



AN INITIATIVE OF

the de Beaumont Foundation + Kaiser Permanente



HEALTHY RENTAL HOUSING POLICY ACTION GUIDE

How to use this action guide

This Action Guide is a resource for elected officials, policymakers, and advocates interested in creating or improving a Healthy Rental Housing policy. Healthy Rental Housing policies ensure that homes in our communities meet the safety standards we all want — from good plumbing to lead-free paint. They can also help detect life-threatening toxins like mold and asbestos. When communities have Healthy Rental Housing policies, hard-working families are protected from certain threats to their health and can feel safer and healthier at home.

Healthy Rental Housing policies consist of two programs, a registry of rental homes and a proactive rental inspection program, that work together to increase healthy, safe, and stable rental housing opportunities. While a local government can have a rental registry without a proactive rental inspection program, a proactive rental inspection program can only be effectively implemented with a rental registry.

RENTAL REGISTRY: A centralized database where landlords register rental properties, providing essential details for tracking housing, ensuring compliance with regulations, and facilitating communication between property owners and their local jurisdictions. Overall, rental registries are crucial in promoting transparency, accountability, and efficient management of rental housing markets.

PROACTIVE RENTAL INSPECTION: An innovative alternative code enforcement policy approach that mandates periodic inspections of rental properties. Unlike the more commonly used *complaint*-based code enforcement programs, a proactive rental inspection program is a systematic process to assess the condition of rental properties before issues escalate.

There are four primary benefits to implementing Healthy Rental Housing policies:

- 1. Protects vulnerable renters:** Healthy Rental Housing policies can help jurisdictions identify health and safety issues while removing the onus from residents to report violations. Vulnerable renters may be hesitant to report issues to jurisdictions for a fear of retaliation, which could include eviction or non-renewal of leases. These concerns are heightened for those who distrust government systems, face language barriers, and have difficulty navigating government programs and/or on-line systems. This may include immigrant households, including those who are undocumented or have mixed immigration statuses.
- 2. Provides resources for landlords:** Healthy Rental Housing programs can support landlords by providing assistance in the form of preventative maintenance tactics, identifying local resources for smaller landlords, and education on health housing codes.
- 3. Decreases evictions:** Healthy Rental Housing policies can decrease evictions based on the nonpayment (or withholding of) of rent due to substandard living conditions or increased repair costs borne by the renter. Where a Legal Support for Renters policy accompanies a Healthy Rental Housing policy, tenants have greater access to representation when seeking legal redress if landlords do not maintain their properties. Reduced evictions can mitigate negative impacts on both families and communities.
- 4. Protects surrounding homes:** When unsafe and unhealthy housing conditions are left unaddressed, they can also affect surrounding homes. Healthy Rental Housing policies can help address blighted properties, which can decrease surrounding property values, pose larger safety hazards, and negatively impact the local housing market.

To date, CityHealth has awarded 24 cities with medals for their Healthy Rental Housing policies — three have achieved gold, four have achieved silver, and 17 have achieved bronze. While Healthy Rental Housing policies are a relatively new tool used by local jurisdictions to improve their community’s rental homes, national momentum is growing for this type of policy as more and more cities recognize the benefits of adopting this program.

Why adopt a Healthy Rental Housing policy?

Healthy Rental Housing policies improve the health of renters by mitigating risks associated with substandard housing. One study found that 85.1% of affordable housing property inspections identified at least one health-related housing quality issue.¹ Enacting Healthy Rental Housing policies can address habitability issues early on, leading to healthier, stable living conditions for residents and potentially reducing short-term and long-term healthcare costs.

Adopting a Healthy Rental Housing policy also provides local administrators opportunities to develop partnerships with local institutions invested in community health. For example, in Boston, Massachusetts, the local health commission partnered with local healthcare providers to develop the Breathe Easy at Home program, which effectively allows healthcare professionals to “prescribe” home inspections for their child patients exhibiting asthma symptoms. This helps Boston’s Inspection Services Department identify and prioritize inspections for potentially substandard rental housing.

Implementing Healthy Rental Housing policies can benefit renters, local governments, and landlords.

Benefits for renters

By changing from a complaint-based inspection process to a proactive one, it is no longer the full responsibility of

the tenant to report code violations they may be living in. Shifting this burden from renters can be tremendously impactful. Doing so helps prevent dangerous living conditions from worsening because it is no longer the responsibility of the tenant to be able to identify a code violation and navigate the code violation reporting process. Proactive, routine inspections also address concerns about landlords retaliating against tenants who do issue a complaint. In this way, Healthy Rental Housing can serve as a crucial tool for protecting renters and ensuring housing stability, especially in cities that have limited authority or capacity to do so otherwise.

