



Memorandum

To: City Council
From: Bill Mettee, Planning and Zoning Administrator
Date: June 10, 2020
Subject: Work Session Relating to Rental Inspections

City Council Members:

Rental Inspections in the City of Knoxville is an issue that we've been considering for some time – City Council has previously given staff the direction to move forward in adopting this policy.

The City of Knoxville plans to mirror pretty closely the regulations and codes of the City of Oskaloosa, as they've previously done all the leg work and have been working on this for several years. We've been working closely with their staff, as well as the inspectors that they use – not City staff – to get a better understanding of the processes.

The attached code comes from Oskaloosa with the necessary edits to reflect Knoxville and the attached summary sheet speaks to the benefits of having the Rental Inspection Program in place.

At a work session at Planning and Zoning Commission on March 10, 2020, Jason Van Ausdall spoke about his rental inspection company and the Commission recommended moving forward with rental inspection code and processes necessary.

Regards,

Bill Mettee
Planning & Zoning Administrator

Rental Housing Inspection Program

Summary and Purpose:

In an effort to improve the housing quality in Knoxville and to improve the appearance of the community through better maintained properties, the City of Knoxville is working toward a Rental Housing Inspection Program. Through a systematic inspection of rental properties, this program is designed to ensure that Knoxville residents have safe and sanitary rental housing, and to provide a process by which problem properties can be assessed for code violations.



Need:

This program will set up a process to enforce some basic minimum standards to which landlords must adhere if they want to conduct business within Knoxville and will address the “worst of the worst” of rental properties. Problem rental properties can create nuisances for the neighborhood and can depress home values. Poorly maintained rental properties have created unsafe conditions and have led to dangerous fires that have destroyed homes. This is a proactive approach to addressing problems, rather than current reactive approach.

Benefits:

- It creates a level playing field.
Good landlords that maintain their properties can have a difficult time competing with landlords who do not reinvest and allow their properties to deteriorate.
- It protects property values.
Dilapidated properties can drag down sale prices or rental rates throughout a neighborhood.
- It can attract a better pool of renters and push out the worst landlords.
Word will get out that Knoxville wants to be a place where responsible tenants and quality landlords are wanted.
- It can save taxpayers money.
If rental properties are systematically inspected, there will likely be fewer complaints about blighted and nuisance properties, which will lead to less staff time and fewer court costs.



Registration and Inspection Process:

- All rental housing units within the City of Knoxville will...
 - ...need to be registered in order to operate within the city.
 - ...need to pass an inspection every three (3) years.
 - ...be evaluated for compliance with existing city code Chapters 4, 8, and 9.
 - ...have the opportunity to be re-inspected if issues are identified in the initial inspection.
- Registration is proposed to cost \$60 per building + \$15 per unit annually.
- An inspection criteria checklist will be given to landlords so they know items that will be inspected.
- The program will include a formal process to address tenant complaints.
- Inspection and program management will be the responsibility of a dedicated city staff person.

Some of the key building components that will be inspected to ensure they are safe and workable, include:

- Exterior
 - Foundation, roof, and chimney;
 - Paint, siding, and windows;
 - Steps, balconies, and railings; and
 - Accessory structures.
- Interior
 - Smoke and carbon monoxide detectors;
 - Floors, walls, and ceilings;
 - Plumbing;
 - Electrical and mechanical; and
 - Doors, locks, and emergency exits.

The inspection will ensure that rental properties do not have:

- Rodent or insect infestations;
- Roof or plumbing leaks;
- Dangerous fire hazards;
- Serious structural issues; and
- Accumulated junk or unmaintained yards.

Timeline:

The timeline is subject to Knoxville City Council’s decisions. A conceptual timeline is as follows:

- Work Session with Knoxville Planning & Zoning Commission on March 10, 2020.
- Work Session with Knoxville City Council on June 15, 2020.
- All properties must be registered by TBD.
- Scheduling inspections begins by TBD.
- All rental properties in Knoxville have been inspected at least once by TBD

Comments or Questions?

Contact City Council: 641-828-0550

Megan Suhr

Jyl DeJong

Justin Plum

John Gotta

Dylan Morse

Brian Hatch
Mayor

Title 8 Chapter 10 - RENTAL HOUSING INSPECTION

- 8-10-1 - Title for Citation.

- This chapter shall be known as the "City of Knoxville, Iowa, Rental Housing Inspection Program," and shall be cited as such, and will be referred to herein as "this chapter."

- 8-10-2 - Purpose of Provisions.

