

CITY OF FRESNO

Rental Housing Improvement Program



NOTICE

TO RENTAL PROPERTY OWNERS



KEY POINTS

If you are a rental property owner, manager, or local representative...

1. Register Property - ALL rental units, single home and multi-family
2. If property is inspected by another government agency or is less than 10 years old, complete Exemption Application (registration still required)
3. The City of Fresno will randomly select and notify property owners in advance of Baseline Inspections for Health and Safety compliance

Contact the City of Fresno



City Website and Rental Act Details/Regulations and info page
www.fresno.gov/rentalhousing



(559) 621-RENT (7368)



Email: rental.housing@fresno.gov

These documents can be made available in alternate formats upon request. To request alternate formats contact rental.housing@fresno.gov or (559) 621-RENT (7368).





A Message to Residential Rental Property Owners:

On January 10, 2018, the City of Fresno (City) launched its Rental Property Registry. This is a significant step forward in the effort to preserve Fresno's housing stock through the Rental Housing Improvement Act. By proactively identifying substandard housing violations and ensuring rental housing meets minimum health and safety standards, we will collectively safeguard and preserve the housing stock of decent, safe and sanitary residential rental units within our community. In addition, we will also protect persons residing in rental housing by providing for a regular and comprehensive system of inspection to identify and require the correction of substandard conditions.

Property owners that have one or more residential rental properties are required to register. Please ensure that your rental properties are registered. If you receive this notice in error, and are not a rental property owner, please call (559) 621-RENT or email rental.housing@fresno.gov so that we may update our records.

The registration process is simple, free, and individuals are encouraged to register online at www.fresno.gov/rentalhousing. While online registration is encouraged, hard-copy formats are also available. You may also call (559) 621-RENT to request one by mail.

The City provides informational sessions for those wishing to learn more about the program and technical assistance workshops specific to the registry in a computer lab setting. Additional information about the City's Rental Housing Improvement Program, the Rental Registry, workshops, and the planned health and safety inspections can be found online at www.fresno.gov/rentalhousing.

The City firmly believes that the safety of rental housing properties is also the goal of property owners and that this process will be more successful through the collaboration and participation of owners, tenants, the City and the community. Thank you in advance to the hundreds of property owners who have already registered, and for the anticipated cooperation of responsible property owners who will be properly registering their rental properties and ensuring compliance with health and safety standards.

SINCERELY,

Mayor Lee Brand





RENTAL HOUSING IMPROVEMENT PROGRAM INFORMATION PACKET

The full Rental Housing Improvement Act and accompanying Regulations can be found online at www.fresno.gov/rentalhousing.

1. Notice to Register Rental Properties

All residential rental properties are required to be registered and the registration updated whenever there is a change of ownership or contact information. The property owner is required to register each rental property and/or Assessors Parcel Number (APN) owned. The registration is used to confirm the number of units on each parcel and to collect contact information such as mailing address, phone numbers, etc. for the property owner and/or local representative. Free registry of rental properties can be completed online at www.fresno.gov/rentalhousing. The Registration Form is also available in hard-copy for submittal to the City. Nonresponsive rental properties will automatically be added to the registry as noncompliant and will be subject to applicable fines.

2. Exemptions

While all rental units shall be subject to registration, some may be exempt from the health and safety inspection itself. If a subsidized residential rental unit is subject to, and regularly inspected by another government agency, the units may be exempt, provided that proper documentation is submitted to the City. Rental properties that are less than ten (10) years old are also exempt. If any of these circumstances exist, owners may submit an Application for Exemption, preferably through the Rental Registry, after the property has been registered online at www.fresno.gov/rentalhousing. The Application for Exemption is also available in hard-copy format and can be submitted to the City. In cases of multifamily properties (two or more rental units), qualifying exemptions may apply to individual units within a complex, or the entire complex. One Application for Exemption may include several units as long as they are associated with the same property/APN. The City will provide feedback related to the status of the Application for Exemption primarily through the Rental Registry.

3. Inspections

All residential rental properties (with the exception of verified, exempt properties) shall be subject to a health and safety Baseline Inspection. It is within the City's sole discretion to determine the order in which it will conduct Baseline Inspections. The Rental Housing Improvement Checklist clearly defines and describes the criteria for Health and Safety Standards that the property must meet.

NOTICE OF INSPECTION: A written Notice of Inspection shall be mailed to the Property Owner a minimum fourteen (14) days in advance of a planned inspection. The City shall also post the Notice in common areas on the property such as building entries, laundry rooms, and community mailboxes. The posting will be in multiple languages. It shall be the property owner's responsibility to provide required notice to individual tenants to facilitate access to the units to be inspected.

