



Provided by
Tom Silva at
City Council
meeting
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December 6, 2013

EXECUTIVE SUMMARY RESIDENTIAL RENTAL ORDINANCE AMENDMENTS

As part of an on-going effort to improve efficiencies through ordinance revisions, staff is proposing the following enhancements to the Residential Rental Inspection Ordinance. The enhancements include three specific components; a self-certification program, administrative updates, and an adjustment to the administrative hearing fee.

The Residential Rental Inspection Program systematically performs city-wide inspections in order to identify and eliminate housing violations and ensure on-going safety to our residents. The proposal to implement a self-certification program is intended to allocate staffing to areas in greater need of inspection services and provide an alternative to qualifying property owners who wish to opt out of the mandatory inspection program. Qualifying properties will be able to self-regulate their properties as long as they comply with all requirements of self-certification. The proposed administrative updates will allow for the adoption of the most recent version of the International Property Maintenance Code (IPMC). The IPMC is the enforcement authority for which housing inspections are performed. In addition, the removal of the focus and non-focus enforcement areas is included within the administrative updates. The removal of the focus areas will allow staff to focus their inspection efforts on a uniform citywide inspection cycle. The proposed update to the administrative hearing fee will allow the city to partially recover staff costs associated with the hearing appeals process.

Following a jurisdictional analysis of other California cities which operate a self-certification program City staff has developed a program which incorporates aspects of those into our proposed model, but it aligns most closely with the City of Concord. Staff has also met with members of the Rental Housing Association, BAY-EAST Realtors Association and the Keep Hayward Clean and Green Task Force in order to seek input on the proposed enhancements.

The proposed enhancements include:

- No-fee application to participate in the self-certification program.
- The first 100 complete and accepted applications will be processed in the first year of the program. The program will be reviewed after one year to determine if the application cap can be raised.

- No sunset to participants in the program as long as the property remains in good standing.
- Property owners will be required to perform annual self-inspections, submit a self-certification checklist and an affidavit to the City for each year that the property remains in the program.
- The affidavit has been modified; the "under penalty of perjury" reference has been removed from the signature line of the document.
- No qualifying site inspection for properties that have received and passed a survey rental inspection within the past ten years.
- Properties that have not received a survey rental inspection within the past ten years must request a qualifying site inspection of their units to participate in the self-certification program; a minimum 20% of the units will be inspected.
- Adoption of the most recent version of the IPMC.
- Removal of the focus and non-focus inspection areas.
- Increase the Administrative Hearing Fees from \$50 to \$250 (flat-rate) city-wide.

Code Enforcement Division

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