

OPTION A: Draft March 16, 2012, proposed by Jack Weiss

Rental Industry Registration and Inspection Program

Purpose:

To create a collaborative, positive approach to promote safe rental housing that meets health and safety standards. The intent of this program is to maintain and increase property values, preserve neighborhoods and quality of life, reduce deteriorating rental housing, and ensure that renters have safe and healthy housing.

Registration:

All rental units would register annually with the City and pay a fee not to exceed \$24/unit. All registration fees and other program income will be dedicated to rental-related enforcement and educational activities. Smaller properties (Single family, duplex, or ADU units) where the owner also resides in the property are exempt from registration and inspection. Properties receiving HUD inspections or new properties with a Certificate of Occupancy within 4 years must register but the fee will be waived. After a property is initially registered, renewal can occur via a postcard form if no additional changes to the property have occurred since initial registration .

Inspection:

Inspections of units will be limited to health and safety issues drawn from the International Property Maintenance Code and the RCW. Inspections based on complaints of alleged violations from a list of health and safety issues will receive priority attention. If the inspector confirms the violation is valid and believes other units owned or managed by the violator could also have health and safety issues, the inspector may schedule additional inspections for these units.

Self-certification that a property meets requirements of code will be required of all units and placed on a three-year rotating schedule for submission. At the time of initial registration, the City will inform the owner or manager when units will be required to be self-certified. Self-certification is a simple one-page checklist verifying the adequacy of health and safety concerns with the rental unit. A proactive City inspection of a small sample of self-certified units may occur on a randomized schedule depending on resources.

All initial City-provided inspections and one follow up-inspection to verify compliance of corrections are at no cost. An additional fee will be established for subsequent inspections. Rental owners or managers may pay a private certified inspector for these services as an alternative to City-provided inspectors.

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Education:

The City will provide and advertise a web site for tenant and owner resources associated with renting. The City will also provide a brochure listing rights and responsibilities under this program. Additional educational efforts will occur as identified and needed.

Fines and Failure to Correct:

Failure to register by the stated deadline will result in a fine of up to \$100/day/unit. Failure to register after 30 days of the stated deadline will result in a prohibition of renting the unit(s) for up to six months. After this prohibition period, all fines and a Certificate of Self-Inspection will have to be submitted to the City to initialize or re-instate registration.

Failure to correct violations within 90 days of inspection will result in a determination that the rental unit is unfit for habitation until the unit is brought into compliance.

Civil Warrant Authority:

Through a separate ordinance, the City will codify a civil warrant authority to assist in breaking down major barriers to enforcement of most health, safety and nuisance violations associated with housing.

Abatement Fund:

Through a separate ordinance, create an abatement fund. This fund would be used by the City to abate severe conditions that are not being addressed in a timely manner by the property owner. This revolving fund would be reimbursed by billing the property owner or, in the worst case, filing a property lien. Funding of principal into this fund would come from a portion of the monthly per unit license fee.

Rule of "X":

Through a separate ordinance, change BMC 20.08.020 (F)(1) to read as follows: "Family. One or more persons related by blood, marriage, or adoption, or not more than ~~three~~ four unrelated persons, living together within a single dwelling unit." This change is a realistic compromise between the current unworkable and little enforced code and a complete abolishment of this requirement that some have called for. Some provision may have to be considered to grandfather some units in proximity to Western Washington University if these units otherwise pass health and safety inspection.