

BACKGROUND

The Rental Housing Inspection and Registration Ordinance passed in December of 2008 to create the Rental Housing Inspection Program (RHIP). Property owners of known rental properties were sent information regarding the RHIP requirements for registration and annual inspections. The program includes County inspections for problem properties or for properties that have failed their audit inspections. All property owners that have requested a County inspection will first go through the audit inspection process to determine whether a full County RHIP inspection is needed or if the audit inspection is sufficient. A County RHIP inspection will be charged to the property owner.

APPLICABLE CODE SECTIONS

16.20.906 PROPERTY INSPECTIONS AND INSPECTION REPORTS.

- A. *At the commencement of any tenancy, but prior to occupancy by the tenant, the owner of the rental property, the manager of such property or any other qualified individual authorized to act for the owner, shall conduct an inspection of the rental unit.*
- B. *Subject to the provisions of Section 16.20.340 of this chapter, the County, the owner or the owner's authorized representatives shall conduct annual inspections of each rental dwelling. At the time of payment of the Rental Housing Code Compliance Fee, an owner may opt for annual self-inspection. Only persons with a certificate of completion issued pursuant to Section 16.20.909 of this chapter may perform such inspections on behalf of an owner. Inspections shall be reported on a form approved by the Department which shall be maintained by the owner or agent for no less than three years from the date a given tenant vacates the property that is subject to such reports.*
- C. *Notwithstanding subsections (A) and (B) of this section, any rental property that has been subject to a notice and/order more than once in the year immediately prior to the effective date of the ordinance codified in this section and for which corrections were not made within the time permitted by the notice and/order shall be deemed a problem property and shall be subject to the provisions of Section 16.20.907 of this chapter.*
- D. *No sooner than one year from the effective date of the ordinance codified in this section, the County may conduct audits of rental owners to determine compliance with these inspection provisions. Except as provided in this subsection, the County shall review the owner inspection reports when conducting a compliance audit. In the event the County determines that an owner is not in compliance, rental units subject to such noncompliance shall be inspected by the County.*
- E. *If the County, through the Department of Neighborhood Services, determines, in its sole and absolute discretion, that there are deficiencies in any inspection report, it may conduct its own inspection of the property. The form used for such inspection shall be the same form required to be used by owners and managers of rental units. An inspection by the County may be conducted without reference to the original inspection report if code violations are visible from the exterior of the property or if the County receives a complaint concerning code violations at a property.*

F. For purposes of any compliance audit, any owner or manager shall provide the inspection report prepared to subsections (A) and (B) of this section to the County and its inspectors. The owner or manager shall provide an inspection reports within seventy-two (72) hours from the date they are requested.

G. A copy of all inspection reports required by this section shall be provided to the tenant no later than ten (10) calendar days from the completion of the inspection. (SCC 1407 § 3, 2008.)

16.20.907 PROBLEM PROPERTIES.

A. Any rental property subject to a notice and/order more than once in any calendar year and for which corrections are not made within the time permitted by the notice and/order shall be deemed a problem property.

B. The County shall conduct exterior and interior inspections of such properties at least twice per year.

C. The County may, in its sole discretion, determine to inspect other rental properties of an owner of a problem property.

D. Owners of such properties, in addition to any other penalty, may be required by the Department of Neighborhood Services to attend educational sessions for landlords.

E. A problem property shall not be subject to self-inspection pursuant to subsection (B) of Section 16.20.906.

F. A property shall no longer be classified as a problem property at such time as it consecutively passes two County inspections and the owner has completed any required education.

G. Costs for the inspections required by this subsection shall be billed to and assessed against the specific properties subject to such inspections and shall be in an amount to assure full cost recovery to the County. (SCC 1407 § 3, 2008.)

16.20.909.5 TENANT RIGHTS AND RESPONSIBILITIES.

Prior to the commencement of any tenancy, a property owner or manager shall provide the tenant(s) with information concerning tenant rights and responsibilities. Such information shall be provided in a form or forms approved by the Department of Neighborhood Services. (SCC 1407 § 3, 2008.)

PROCEDURE

PROPERTIES THAT WILL BE INSPECTED

- Rental properties that are deemed problem properties
 - Properties that have had prior charged inspections over the last three years or the property owner possess other properties that fit into this category.
- Rental property that has failed audit inspection
 - Properties that have had audit inspections and have failed them due to failure to comply with the paperwork requirement or have failed their unit or exterior inspection because of significant violations.
- Rental properties where the owner has requested a County inspection and has failed the audit inspection.

- Owner requested inspections will start with an audit/sampling inspection and if it is failed under the conditions stated above, we will conduct a RHIP inspection, with cost recovery from the property owner. If they pass the sampling and produce the proper paperwork, we will *Cycle Complete* the inspection.

INSPECTIONS

PREPARATION

1. Check for an RHIP case and verify registration
2. Check current ownership information
3. Schedule inspection for 35 days out on first inspection. Following a failed audit or a continuing problem property inspection, give a minimum 14-day notice. Notice should be mailed to the property owner, property manager, and property address.
4. Prior to the first inspection we may provide flyers for the tenants. Property owners/managers are responsible for advising the tenants of the upcoming inspections. If applicable, the manager will be asked to sign the RHIP onsite inspection notification form stating that they have received the flyer and they will be distributed in a timely manner. Failure to do so will result in an additional fee. We will also request the Property Manager to provide contact information and fax number, vacant units, Section 8 units, units under eviction, and a copy of a map of the property.
5. Property managers will need to provide a 24-hour notice to the tenants also for us to inspect if the tenant is not home.

ONSITE INSPECTION

1. Meet the property manager, property owner, or maintenance man at the site. It is preferable that a representative of the complex accompany the teams during inspections so long as it does not interfere with our inspection
2. Identify yourself to the tenant with your name and who you represent and the purpose of your visit.
3. Get the name of the tenant and a contact number.
4. Using our checklist, begin the inspection going right to left. Inspections can be done in teams of 2, so one officer fills out the checklist and gets tenant information and the other inspects and takes pictures. It is advisable for the officer writing to closely follow to ensure the two officers communicate and can also scan the room to prevent missing items. These inspections can also be done by one officer.
5. If necessary. We may ask to see an apartment where the tenant isn't home. We will confirm that notice has been given, ensuring we have consent to enter.
6. Upon finishing the inspection, notify the property manager/owner that we will send a detailed violation notice and a scheduled re-inspection date.
7. The finished report is sent via certified mail to the property owner, property manager, and onsite manager if applicable.