PAYMENT: The Notice shall include an invoice for the amount of the inspection fee of \$100 per unit to be inspected. A unit shall not pass inspection until all fees are paid.

BASELINE INSPECTION: If no health and safety violations are found, and all City fees are paid in full, the unit(s) will pass the Baseline Inspection. Properties that have zero violations by no later than 30 days after the Baseline Inspection is complete will be categorized as Tier 1 and will be eligible for self-certification.

During the Baseline Inspection, the Property Owner may make immediate repairs to correct any violation noted in the course of the inspection. If all necessary repairs are made during the Baseline Inspec-



tion, and all City fees are paid in full, the unit(s) will pass the Baseline Inspection.

Following the Baseline Inspection, there are optional opportunities for Property Owners to clear violations prior to the scheduled Compliance Re-inspection, but in no case later than 30 days after the Baseline Inspection.

OPTION 1 - PROOF OF CORRECTION: Property Owners may complete a Proof of Correction form at no cost, preferably through the City's online Rental Registry, for timely repairs to correct any applicable violation(s) prior to the scheduled Compliance Re-inspection (\$100/unit). The burden lies with the Property Owner to notify the City of repairs made between the Baseline and Compliance Re-inspection by providing evidence to the City of repairs made. Ten percent of submitted Proof of Correction forms will be inspected by the City on a random basis each year.

OPTION 2 - COURTESY RE-INSPECTION: Property Owners may also request a Courtesy Re-inspection, for timely repairs made to correct applicable violation(s) at least seven (7) days prior to the scheduled Compliance Re-inspection (\$100/unit). The burden lies with the Property Owner to notify the City of repairs made after the Baseline Inspection by requesting a Courtesy Re-inspection. Courtesy Re-inspection(s) shall not exceed \$50 per unit.

If all necessary repairs are made in a timely manner through a Proof of Correction form or a Courtesy Re-inspection, the unit shall pass and shall not be subject to a Compliance Re-inspection. These properties will be categorized as Tier 1 and will be eligible for self-certification.

COMPLIANCE RE-INSPECTION: Repairs that cannot be made within 30 days of a Baseline Inspection shall be subject to a Compliance Re-inspection. Property Owners will be issued an invoice in the amount of \$100 per unit for a Compliance Re-inspection. The City will provide the Property Owner with an inspection checklist from the previous Inspection(s), noting items to be corrected.

FAILED BASELINE AND COMPLIANCE RE-INSPECTION: In the event a unit fails the Baseline Inspection and the Compliance Re-inspection, all of the remaining units on the property shall be subject to inspection and may be referred to the City's Code Enforcement Division and/or the Anti-Slum Enforcement Team for complete code enforcement inspections.

TENANT'S AFFIRMATIVE OBLIGATIONS: Violations that are a result of a breach of Tenant's Affirmative Obligations shall not be a basis for a unit to fail inspection, but are still subject to issuance of a correction notice and correction. The Property Owner shall be required to provide proof that a tenant is in substantial violation of Tenant's Affirmative Obligations. If it is determined that the violation is caused by a breach of the Tenant's Affirmative Obligations, the City will not impose additional restrictions or assess a Compliance Re-inspection. Irrespective of who is at fault, the Property Owner is responsible to correct all deficiencies within a reasonable amount of time.

PROPERTY SELECTION: All multi-family rental properties will be inspected. For properties containing the following number of residential rental units, a percentage of units shall be randomly selected and subject to inspection as follows:

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- | | |
|----------------------|------------------------|
| • 2-4 Units: | 50% of Units Inspected |
| • 5-15 Units: | 25% of Units Inspected |
| • 16-50 Units: | 15% of Units Inspected |
| • 51 Units and Over: | 10% of Units Inspected |
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For single-family home rental property owners, all properties will be inspected. For single-family rental property owners who own multiple rental homes, a percentage of properties shall be randomly selected and subject to inspection as follows:

• 2-9 Homes:	50% of Units Inspected
• 10-20 Homes:	30% of Units Inspected
• 21-49 Homes:	20% of Units Inspected
• 51 Homes and Over:	10% of Units Inspected

INSPECTION CYCLES: Following the Baseline Inspection, properties shall be classified into tiers, and periodic re-inspections shall occur according to the appropriate tier outlined in the Rental Housing Improvement Act.

