

KEY ELEMENTS IN RENTAL HOUSING IMPROVEMENT ACT

1. Purpose of Act

The purpose of this Act is to identify the nature and extent of substandard housing in Fresno. This will be accomplished through an effective pro-active and re-active inspection program to ensure rental housing units in the City of Fresno met minimum health and safety standards required by the State of California and are safe to occupy and provide: 1) appropriate FMC Ordinances in a new City FMC Ordinance in a new FMC Section; 2) adequate resources to effectively and timely prosecute cases; and 3) to greatly reduce substandard housing conditions in Fresno.

2. Combination of Ordinance and Policy

This Act will be organized by FMC Ordinance and by policy from the City Manager's Office. The purpose of separating the two is to learn from the implementation the proper methodology, the proper allocation of City resources, and the effectiveness and timeliness of addressing the underlying issue of substandard housing. At the end of the first year of Implementation City staff will evaluate the program and, as appropriate, amend the FMC to codify the elements of the Act.

3. Registry: All rental units will be required to register

- a) Can register online
- b) No initial registration fee (properties with chronic violations must pay registry)
- c) No annual registration fee (those that fail inspection must pay registry)

4. Base line inspections will be required for all rental housing units subject to sampling formula.

- a) City will first inspect known offenders
- b) City will first inspect apartment complexes and
- c) City will commence inspection of rental homes (subject to sampling formula) only when at least 90% of apartments are inspected.

5. Inspections will be based upon Health and Safety Inspection Standards sheet agreed upon by stakeholders.

- a) Property owners will get reasonable time (up to 30 days) to correct inspections inspection items
- b) Failed items that do directly to the actions or inactions of a tenant will not be charged to property owner when clearing inspection (Civil Section 1941.2)
- c) Inspection or re-inspection fees will not exceed \$100 per inspection

6. Exemptions

- a) Newly constructed units less than 10 years old
- b) Subsidized residential units that are subject to annual inspections
- c) Mobile home parks
- d) Hotels and motels

- e) Any property that is registered as vacant property
- f) Any residential unit in a state licensed hospital, hospice, community care facility, immediate care, or nursing home
- g) Any rental housing unit owned or managed by an educational, religious or mental institution.

7. Self-Certification

- a) All properties that pass the initial inspection will be eligible to become self-certified properties.
- b) Self-certified properties must conduct annual inspections of properties using the same health and safety check list and make all corrections and also inspect properties upon a turnover of a unit.
- c) Must have licensed property management company conducting inspection
- d) Must retain hard copy or electronic copy of annual inspections by unit

8. Annual Inspections and Random Audits

- a) Any property that has passed a City inspection shall not have a re-inspection audit within 5 years from passing the first inspection
- b) All properties in the self-inspection Tier 4 pool are subject to a random 10% audit. In other words, properties will be subject to a re-inspection about once every 10 years unless there have been substantial health and safety violations reported in the interim period.

9. Property Inspectors

- a) The City plans to hire approximately 10 dedicated rental property code inspectors to complete the inspections of all rental properties registered.
- b) The initial fees are as stated above not to exceed \$100

10. Performance Metrics: This has been added as a tool for the City to measure success

11. Emergency Housing Plan: This has been added to work with social service agencies through MapPoint to find emergency housing for tenants displaced during a failed inspection that includes red tagging rental units.

12. Tenant Education: This has been added to strongly encourage tenants to get educated on their rights and their responsibilities as tenants.

13. Using FresGo to improve re-active inspections and prosecution: This City app currently has 7,000 users with a goal of reaching 70,000 users. This App can gather important statistical information to help identify problem properties and areas to get the City to marshal its resources to directly address problem properties.

14. **Bifurcation of Code Enforcement into a separate division:** The plan is to bifurcate Code Enforcement into two divisions with one division handling all non-rental housing issue and the other division exclusively focused on rental housing health and safety issues. The new rental housing unit host both ASET staff (re-active response to rental housing violations) and the new pro-active inspections.
 15. **One Year Review:** At the end of one year all elements of this Act will be carefully evaluated and make necessary amendments to the FMC.
 16. **Other Rental Housing Related Issues**
 - a) The Hotel/Motel issue will be dealt with via a separate policy
 - b) Vacant blighted building issue will be dealt with via a separate policy
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