- The purpose of this chapter is to provide for the inspection of residential rental properties within the corporate limits of the City of Knoxville, Iowa, in order to ensure that such properties conform to minimum standards deemed necessary for the protection of the health and safety of the occupants thereof and the occupants of surrounding properties, and to inhibit the spread of urban blight.

- 8-10-3 - Definitions.

- For the purpose of this chapter, certain terms and words are defined. Words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; and the word "shall" is mandatory, the word "may" is permissive.

1. "DWELLING UNIT" One or more rooms, designed, occupied or intended for occupancy as a separate living quarter.

2. "RENTAL PROPERTY" Any structure that includes a dwelling unit that is being held out or offered for rent or is currently being let for rent and occupied by any person who is not the owner of the premises, except that the following properties shall not be regarded as rental properties under this chapter:

- a. Dwellings owned by the local, state, or federal governments.

- b. Hotels, as defined by Chapter 137 of the Iowa Code.

- c. Dormitory rooms of higher education institutions.

- d. Nursing homes, long-term care, and medical care facilities.

- e. Church parsonages, and other similar facilities owned by religious institutions, that provide housing for their clergy or other similar staff.

3. "RENTAL UNIT" One dwelling unit within a rental property. If a common area and facilities are provided in a dwelling for the use of the occupants of units therein, such common area and facilities shall constitute a part of each rental unit for the purpose of inspection and compliance with this chapter.

4. "RENT" Any form of payment, including but not limited to cash, services, or other valuable considerations, provided as a condition of occupying a dwelling not owned by the occupant.

5. "OWNER" Person(s) listed as the deed holder as recorded at the Marion County Assessor's Office.

6. "OWNER'S REPRESENTATIVE" A person who is appointed by a rental property owner to provide access to the Inspector to the owner's rental property. The representative must have keys for all portions of the rental property, must be authorized to act on behalf of the owner concerning compliance with the requirements of this chapter, and must be at least 18 years of age.

7. "INSPECTOR" The person(s) designated by the City of Knoxville to conduct the inspections of rental properties and units for this program. The City of Knoxville may contract with an outside entity to conduct these inspection services.

8. "TENANT" Person(s) or family occupying a dwelling unit for rent. Not more than one family or four unrelated persons may occupy a dwelling unit

- 8-10-4 - Registration Requirement.

- All rental properties and rental units within the corporate limits of the City of Knoxville shall be registered with the City by the owner or the owner's representative. The owner or owner's representative shall file a completed registration form (as provided by the City) with the Planning & Zoning Department within thirty days of the property becoming a rental property, and subsequently at the time the rental inspection is due. Registration shall be accompanied by a fee as established by resolution of council and in accordance with the Rental Housing Inspection Administrative Policy.

By registering rental properties and/or rental units, the property owner consents to the City of Knoxville inspector entering and conducting an inspection, as described in 8-10-5. The registration process shall be conducted in accordance with the City of Knoxville's Rental Housing Inspection Program Administrative Policy.

- 8-10-5 - Rental Inspection.

- Each rental property and rental unit shall be inspected by the designated inspector at a frequency stated in the Rental Housing Inspection Program Administrative Policy. The inspections will be conducted to confirm compliance with regulations set forth in Knoxville Municipal Code, Titles 4, 8, and 9. Inspections will be conducted in accordance with the City of Knoxville's Rental Housing Inspection Program Administrative Policy and in accordance with all state and federal laws pertaining to tenant rights and notification requirements.

- 8-10-6 - Rental Compliance Certificates.
 - Each rental property shall obtain a Rental Compliance Certificate from the Planning & Zoning Department. Rental Compliance Certificate shall be issued in accordance with the Rental Housing Inspection Program Administrative Policy. Rental properties without a Rental Compliance Certificate shall be pursued in accordance with 8-10-9—Violations.
- 8-10-7 - Fees.
 - All fees associated with this Rental Housing Inspection program shall be established by resolution of the council.
- 8-10-8 - Contact Information.
 - All rental properties shall have the name and contact information of the property owner and/or the property owner's representative clearly and visibly posted for tenants.
- 8-10-9 - Violations.
 - Rental properties and/or rental units that fail to comply with this chapter, shall be referred to the city building official and attorney for prosecution as a municipal infraction. Failure to comply with this chapter, including but not limited to failure to register a property, may result in the revocation of a certificate of occupancy and/or a requirement to vacate the property.
- 8-10-10 - Appeals Process.

To be determined