

RENTAL HOUSING CODE UPDATE

February 13, 2020

INTENT OF RENTAL HOUSING CODE UPDATE

- Centralize all City Code provisions relating to rental housing into one single chapter
- Make regulatory language easier to understand
- Streamline rental licensing, registration, and inspection process
- Update rental inspection standards

PREVIOUS STEPS IN PROCESS

- Initial draft for public and City Council review and comment was completed in May
- Initial draft presented to Council at the May 9th in depth meeting
- Shared with the landlord association

CURRENT STATUS

- An updated draft has been completed. This updated draft incorporates:
 - Council feedback
 - Comments from the public
 - Continued staff review

SIGNIFICANT CHANGES TO LICENSING PROCESS

- Removal of the requirement for annual registration
- Removal of the requirement for annual self inspection by the property owner of rental units
- Rental Facility Licenses will be valid for 3 years
- Addition of requirement for property owners to keep all pertinent information current with the City at all times

STREAMLINED LICENSING PROCESS

(NEW UNITS)

- Submission of application
- City schedules initial inspection
- City sends notice of inspection and invoice
- Inspection
- Reinspection(s) if necessary
- Issuance of license following passed inspection

STREAMLINED LICENSING PROCESS

(RENEWALS)

- Sixty days prior to the expiration of current license the City automatically schedules initial inspection
- City sends notice of inspection and invoice
- Inspection
- Reinspection(s) if necessary
- Issuance of license following passed inspection

STREAMLINED LICENSING PROCESS

(COMPARISON FOR RENEWALS)

- Sixty day prior to the expiration of current license the City automatically schedules initial inspection.
- City sends notice of inspection and invoice
- Inspection
- Reinspection(s) if necessary
- Issuance of license
- City mails property owner a self-inspection form, a registration renewal application, and an invoice (1 year after license issued)
- Property owner performs self-inspection of rental unit
- Property owner returns completed self inspections form, completed registration renewal application, and pays invoice
- Annual registration issued
- City mails property owner a self-inspection form, a registration renewal application, and an invoice (2 years after license issued)
- Property owner performs self-inspection of rental unit
- Property owner returns completed self inspections form, completed registration renewal application, and pays invoice.
- Annual registration issued
- City mails property owner, a registration renewal application, rental facility license renewal application, and an invoice for the registration fee (3 years after license issued)
- Property owner returns completed, completed registration renewal application, completed rental facility license renewal application and pays invoice
- City schedules inspection and mails property owner notification of inspections
- Inspection
- Reinspection(s) if necessary
- Issuance of license upon completed inspection

ASSESSMENT OF OVERDUE FEES

- The streamlining of licensing process is made possible by following proposed changes:
 - Removal of requirement for annual registration
 - Removal of requirement for a self-inspection of rental units by the property owner
 - Addition of a requirement for all pertinent registration information be kept current at all times
 - **Addition of the ability for the City to assess significantly overdue fees against the property**

ASSESSMENT OF OVERDUE FEES

- Currently all fees associated with obtaining a rental facility license must be paid prior to the required inspection being scheduled
- Implementation of an effective and uncomplicated method for collecting overdue fees will allow inspections to be scheduled immediately upon receipt of an application for a license or automatically 60 days prior to expiration of an existing license
- The assessment against the property of fees related to a rental housing inspection is explicitly authorized by Section 364.17(5) of the Code Iowa.

ASSESSMENT OF OVERDUE FEES

- a. A late payment penalty of a \$25 shall be added to a rental facility license inspection fee not paid by its due date.
- b. If a Rental Facility License inspection fee is not paid within 30 days of its due date monthly interest of 1.5% on, the original amount due plus the late payment penalty of \$25, shall be charged.
- c. The city shall send a notice of the late payment penalty to an owner subject to the payment penalty by first class mail.
- d. The late payment penalty and the interest shall not accrue if such owner files an appeal with the City, under the provision of Section 8-5-11, or the district court.
- e. Any unpaid fee, penalty, or interest shall constitute a lien on the real property and may be collected in the same manner as a property tax.
- f. Before a lien is filed, the City shall send a notice of intent to file a lien to the owner subject to the late payment penalty by first class mail to such owner.

RENTAL FACILITY STANDARDS

- The minimum standards that all rental facilities must meet, and which the rental housing inspection program is based is found in Section 8-11-7
- The intent is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use, occupancy and maintenance of all residential rental buildings

RENTAL FACILITY STANDARDS

- The proposed rewrite also intends to make these standards as easy to understand and enforce as possible
- This rewrite will ensure that the rental facility standards are in harmony with other applicable rules and regulations, for example the requirement for Carbon Monoxide alarms that is contained within the Iowa Administrative code

RENTAL FACILITY STANDARDS

- Interior Structure
- Maintenance of Gas Appliances and Facilities
- Premises Identification
- Protective Treatment
- Structural members
- Foundation Walls
- Roofs, Gutters, and Downspouts
- Stairways, Decks, Porches, & Balconies
- Exterior Walls
- Chimneys and Towers
- Windows
- Exterior Doors
- Ingress, Egress, & Access

RENTAL FACILITY STANDARDS

- Lighting
- Fire Extinguishers
- Smoke Detectors
- Carbon Monoxide Alarms
- Bathrooms and Toilet Rooms
- Kitchens
- Water Heating
- Heating Facilities
- Ventilation
- Screens
- Electrical Requirements
- Extension Cord/Temporary Wiring
- Pest Extermination
- Accessory Buildings
- Lead Based Paint
- Ceiling Height
- Mobile Homes
- Occupant Responsibility for Controlled Areas

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

- The vast majority of proposed changes to rental facility standards do not represent an actual change to the standard a rental is being held to, but rather is intended to provide clarity and better guidance on existing standards
- However, there are a few more significant changes being proposed

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

- **Screens** – based on Council input one window per room must have a screen. Any type of screen may be used, so long as it can be installed in a manner that credibly keeps insects out.

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

- **Heating Facilities** – A rental unit must be capable of being heated to 68 degrees.
- Currently a rental unit only has to be capable of being heated to 68 degrees between 6:30 am to 10:30 pm, otherwise the minimum is 60 degrees.

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

- **Heating Facilities** – A rental unit must be capable of being heated to 68 degrees.
- Currently a rental unit only has to be capable of being heated to 68 degrees between 6:30 am to 10:30 pm, otherwise the minimum is 60 degrees.

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

- **GFCI Outlets**— Requirements for the installation of GFCI outlets in all locations for which the current electrical code requires it. This standard is currently being enforced based on the adopted electrical code, this change provides additional clarity and notification about this requirement.

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

Minimum Space and Occupancy Standards

Dwelling Units Containing Only One Habitable Room (I.E. Efficiency Unit, Studio Apartments, Etc.)

Shall contain at least 120 square feet of floor space for the first occupant; at least 220 square feet of floor space for two occupants; and at least 320 square feet for three occupants.

Dwelling Units Containing Two Or More Habitable Rooms and Rooming Units

Every bedroom shall contain not less than 70 square feet and every bedroom occupied by more than one person shall contain not less than 50 square feet of floor area for each additional occupant thereof.

RENTAL FACILITY STANDARDS

(SIGNIFICANT PROPOSED CHANGES)

Smoke Detectors and Carbon Monoxide Alarms
Updated standards to reflect what is already
required under the Iowa Administrative Code.

NEXT STEPS IN PROCESS

- Obtain City Council consensus on draft language
- Final legal review
- Proofreading and document cleanup
- Preparation of an ordinance adopting the new regulations for Council action