



Rental Inspection Committee
Meeting Agenda – October 20, 2016
12:00 pm
State Fair Community College
William C Hopkins Student Services Center
3201 W 16th Street
Sedalia, MO 65301

Present:

Stephen Galliher
Jeff Leeman
Dave Wiedeman
JoAnn Martin
Chuck Leftwich

Absent:

Kim Welch
Terri Hunter

Staff Present:

Gary Edwards
Anne Gardner
John Simmons
Jilene Streit
Jamie Bethel

Staff Present:

Esther Schultz
Tom Mayes

1. The Rental Inspection Committee meeting was called to order at 12:04 pm.
2. The Mayor took roll call, 5 of the 7 members were present.
3. The committee participated in a conference call with the City of Independence, Charlie Dissell, the Supervisor of the Rental Inspection Program. He discussed the program, how it basically got started, the steps it took to get the program on the ground, some of the pro's

and con's and some of the issues they faced along the way. A committee was formed, an ordinance was drafted and was taken to the Council, after changes made it was passed and adopted in September, 2016. The program was to be implemented in the beginning of 2017 but after discussion and feedback, council decided to put off until July 1, 2017. A new position will be opened for a technician position to head up and run this program. The ordinance is written for the inspections to be contracted out and the landlords can choose from the list of approved certified inspectors to perform the inspections. Upon inspection approvals, rental license can be issued to the landlords.

Questions asked:

What are some of the concerns of the local landlords and realtors?

Independence: Response has been, we have been doing this for so long why do these changes need to be made? What's triggering these changes? Why are you going after us? Just looking for extra revenue from us.

How do you protect the privacy of the renters during the inspections?

Independence: Required inspections are completed once every other year, but still require the license to be renewed on an annual basis. Anticipate giving a 2-3 month notice that their rental license is about to expire & will need an inspection before renewal. The landlord can inform their tenants the date the inspector will be there. Want to emphasize, we are not going into these properties looking for drugs, criminal activity, etc...we are strictly looking at the conditions of the dwelling itself.

Time frame would be for an average inspection? Independence: Would depend on the size of the house. Possibly 20-30 minutes.

Items that inspectors will be looking for:

Not excessive usage on outlets

Multiple power strips running off a single power strip

Outlets have covers on them

No feces – overall sanitary conditions are good

Toilets are all flushable
Water running properly
No mold

Strong opposition against ordinance. Why the opposition and were any renters opposed? Independence: At the public hearing had out of approximately 3,000 landlords, probably 10 speak in opposition. People who are in favor don't normally come, it's usually the folks against it. Vast majority of community is in favor of this ordinance.

How do you address renters who trash homes? Independence: Landlords have asked for our help. Legal has advised it's more of a private issue, a civil matter between the landlord and the renter and the City can't technically get involved.

How did the process start in the beginning, city Staff, committee? Independence: There was a committee made up of city staff to start with and then branched out and focused on the Community Development Department based off the recommendation that we received from the committee. Exterior issues of a property are handled through the Code Enforcement program for those issues. As far as getting inside the house, we do have a Dangerous Building ordinance. We have an Unsafe to Occupy rule in place through Code Enforcement, as well. Have some remedies, but as far as extending the inspection program to owner occupied, single-family dwellings, never looked at that, too many to tackle. However, our legal staff is confident we can do this on inspections because these rentals are technically a business and we are just inspecting the business to make sure these people are offering safe conditions to the people they are renting out to as part of their business.

What initiated the rental inspection? Independence: With the 2010 census and the notice of jump with the owner occupied to rental occupied.

What percentage are rentals? And how many units? Independence: Seemed to think 50/50.

Were properties starting to add more & more to the rundown look of the area?
Independence: No, a lot of owner occupied properties are looking like that too. This was just mainly making sure these dwellings inside the city are safe to occupy. Main goal was to insure the renters are living in safe conditions. Do you feel the inspections will motivate the landlords to maintain better knowing they will be having inspections? Independence: Hopefully so!

If inspectors go into these homes and find fire hazards (doors blocked, trash piled up) is there any provisions for bringing in additional resources involved?
Independence: Would have to build something into the ordinance to let the private inspectors notify the appropriate department if there this an issue. The ordinance is looking for 11 items. If any of the issues are discovered, they will fail the inspection until it's fixed. Will you be failing the property owner when the tenant is the one with the issues? Independence: The property owner has to be the one to get the business license to rent the property out & the inspection has to be passed before they can get their business license. If they didn't fix the issues, we could take them to municipal court and go through that process. The city won't be able to go after the tenant because everything is tied to the business license that the property owner is required to obtain.

Health violations that create a dangerous situation. The City has no capability or resources to the landlord to rectify that situation? Independence: The City of Independence does have the Unsafe Building and/or Dangerous Building. We have criteria that has to be met before we can take over the process.

Will the inspectors required by the City be limited to 5 and when it comes time for the inspection, does the landlord hire the inspector or does the City send out the inspector? Independence: The landlord will pick from the approved list of inspectors provided by the City. Will have as many that are qualified to do the inspections. Inspectors will be bonded. Could a landlord qualify to be an inspector & self-inspect their own properties? Agreed it would be a conflict of interest. Think this might create more abandoned properties? Possibly? Already have an above normal rate of them. Council's goal is if it's safe to live in to begin with then they would rather have it abandoned than someone living there.

Landlord that has multiple properties, are all properties going to be due for inspections at the same time? Independence: Provision in the ordinance that if they own a complex of 3 or more or 4 or more connected units, then only have to have a certain percentage of them inspected, maybe 10%? However, if they are all single-family dwellings, they have to each need to be inspected. If a landlord has multiple properties and 1 property fails an inspection, his business license will be pulled. One business license would be given per landlord, not per property. Section 4-15.008 refers to the information.

4. Anne indicated if they want Judge Mitchell at a meeting it would have to be a different day than a Wednesday, she has prior commitments.

Mr. Edwards said that Cape Girardeau is willing to talk with the committee also. Also, they will supply the name of a landlord that would talk with the committee also. So, possibly talk with them and delay talking with the Judge until after that.

The Mayor wants to talk about the idea of the City staff drawing up ordinance tailored to Sedalia instead of trying to take bits of pieces from other cities? A basic blueprint for a starting document.

Jeff Leeman made the motion to adjourn the meeting, JoAnn Martin seconded the motion.

5. Next meeting will be Wednesday, November 2, 2016 at 6:30 pm.