- **Tier 1:** Properties that pass the Baseline Inspection shall be re-inspected no sooner than five (5) years after the date of the initial inspection. All Tier 1 properties may be self-certified pursuant to the self-certification program.
- **Tier 2:** Properties that fail the Baseline Inspection and the Compliance Re-inspection; properties that have some code violations, but none that pose imminent danger of death or serious injury to occupants; or properties whose fees, penalties or taxes are delinquent longer than 90 days shall be inspected every two years.
- **Tier 3:** Properties that fail two (2) or more consecutive Compliance Re-inspections, or properties that have fees, penalties, or taxes that are delinquent longer than 120 days shall be inspected annually, and every unit shall be inspected, until all units are brought into compliance with all City code requirements and are current on all fees, penalties or taxes owed to the City.

4. Fees, Penalties, and Appeals

The Rental Housing Improvement Act collects fees to help cover the cost of program administration and for the inspection(s) performed. While there is no fee to register properties, there are fees for each rental unit inspected. Each Notice of Inspection shall contain an invoice for the amount of the inspection fee. A unit shall not pass inspection until all fees are paid. Invoices are due and payable no later than 30 days after the date of initial inspection. Any unpaid fees will cause the property to be placed in an “out of compliance” status. [The fee for a Baseline Inspection is \$100 per unit, the fee for a Courtesy Re-inspection is \$50, there is no fee for completing a Proof of Correction.]

Additional fees are imposed if the property is not brought into compliance within 30 days of the initial inspection, if the inspection appointment is not kept by the owner or responsible party, or if fees are not paid to the City in a timely manner. Units subject to a Compliance Re-inspection will be charged \$100 for each additional inspection(s) required. Delinquent fees, late fees, and penalties shall be assessed as set forth in the Act. If, after a correction notice has been issued, the owner fails to abate violations, the City may proceed with all remedies available under law to compel compliance, including but not limited to issuing administrative citations, abatement proceedings, civil injunction, criminal prosecution, or any combination of remedies with respect to all violations not caused by tenant’s breach of Tenant’s Affirmative Obligations. The City shall also be entitled to recover attorney’s fees when it is the prevailing party in any action or proceeding brought forth by the City to enforce the Act.



4. Fees, Penalties, and Appeals *(continued)*

DESCRIPTION	FEE/PENALTY
Registration	\$0
Failure to Register/Late Registry	Varies, up to \$1,000/ Property
30 days late	\$100/Property
31-60 days late	\$200/Property
61-120 days late	\$500/Property
120+ days late	\$1,000/Property
	10% interest/annum
Baseline Inspection	\$100/Unit
Optional Proof of Correction Form	\$0
Proof of Correction Random 10%	\$0
Optional Courtesy Re-inspection	\$50/Unit
Compliance Re-inspection	\$100/Unit
Exemption Application (Registration Required)	\$0
Self-Certification Program	\$0
Self-Certification Random 10%	\$100/Unit
Penalties for Making False Statements	Varies
1st Offense	\$100/Unit
2nd –Subsequent Offense(s)	\$250/Unit

5. Self-Certification Program and Random Inspections

Properties classified as Tier 1 may be “Self-Certified.” Self-Certification allows owners to perform their own inspections as outlined in the Rental Housing Improvement Act. Properties must be inspected at least once every 12 months, and re-inspected upon change of tenancy. The Property Owner must provide adequate documentation that such annual and routine inspections take place, including the substance of such inspections. Only Tier 1 properties will be provided with an opportunity to participate in the Self-Certification Program.

The Self-Certification Program allows for random City inspections of Self-Certified properties. If the property does not pass a random inspection, it will no longer be eligible for Self-Certification and will be subject to annual inspections. Self-Certified properties that pass a random inspection will be exempt from further random inspections for five (5) years.



CITY OF FRESNO RENTAL HOUSING IMPROVEMENT PROGRAM

Frequently Asked Questions

What is the Purpose of the Rental Housing Improvement Program? The Rental Housing Improvement Program was created to safeguard and preserve the housing stock of decent, safe and sanitary residential rental units within the city of Fresno by providing for a regular and comprehensive system of health and safety inspections.

Why was a notice sent regarding this program? In instances where a property address is different from the owner's mailing address listed on the property deed, or the property is listed as multifamily, a notice was sent to all property owners to provide information on the Rental Housing Improvement Program.

If the notice was received by an individual who does not own a rental property, what should the individual do? Please call (559) 621-RENT or email City staff at rental.housing@fresno.gov so that records can be updated.

What should rental property owners or property managers do first? Complete the registration process at www.fresno.gov/rentalhousing.

Should owners wait until a notice is received before registering rental properties? No. While the City has made effort to send program information to all rental property owners, it is ultimately the Property Owners' responsibility to register all rental properties.

