



PROPOSED RENTAL INSPECTION STUDY SESSION

Housing Authority Meeting
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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

• Single Family Dwellings	15,178
• Other types (1 to 3 units)	6,033
• 3 or more units	<u>13,789</u>
• Estimated Total	35,000

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
Units Inspected	All rental	Multifamily with four or more units	All rental	All rental	All rental	Single family, duplex and condominium
Exempt Units	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
Inspection Standard	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

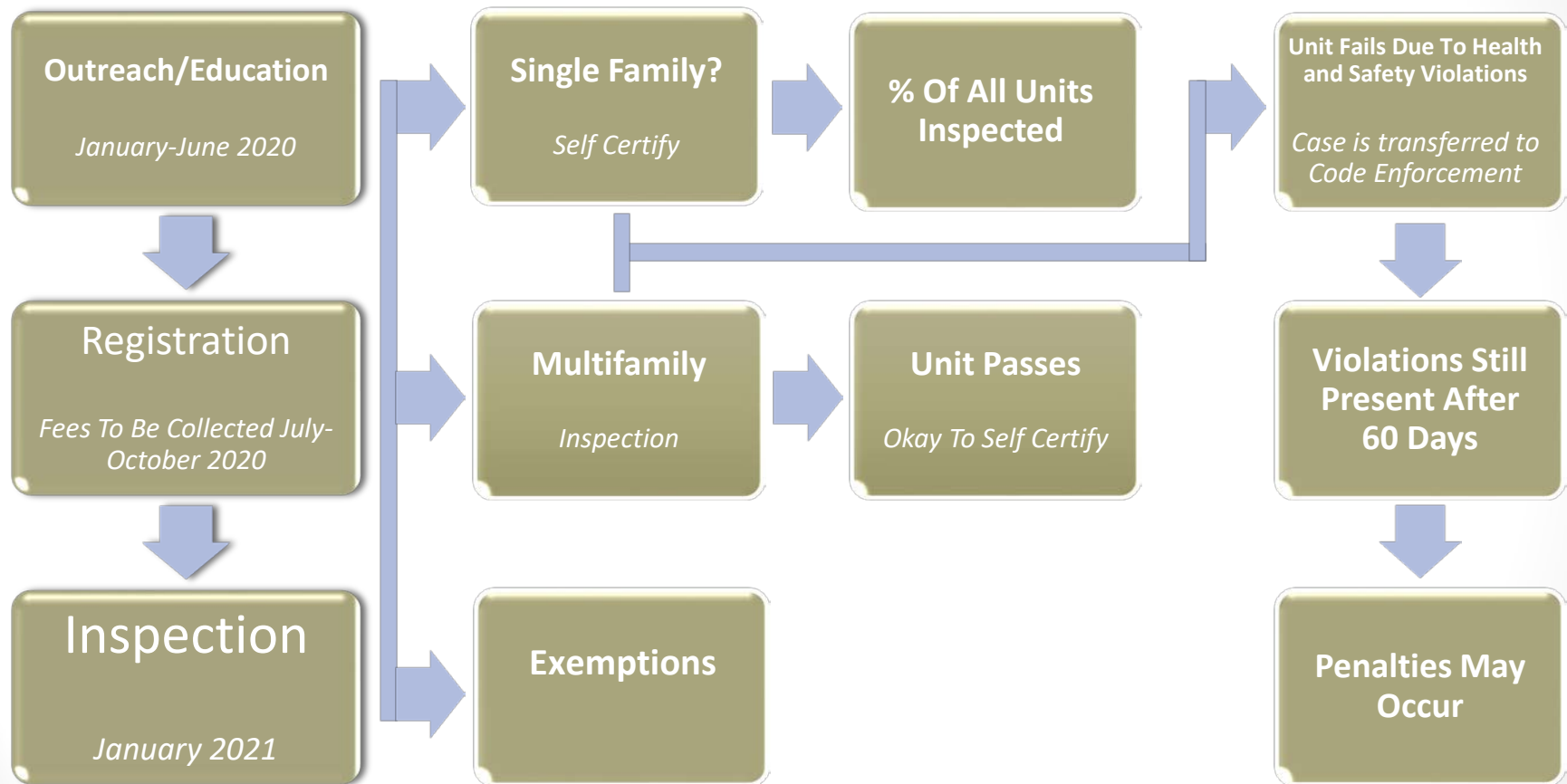
- City will notify owner 30 days in advance of inspection
- Owner is responsible to secure tenant consent to access unit
- Owner may request one rescheduling at no cost seven days in advance
- Inspection must be rescheduled within 30 days
- City notifies owner within 10 days of finding: pass inspection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