

Residential Rental Property Licensing and Inspection

Presented by Ken Bell, Fire Marshal
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Purpose

- To ensure health and safety for rental occupants of commercially utilized residential properties.
- Ensure minimum standards and equitable enforcement of rental structures within the city limits.



Scope

- Applies to all existing one/two family and multifamily dwellings used for commercial purposes.
- Applies to lighting, use of space, ventilation, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance.



Provisions

- Establishes right of inspection and process.
- Provides a method to track property owners and potential transfer of rental use liabilities to other parties.
- Emergency measures are included to deal with imminent dangers.
- Includes a means of appeal on several different levels.



Licensing

- Residential properties used for commercial rental purposes must be licensed.
- Implementation plan ensures a smooth transition over a one year period.
- License required for each rental unit within a building.
- Ensures landlord identification and contact provisions.



Maintenance

- Designates external and internal maintenance responsibilities and licensing already required in other local ordinances.
- Requires a responsible party to reside in Hays County for emergency conditions.



Notes

- Annual Inspections
- Rewards property owners with good records
- Ensures equitable enforcement
- Reduces enforcement burden and speeds corrections
- Maintains Safety and Health for commercial property use
- Registrations will cost only $\frac{1}{2}$ of 1% of average annual income of an average rental unit
- Ensures responsibility of “Out of Town” Landlords with the commercial use



Conduct and Use

- Provides for a civil and a criminal path of problem identification and enforcement.
- Three violations confirmed by criminal or civil convictions will require mandatory action by the owner.

Example 1- No Violations

- Application required with detailed information of responsible parties & contact information
- Home inspection conducted by code enforcement
- License renewed annually
- No violations, property owner can self-report to code enforcement with reduced fees
- New inspection every 3 years minimum



Example 2-Violations

- Two tracks available (Criminal and Civil)- determined based upon the nature of complaint
- 3 convictions would result in revocation of registration license for commercial use of unit for up to 1 year
- 2 revocations on two separate instances will result in denial of renewal for a period of five years.
- Multiple appeals built into process; already available