Is there a fee to register? No. There is no registration fee. However, nonresponsive rental properties will be added by the City to the registry as noncompliant properties and owners will be subject to applicable fines.

How is registration completed? Online registration is encouraged at www.fresno.gov/rentalhousing. Blank forms are also available on the City's website, and can be requested by mail by calling (559) 621-RENT. Basic information on the owner and/or local contact representative is recorded, as well as information related to rental units associated with the rental property.

What is a local contact representative? A local contact representative is either the property owner or the designated representative or property manager who has full authority to act on behalf of the property owner. The contact person must be a local (greater Fresno metropolitan area) contact in order for City notices to be personally served, if necessary.

How does the public learn more about the Rental Housing Improvement Program, or how to register online? The Rental Housing page on the City's website is a resource for additional information: www.fresno.gov/rentalhousing. The City also conducts informational sessions. For those wishing to learn more about the program, or attend a technical assistance workshop specific to the registry in a computer lab setting, visit the website, or call (559) 621-RENT.

Besides registering, what should the property owner do to prepare for the health and safety inspection? The property owner can prepare for a health and safety inspection by ensuring that all rental units are compliant with applicable codes and standards. Housing units should meet minimum health and safety standards as required by the State of California and be safe to occupy.



What is included in the health and safety inspection? A sample health and safety inspection checklist is available on the City's website, www.fresno.gov/rentalhousing. The City's health and safety inspection is intended to ensure that rental housing units meet minimum health and safety standards as required by the State of California, and are safe to occupy.

When should an Application for Exemption be submitted? After registration is complete. If the rental property or units within the rental property are less than 10 years old, or undergo routine inspections from another governmental agency, an online Application for Exemption can be submitted once registration of the rental property is complete.

Does the property owner need to contact the City of Fresno to schedule the health and safety inspection? No, the City will contact property owners by mail at least two (2) weeks prior to the scheduled inspection.

Does the property owner need to be present for the inspections? Yes. The property owner, or their listed local contact representative, must be present.

What is the fee for the health and safety inspection? The fees are outlined in greater detail on the City's website. The fee for a baseline inspection is \$100 per unit inspected, an optional Courtesy Re-inspection is \$50 per unit, and a Compliance Re-inspection is \$100 per unit.

Who is responsible for the payment of inspection fees and penalties? The fees are the responsibility of the property owner.

Will all units be inspected? For multi-family and single-family rental properties of more than one unit, a percentage of units shall be randomly selected for the Baseline Inspection. For units that fail two or more consecutive Compliance Re-inspections, every unit shall be inspected until all units are brought into full code compliance.

Can corrections be made during the inspection? Yes. During the inspection, immediate repairs to correct any violation noted in the course of the inspection may be made. If all necessary repairs are made during the inspection, and all City fees are paid in full, the unit(s) will pass inspection.

Can the owner provide photographic evidence or other proof that a violation has been corrected without incurring additional inspections and inspection fees? Yes. For repairs made no later than 30 days after the Baseline Inspection, a Proof of Correction form may be completed online. It will be reviewed by an inspector and evaluated for compliance. There is no charge for this service.

For violations that cannot be proven to be corrected through photographic evidence, how can the owner report those corrections to the City? For repairs made no later than 30 days after the Baseline Inspection, the owner may request the City provide a Courtesy Re-inspection. The cost for a Courtesy Re-inspection is \$50 per unit.

What is the Self-Certification Program? Self-Certification is a program by which Property Owners can certify that their rental units meet the required standards. Following the initial inspection, a property will be classified into tiers that will determine future inspection cycles. Properties in Tier 1 that have annual self-performed inspections providing compliance, and which are current on City fees are eligible for Self-Certification and will be on a five (5)-year City inspection cycle.

How can the public determine if a rental property has completed the registration process? Visit www.fresno.gov/rentalhousing for a current listing by street address of rental properties that have completed the registration process.



INSPECTION ITEMS

EXTERIOR

1. Adequate Sanitation

- a. Building and Grounds are kept Clean, Sanitary, and Free from Garbage.
- b. Adequate Garbage Receptacles (if provided by landlord)
- c. Adequate Sewage Disposal System (no evidence of raw sewage)

