances which don’t alert property owners about crime in their rental units. In some cases, the criminal activity may have occurred outside the property boundaries, and the property owner only finds out there was an issue well after the fact.

Property owners should immediately be alerted when there is a problem. Often, the owners can address the issue without having to use municipal or governmental resources. This transparency will allow owners to better partner with local authorities.

Handling Evictions

“Crime-free” ordinances might require a near-immediate eviction of a tenant due to alleged criminal activity. However, existing eviction statutes require due process and set time periods before removing a tenant, leaving the property owner caught in conflicting legal directives.

Municipal efforts to curb crime should take existing regulations governing evictions into account in order to make sure property owners are not penalized for following laws which are already on the books.

Reporting Crime

Private property owners may find themselves caught in a no-win situation. A crime-free ordinance may limit the number of times police can respond to a property before an owner faces sanctions. If a property owner calls authorities to proactively address alleged crime, they could find themselves triggering penalties.

Crime-free ordinances should make it clear that a property owner will not be penalized for trying to address crime by calling the authorities.

Want to learn more?

Real Property Alliance works statewide to help property owners understand the implications of public policy and private property rights.

www.RealPropertyAlliance.org

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