



# PROPOSED RENTAL INSPECTION STUDY SESSION

City Council Meeting  
September 24, 2019

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# OVERVIEW

- Purpose of this Study Session
- Background
- Outline Process to consider Program
- Estimated Number of Rental Units
- Review existing Programs for Housing Inspections
- Cities Surveyed For Best Practices
- Review of Rental Inspection Component Choices

# PURPOSE

- Confirm if the Council is interested in advancing a Rental Inspection Program
- Review existing Rental Inspection Services
- Seek feedback on a Proposed Rental Inspection Program

# BACKGROUND

- A Rental Inspection Program is designed to proactively inspect rental units in a jurisdiction
- In Oct. 2015, some City Departments reorganized and Code Enforcement joined Housing and Community Services
- In April 2016, Council held a Study Session on options to improve Code Enforcement that included the consideration of a proactive rental inspection service
- City Manager approved a study on how to strengthen Code Enforcement processes, including an evaluation of rental inspection programs in other jurisdictions

# BACKGROUND

- During this time Council also began discussing rent control and just-cause eviction policies
- Staff conducted rental inspection outreach to tenant groups, California Apartment Association (CAA) and North Bay Association of Realtors (NORBAR)
- CAA and NORBAR jointly expressed that they would be in favor of a rental inspection program in lieu of the other policy initiatives
- In 2017, a program outline was developed and staff began one-on-one discussions with Council members and stakeholders. Program idea has been deferred to wildfire recovery

# PROCESS

If Council is interested in moving forward with developing a Rental Inspection Program:

Input from this Session and Stakeholder feedback will be compiled and a Program and Ordinance will be brought back for the Council's consideration on November 19, 2019 to include

- Program Structure
- Implementation Plan
- Fee based Cost Plan
- Other components based on feedback

# ESTIMATED RENTAL UNITS

# EXISTING RENTAL INSPECTION PROGRAMS

- Housing Choice Voucher Program- 1,900 units
- Complaint Based Code Enforcement Program- 214 units in FY 18/19
- Neighborhood Revitalization Program (NRP) – 1,000 units annually



# CITIES SURVEYED FOR BEST PRACTICES

Program Description	City of Berkeley	City of Concord	City of Hayward	City of Richmond	City of Sacramento	City of San Luis Obispo
<b>Units Inspected</b>	All rental	Multifamily with four or more units	All rental	All rental	All rental	Single family, duplex and condominium
<b>Exempt Units</b>	New within five years, units that tenant refuses consent to inspect and those inspected and passed within three years	New within five years, subsidized housing units and self-certified units	New within five years, hospitals, nonprofit housing and self-certified units	New within five years, subsidized residential rental housing and self-certified units	New within five years and units regularly inspected by another agency	Owner-occupied units, units inspected by another agency and mobile homes in mobile home parks
<b>Inspection Standard</b>	International Property Maintenance Code	California Housing Code – 1997 Uniform Housing Code	International Property Maintenance Code	Federal Housing Quality Standard (HQS)	California Health and Safety Code	California State Housing Law and Building Standards

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 1. Program Outreach

- Education may be conducted in each City neighborhood
- Work with California Apartment Organization and Other Groups to be part of education
- Use NRP model in outreach (work with Police, Fire, and other departments as part of neighborhood meeting)

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 2. Types of Housing to be Inspected

- Multi-family, Single family, shared housing, all other unit types

## 3. Frequency of Inspections

- Requires periodic inspections of all covered rental properties.

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 4. Self-Certification

- Should compliant owners with no violations self-certify
- Single family units
- 10% or 20% of units that self-certified may be inspected yearly

## 5. Registration/Penalties

- Should all rental property owners register their units
- Fee included in registration
- Should there be penalties for owners who do not register

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 6. Exemptions

- Newly constructed rental housing units within 10 years
- Unit type?
- Units assisted by the Housing Choice Voucher Program or any units inspected by any federal or state agency
- Mobile Home Parks that are the responsibility of the State through Community Housing Development Corporation (CHDC)

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 7. Inspection Standards

- Housing Quality Standards (HQS) Used by Housing Choice Voucher Program
- International Property Maintenance Code (IPMS) Used by NRP

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 8. Inspection Process

- City will notify owner 30 days in advance of inspection
- Owner is responsible to secure tenant consent to access unit
- Owner may request one rescheduling at no cost seven days in advance
- Inspection must be rescheduled within 30 days
- City notifies owner within 10 days of finding: pass inspection or provide violation list