2. Structural

- a. Foundation Does not Pose Risk to Safety
- b. Wiring Maintained in Good Working Order
- c. Roof and Roofing Supports Appear to be Maintained in Good Working Order
(Structurally Sound, Waterproof and Does Not Pose Risk to Safety)
- d. Exterior Walls with Effective Waterproofing and Weather Protection
- e. Windows Maintained in Good Working Order
(Capable of Locking and Screens – if intended for use - in Good Condition)
- f. Electrical Maintained in Good Working Order (includes Panels/Meters)
- g. Water Heaters Maintained in Good Working Order
(Installed in safe and good working order, including seismic strapping)
- h. Landing, Stairways and Railing in Good Condition
- i. Chimney Does not Pose Risk to Safety (if applicable)
- j. Walkways free of tripping hazard, pool fencing

INTERIOR

1. INTERIOR: Adequate Sanitation

- a. Hot and Cold Running Water (Water Supply Connected to Sewage Disposal System Maintained in Good Working Order)
- b. Heating System Maintained in Good Working Order
- c. Cooling System in Good Working Order (If part of original construction)
- d. Electrical Maintained in Good Working Order
- e. Unit Clear from Infestation (pest, rodent, bedbugs, vermin etc.)
- f. Paint Intact if Built Prior to 1978 (Deteriorated or Disturbed Paint Requires Proper Abatement)
- g. Appearance of Mold (excluding the presence of mold that is minor and found on surfaces that can accumulate moisture as part of their properly functioning and intended use)

2. INTERIOR: Structural

- a. Floors, Stairways, and Railings Maintained in Good Working Order
- b. Effective Weatherproofing and Weather Protection of Roof and Exterior Walls
- c. Wiring Maintained in Good Working Order
- d. Ceilings Display No Evidence of Leak(s)
- e. Plumbing and/or Gas Facilities Maintained in Good Working Order
(includes gas fireplace)
- f. Windows/Window Locks (Windows intended for opening can be opened, no missing or broken glazing, egress windows not blocked, security bars can be released from the interior)
- g. Doors (Main Swinging Door Secured, Standard Dead Bolt at Interior, and Weather Sealed)
- h. Smoke Detectors in Good Working Order
- i. Carbon Monoxide Detectors in Good Working Order (if applicable)

NOTE: Regardless of cause, items are to be corrected.

RENTAL HOUSING IMPROVEMENT PROGRAM
REGISTRATION FORM
Development and Resource Management Department

Rental Housing Division 2600 Fresno Street, Room 3065 • Fresno, California 93721
(559) 621-RENT (7368) www.fresno.gov/rentalhousing

All residential rental properties are required to be registered and the registration updated whenever there is a change of ownership or contact information. Free, online registration is encouraged by completing the registration information and submitting it via the City of Fresno's Residential Rental Registry at www.fresno.gov/rentalhousing. All residential rental properties shall be registered, including those that may be considered exempt from inspections through the Rental Housing Improvement Act. This Registration Form may also be returned by mail to the address shown above. Registration is due no later than 30 days from receipt of initial notice.

Property Owner Information

To the extent legally permissible, the contact information shall remain confidential and for internal City of Fresno use only, and not available to any member of the public.

First and Last Name: _____ Company Name: _____

Phone: _____ Cell: _____

Mailing Address: _____ City: _____ State: _____ Zip Code: _____

Email: _____

Local Representative/Property Manager Information

If different from the Owner, please list the contact information for a local representative with full authority to act on behalf of the Owner for all purposes under the Rental Housing Improvement Act.

Local Representative Same as Property Owner: ☐ YES ☐ NO

First and Last Name: _____ Company Name: _____

Phone: _____ Cell: _____

Mailing Address: _____ City: _____ State: _____ Zip Code: _____

Email: _____

Rental Property Information

Rental Property Address: _____

APN: _____ Zip Code: _____

Total Number of Rental Units: _____ *Estimated Exempt Units: _____

**Rental Unit Exemption: Some rental units may be exempt from the inspection program. If you believe your property or a portion of units within qualify for exemption, complete the registration process. You may then submit an Application for Exemption.*

I declare that I am the owner or local representative with full authority to act on behalf of the owner for the referenced property.

I understand that it is unlawful for any person to knowingly make a false statement of fact or knowingly omit any information that is required to register a rental housing unit pursuant to Article 16 of Chapter 10 of the Fresno Municipal Code.

I acknowledge that it is my responsibility to update this information whenever there is a change of ownership and/or contact information.

I understand and acknowledge that, pursuant to Article 16 of Chapter 10 of the Fresno Municipal Code, all non-exempt rental housing properties and rental housing units are subject to routine periodic inspections by the City of Fresno.

By signing below, I certify that I have read and understand the information contained on this registration form.


Signature of Owner or Local Representative

Printed Name of Owner or Local Representative

Date



 www.fresno.gov/rentalhousing

 (559) 621-RENT

 Email: rental.housing@fresno.gov