

Judicial Process

St. George & Associates supports and encourages the academic success of our residents. We strive to provide an atmosphere conducive to academic pursuits as well as provide for the “college experience” residents want. Our residents are young adults, most whom are on their own for the first time. This is a time for learning both in and outside the classroom. We understand that our residents will make mistakes from time to time. Our intent is to work with residents to understand their role in a community and how to modify their actions so as not to be a disturbance or violate their lease. However, residents who do not learn from their mistakes (repeat violations), or are not respectful of the community, will most likely be removed from the community.

Residents are expected to behave in a responsible and respectful fashion at all times. This also applies to guests who may be visiting. Residents are responsible for the conduct of their guests and will be accountable should guests violate lease terms.

Process Outline

- Our staff becomes aware of a potential violation of the lease terms
- Residents are notified of the potential violation and a meeting (known as a hearing) is scheduled with a manager
- A hearing is held to listen to the resident’s perspective and to ascertain responsibility
- Notice is given, in writing, to the resident regarding the determination of responsibility and sanctions if appropriate

Sanctions

- Written Warning – minor infractions may only warrant a warning. It is expected that residents learn from the experience to prevent future violations.
- Fines – certain violations can carry a fine. Examples include (but not limited to) noise violations, causing a nuisance or disturbance, balcony violations, and pet violations. Fines are either stated in the lease or determined by management.
- Restitution – damage to property can be billed back to the responsible party/parties
- Relocation – while rare, management does reserve the right to require a resident to move to another unit.
- Three-Day Notice to Cure or Quit – this is a legal document giving the resident three days to correct their behavior and/or remedy the violation in the lease, or move out. Resident should keep in mind that quitting the lease does not end their financial responsibility for the lease. Resident can end financial responsibility by finding a new resident to assume their lease (new resident must meet rental qualifications).
- Three-Day Notice to Quit (Eviction) – this is a legal document giving the resident three days to move out and surrender possession. Failure to move out within the three days will trigger legal proceedings for a court-ordered eviction. Resident should keep in mind that quitting the lease does not end their financial responsibility for the lease. Resident can end financial responsibility by finding a new resident to assume their lease (new resident must meet rental qualifications).

The manager conducting the meeting will determine the most appropriate sanction that falls in-line with the level of severity of the violation. Failure to comply with sanctions is grounds for additional judicial action, up to and including eviction.



Judicial Hearing

A typical hearing will be conducted by a manager (referred to as a hearing officer). If more than one resident is involved in the incident, say all the roommates of an apartment, then the hearing can be conducted with multiple residents present.

If a resident does not attend the hearing and does not schedule an alternate time with the hearing officer within an appropriate timeframe, then the resident will have waived their right to a hearing. The hearing officer will then make a decision regarding that resident's involvement and responsibility based on information at hand.

During this hearing, the resident(s) will be presented with the information regarding the alleged lease violation. For example, the resident(s) will be told when and where the incident occurred and who was involved. The hearing officer will explain how the incident violated the terms of the lease. Resident(s) will then be given the opportunity to explain their version of events to the hearing officer. The goal is to get an accurate account of what happened, if a violation occurred, and who is responsible.

The hearing officer may make a decision at the end of the hearing or after the hearing. In either case, resident(s) will be informed of the decision in writing.

Appeals

If a resident wishes to appeal the decision of the hearing officer, they must submit a written request to the office within two days of the sanction letter. The resident must state the reason they are requesting an appeal. Legitimate reasons for requesting an appeal include 1) possible procedural errors in the process, and 2) substantial new information becomes available that was not available during the initial hearing.

An appeal officer will review the request for appeal and decide if a new hearing will be held. Requesting an appeal because the resident disagrees with the decision or sanction is not legitimate grounds for an appeal. If the appeal officer deems a new hearing appropriate, they will contact the residents involved to schedule a new hearing. Decisions of the appeal officer are final.