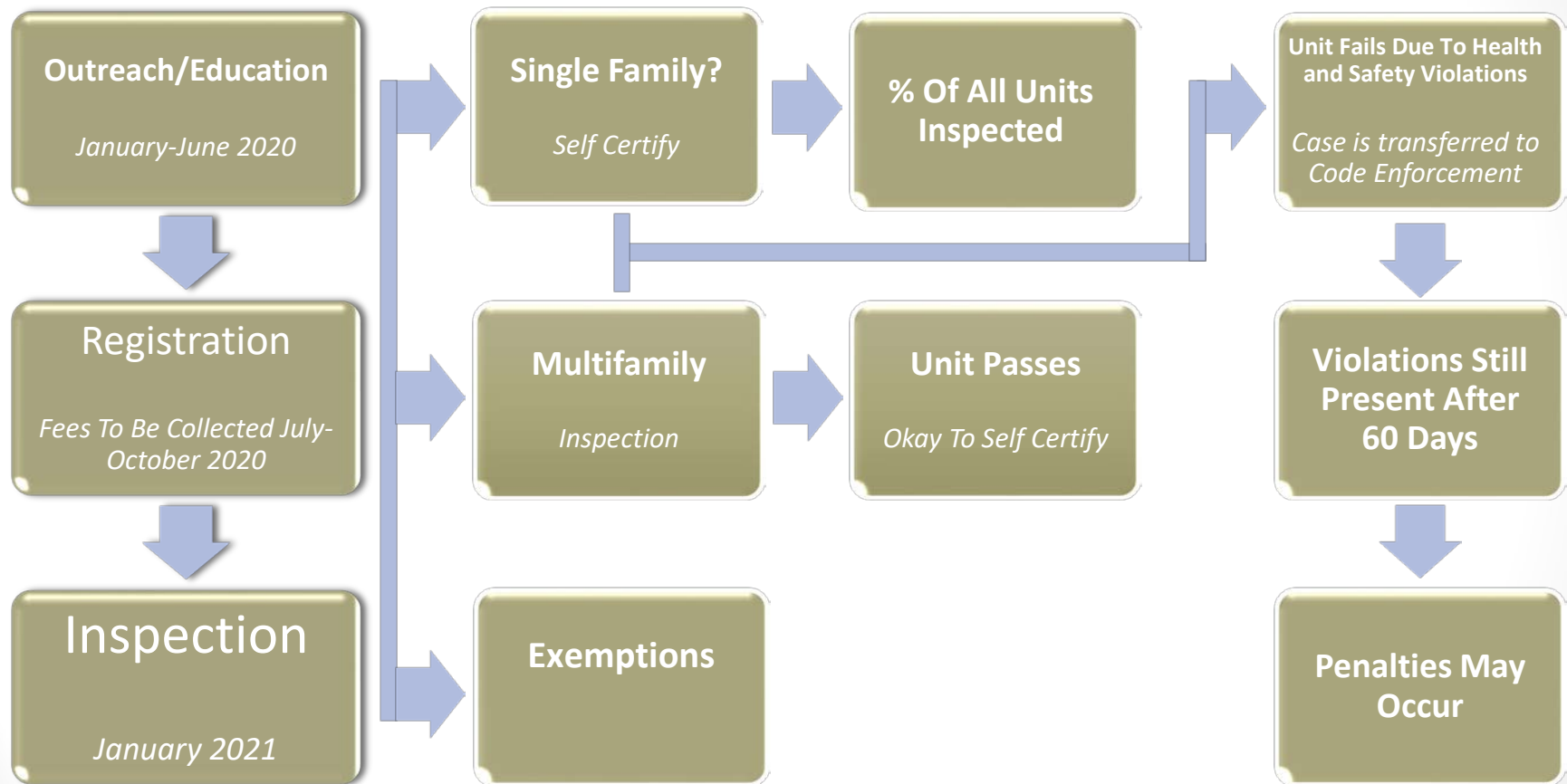
# RENTAL INSPECTION CORE COMPONENT CHOICES

## 8. Inspection Process *(continued)*

- Property Owner given 30 days to repair
- If repairs are not complete, property will be subject to annual inspection; If permit is required, staff will be flexible , common sense approach regarding time lines
- Property owner must be present during inspection with the tenant



## 8. Proposed Inspection Process Timeline



# RENTAL INSPECTION CORE COMPONENT CHOICES

## 9. Enforcement

- If the property fails, Code Enforcement measures are initiated.

# RENTAL INSPECTION CORE COMPONENT CHOICES

## 10. Appeals Process

- Use the Code Enforcement Administrative Hearing Process
- Use Board of Building Regulations Appeal

# RENTAL INSPECTION OPTIONAL COMPONENTS

## A. Local representative

- With phone and address within 35 miles from City Hall

## B. Amnesty Program

- Council may implement a 12 month relief from planning and building penalties to allow time to bring non-permitted units into compliance

## C. Relocation Fund

- Council may want to include a fee to sponsor displaced tenants at risk of homelessness if vacated unit is caused by tenant

## D. Outsource Program

- Should City solicit proposals for a Private Operator

# OUTREACH

- California Apartment Association (CAA)
- North Bay Association of Realtors (NORBAR)
- Sonoma County Legal Aid
- Fair Housing Advocates of Northern California
- North Bay Organizing Project Group
- Disability Services and Legal Center
- Hispanic Chamber of Commerce
- Los Cien
- Community Action Partnership of Sonoma County
- Santa Rosa Together

# FEEDBACK SUMMARY

## Property Owners

- Not supportive of program
- What data exists that demonstrate need
- Use existing Code Enforcement and Neighborhood Revitalization Programs
- If proceed; only apply to 3 or more rental units, exempt units built in last 10 years, allow self certification

## Tenant Represented Organizations

- Supportive of Program
- Be Sensitive to Minority Populations
- Educate Residents and Property Owners of Rights/Responsibilities and Expectations

# NEXT STEPS

- Decide to Proceed with developing a Rental Inspection Ordinance or other Alternative such as using the Code Enforcement and/or Neighborhood Revitalization Programs
- Compile Feedback
- If Proceeding, receive direction on Core and Optional Program Component Choices
- Council Action on Rental Inspection Ordinance November 19, 2019

# PROGRAM COMPONENTS

## CORE

1. Program Outreach
2. Types of Housing to be inspected
3. Frequency of Inspections
4. Self-Certification
5. Registration/Penalties
6. Exemptions
7. Inspection Standards
8. Inspection Process
9. Enforcement
10. Appeals Process

## OPTIONAL

- A. Local Representative
- B. Amnesty Program
- C. Relocation Fund
- D. Outsource Program