Tenant File Maintenance and Record Keeping Sample

It is a primary duty of the building manager to ensure that all tenant application and occupancy files are maintained in accordance with the housing owner's standard operating procedures. Tenant files are subject to inspection by funders and government monitors, such as HUD or the local housing authority, to assure compliance with funding requirements and fair housing regulations. Many property owners use multi-sectioned tenant files. Each section has a distinct purpose and includes a set of documents that generally relate to tenant qualifications, lease terms, property condition, management notices and tenant correspondence. In general, the ***tenant's application and occupancy*** file should include:

- Rent-up information such as screening and application documents
- Recertification of tenant eligibility
- The leasing agreement and renewals
- Any pet agreement(s)
- Any lease addendum or rent amendments
- The initial unit and building inspection checklist on housing authority or other standard inspection form
- Unit inspection notices and unit maintenance records
- Incident reports
- Tenant complaints
- Memos and letters from management
- Legal and late rent notices
- All legal correspondence and documents

It is important to remember that the tenant file should not contain any information regarding any supportive services the tenant may be receiving. For example, the tenant's service or case management plan, record of services utilization, or disability information is confidential. These files must be securely maintained and accessed only as authorized by applicable law, guidelines, regulations, agency policy, and by consent of the tenant. Property managers and related staff should not have access to these confidential files.

Property and housing managers are encouraged to file all new documents promptly in the tenant's file. Documents should be securely fastened in the proper section of the file. The importance of this responsibility revolves around three primary areas:

1. Management should be able to review files in a sensible and standard manner, with the information clearly arranged.
2. These files may be audited by outside agencies. If they are not properly maintained with all relevant documentation, the organization may be subject to external reprimands, including regulatory, compliance and/or funding difficulties.
3. These files may be subpoenaed and therefore may be subject to court review.

Sample File Maintenance System

Note: The sample file maintenance system is adapted from an existing supportive housing provider. Required forms and documentation may vary depending on government oversight and subsidy resources.

File 1: Current Year and Current Lease
Current Lease
Lease Addendum (where applicable)
Lease Addendum for Drug-Free Housing
Low-Income Lease Rider
Release of Information (HUD forms)
Subsidy Rider (where applicable)
Form 50059 - HUD Owner Certification of Compliance with Tenant Eligibility Procedures (current annual and all current interim)
Income Verification
Zero Income Verification (where applicable)
Income and Employment Documentation
Medical Expense Documentation
Banking Statements
Capital Assets/Students
Tenant Income Certification (Re-certification)

File 2: One-Time Documents (move-in documents)
Tenant Profile Form
Air Conditioner Rider
Telephone Rider
Unit Inspection Form
Furnishings Form
Initial Notice of Annual Recertification
Building Rules
Audit Checklist
Section 8 Housing Assistance Payments Form
Security Deposit Documentation

File 3 and 4: Prior Year Tenant Re-certifications and Leases
Oldest on bottom, most recent on top
Staple each year's information together, separate from the other years

File 5: Internal Property Management Papers
Billing Notices
Adjustments to File
Security Interest Forms

File 6: Notices and Correspondence
Tenant Correspondence and Complaints

Monitoring Agency Correspondence
Property and unit inspections reports

File 7: Applicant Information (application documents)
Tenant Application
Picture ID
Birth Certificate
Social Security Card
Tenant Alien Card and Information (where applicable)
Declaration of Citizenship (where applicable)
Marriage License/Divorce Papers (where applicable)
Medical Card
Homelessness Verification
Things You Should Know Form
Income Verifications (employers, etc.)
Previous Landlord Verifications
HUD 9887A form –Tenant Consent for Release of Information (where applicable)
Credit Check
Tenant Screening Sheet