



Longmont Housing Authority

350 Kimbark Street

Longmont, CO 80501

P: 303.651.8581 | F: 303.652.2899

TDD/TTY: Dial 711

www.longmonthousing.org | LHAInfo@Longmontcolorado.gov

**EMPLOYEE UNIT OCCUPANCY POLICY
FEBRUARY 2024**

PURPOSE

The Longmont Housing Authority (LHA) recognizes the benefit of allowing employees to occupy designated units on its properties, including, but not limited to, fostering a positive sense of community, enhancing safety and security, keeping a close eye on the condition of the properties, and prompt response to urgent needs. This policy is to establish rules and expectations for employees living onsite in LHA properties.

Employee units are allowed and designated based on the property management agreements for each property. If the property allows for a designated employee unit, LHA has the responsibility to ensure due diligence is completed to ensure compliance with the requirements of each applicable partnership entity including, but not limited to HUD, CHFA, the owner, the lender, and the investor before allowing staff to occupy the unit.

EMPLOYEE SELECTION

Any employee housed in onsite units must have passed employment probation and must be approved in advance by the Regional Property Manager, Accounting Supervisor, LHA Assistant Director, and Housing Director, and ultimately approved by the Executive Director of the Longmont Housing Authority. Designated units are first offered to the Onsite Community Manager, then the Onsite Maintenance Technician, and then other positions as deemed appropriate by the Executive Director.

CONDITIONS OF OCCUPANCY

Employee units are provided by the LHA for the employee's use and enjoyment for the benefit and convenience of the LHA and its properties. Employees that live onsite may do so with free or reduced rent as long as they assume additional duties, or else the fair market value of unpaid rent would be considered a taxable fringe benefit deducted from the employee's wages. Therefore, the additional duties are a condition of employment for employees occupying onsite units. Employees occupying onsite units are not considered residential tenants under Colorado statute (CRS §8-4-123). Each employee occupying an onsite unit must execute a License to Occupy the Premises.

In the event an employee living onsite becomes physically unable to perform the duties required, then LHA may require either payment of rent or the consider the unpaid rent a taxable fringe benefit.

Any employee of the LHA living onsite will be held to the same or higher standard of behavior that residents are held to through LHA's policies and cultural attributes. Employees occupying an onsite unit shall receive no preferential treatment by LHA management or staff. Likewise, the employee shall not be treated as lesser than the property's residential tenants in any way.





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The following sections outline the obligation of the LHA and the expectations of the employee living onsite.

DUTIES OF EMPLOYEES LIVING ONSITE

As a condition of occupying an employee unit, the employee assumes responsibility for the following duties:

- Assist with onsite emergencies after hours on weekdays and weekends. Duties include, but are not limited to, responding to high-level maintenance emergencies (floods, power outages), responding to unauthorized and illegally parked vehicles causing a potential health and safety issue, and coordination of emergency response between residents, public safety, and medical personnel.
- When present, respond to lockouts and minor maintenance calls at the request of maintenance personnel on duty on weekdays from 6:00 am to 8:00 am and 5:00 pm to 8:00 pm.
- Remove snow in areas critical to maintain accessibility to properties in accordance with the Americans With Disabilities Act (ADA), including ADA entrance areas and ADA parking access aisles outlined in red on LHA Snow Removal maps. ADA snow removal shall occur in accordance with LHA's snow removal procedures.
- Perform once weekly lighting checks. Employee must check exterior and interior lighting that comes on afterhours and report any issues to maintenance promptly.
- Other duties as deemed necessary by the Executive Director.

PAYMENT OF RENT

The monthly rent paid by the employee, if any, is set based on several factors including the applicable property management agreement, the property's budget capacity and ability to perform its financial obligations, and the lender's requirements. The Executive Director has approval authority for setting rents, which may be adjusted annually.

In no instance will rent be higher than 100% of the fair market value of the unit. The fair market value of the unit is set annually by the U.S. Department of Housing and Urban Development (HUD) according to the number of bedrooms in the unit.

LATE FEES

If an employee living onsite pays rent, the employee must remain in compliance with the due dates for payment of rent outlined in the License to Occupy the Premises. Employees living onsite will be subject to the same late fees required of other residents on the property.

UTILITIES





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An employee living onsite must set up and disconnect utility accounts and pay utility costs in accordance with how the property charges other tenants at the same property.

SECURITY DEPOSIT

Employees will follow the same security deposit requirements at move-in as required of other tenants at the property.

CONDITION OF THE UNIT

Prior to occupying the unit, the employee will go through the same initial inspection process as set forth for tenants at the property. The same inspection process as set forth for other tenants will apply during occupancy and for move-out.

OTHER OCCUPANTS

Prior to allowing any additional occupants to move in, the employee must follow the same process required of tenants to add and authorized occupant to the unit. All other occupants over the age of eighteen (18) must submit an application and pass a background check prior to move-in. Additional occupants are listed on the License to Occupy the Premises.

The same policies regarding guests that apply to tenants of the property will also apply to the employee unit.

PETS

Employees occupying onsite units may not have pets, in accordance with LHA policies governing other tenants. An exception is made for employees occupying units at the time of adoption of this Policy. Any existing pets may remain in the unit, but addition of new pets is not permitted. Assistance Animals and Emotional Support Animals are allowed and are subject to following LHA's procedures for approving reasonable accommodation requests.

RENTERS' INSURANCE

The employee is required to have renters' insurance while in occupancy of the unit that covers personal liability in the amount of \$100,000.

COMMUNITY RULES

The employee is required to follow all rules enforced on and for the benefit of other residents in the community in which they live.

PROFESSIONAL CONDUCT

The employee must remain mindful that all tenants on the property should be treated fairly regardless of their status as a neighbor. Relationships with tenants should remain professional, both on and off duty. The employee should avoid any behavior that could negatively impact the





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LHA's reputation or resident relations. Consumption of alcohol with residents is strictly prohibited. Soliciting residents for personal business ventures or personal care services, including child care, is strictly prohibited. Participating in resident events or activities solely in an official capacity is encouraged, but unofficial participation should be limited to avoid favoritism or blurring professional boundaries. Employees are encouraged to establish neighborly relationships, but crossing the line on professionalism, confidentiality, or fair housing may be considered grounds for disciplinary action.

EMPLOYEE LEDGER ADJUSTMENTS

If an employee living onsite pays rent and is subject to late fees, any adjustment to their ledger must be approved by their immediate supervisor and posted by accounting staff. Accounting staff will monitor monthly rent postings to ensure they are in compliance with the approved rent amount.

TERMINATION OF OCCUPANCY

Occupancy of an employee unit is expressly for the convenience and benefit of LHA and an employee's License to Occupy the Premises may be terminated by either the employer or employee at any time, whether or not employment terminates. The employee **shall not be considered** a residential tenant for any period whatsoever in accordance with CRS § 8-4-123.

If the employment relationship ceases between the LHA and the employee, the License to Occupy the Premises will also terminate, regardless of whether the employment separation was voluntary or involuntary.

A termination of a License to Occupy the Premises shall be effective three (3) days after the service of written notice to terminate the License to Occupy the Premises in accordance with CRS § 8-4-123, unless a greater amount of time is specified in the notice. If the occupant does not vacate on the date included in the written notice, LHA may use the remedies provided for in CRS § 8-4-123.

HOLDOVER

A holdover period is defined as the time in which an Employee remains in the unit after the termination of employment. LHA may, in its sole and absolute discretion, provide for a holdover period of a specified amount of time in appropriate circumstances. If a holdover period is deemed warranted by LHA, written notice of the date to vacate the premises will be provided to the occupant.