Benefits for local governments

Healthy Rental Housing policies can be designed to be revenue-neutral. Registration, renewal, inspection, and code violation fees help cover the cost of administering the programs. If structured accordingly, Healthy Rental Housing policies can generate enough revenue to help renters displaced from homes that were found to be uninhabitable and/or smaller local landlords who need financial assistance to cover the cost of needed repairs.

Benefits for landlords

Healthy Rental Housing policies establish clear standards and expectations for landlords so that all landlords are held equally accountable for maintaining their rental homes up to healthy standards. These programs have also contributed to fewer complaint-based violations that landlords need to address. Landlords are responsible for maintaining habitable conditions for their residents regardless of a city’s inspection policy. A Healthy Rental Housing policy should be minimally burdensome for those who adhere to required health and safety codes.



DRAFTING A STRONG HEALTHY RENTAL POLICY

Step by Step Process



1 Define the goals of the policy

The first step in developing a Healthy Rental Housing policy is to define the goals of the policy. During this process, it is important to examine both quantitative and qualitative data — examining available data while conducting resident and stakeholder engagement. This ensures that the policy is grounded in local context and builds relationships with those most likely to be impacted by the policy.

Once the policy’s goal(s) are determined, several key policy components must be considered when developing or improving a Healthy Rental Housing policy. The structure below is based on how CityHealth evaluates medals for its partner cities.

2 Identify stakeholders and build coalitions

Coalition building is crucial for designing, implementing, and administering Healthy Rental Housing policies. Comprehensive coalitions include government agencies, renters, property owners and property managers, advocates, and other major institutions because they all play a vital role in this process. Government agencies provide the regulatory framework and oversight necessary for safe living conditions, while renters, property owners, and advocates offer valuable perspectives and expertise. Additionally, philanthropies and financial institutions

contribute resources and support for effective policy implementation, particularly in under-resourced areas. Together, these stakeholders can form a collaborative coalition to create and enforce rental inspection policies that promote equitable housing standards and address community needs.

BOSTON’S HEALTHY RENTAL HOUSING POLICY:

Following a grassroots campaign for more comprehensive code enforcement, Boston’s city council leadership took up the cause for Healthy Rental Housing. A strong model for intergovernmental and inter-organizational collaboration, the details of the policy were informed by the existing capacity, expertise, and systems of the city’s Inspection Services Department. Inspection Services partnered with the Boston Public Health Commission to recruit residents to testify about the need for this code enforcement approach and the impact it could have on their lives and those of their neighbors. The city also worked with community-based organizations and landlord associations to add nuance to the bill to ensure that it would not adversely impact smaller property owners. This collection of stakeholders, community leaders, and residents all deserve credit for this gold medal policy.

3 Establish and maintain a rental registry

Establishing and maintaining a rental unit database that serves as the foundation for Healthy Rental Housing policy implementation is key. Rental registries help to create an accurate inventory of the city’s rental housing stock and determine which units/properties will be proactively inspected in any given year. They also provide code enforcement officers with contact information for landlords when inspections are scheduled, and/or violations are discovered. These databases also allow the city to analyze rental housing trends over time, depending on what information is captured. **Establishing an annual or bi-annual rental registry is the minimum requirement for a city to achieve a bronze medal.**

REGISTRATION INFORMATION

Not only does collecting thorough registration help facilitate quick and clear communication between cities and property owners, it also helps manage “absentee” and out-of-jurisdiction landlords, who can be difficult to contact. This is one of the key benefits of having a rental registry. Information required commonly includes:

- Property name
- Property address
- Number of rental units
- Year built
- Owner full name
- Telephone (daytime and after hours)
- Mailing address
- E-mail address
- Date of birth
- Driver’s license number and state
- Local point of contact (if out-of-town landlord)
+ contact information

REGISTRATION FREQUENCY

City policies dictate how frequently landlords must register and renew their rental property registration.

- **Initial** – Rental unit is only required to be registered once.
- **Annual or biannual** – Registrations need to be renewed on an annual or biannual (every two year) basis by landlords. **This is considered best practice and is required for a CityHealth bronze medal.**
- **Other** – Various other models exist, including only requiring renewals in-between tenants or only requiring renewals for landlords who have a history of code violations. Cities can design their renewal process

to fit their housing and administrative needs. The best practice is to require regular renewals to ensure databases are up to date and to help fund the Healthy Rental Housing policy.

SANTA ANA’S RENTAL REGISTRY:

Santa Ana, California, has had a rental registry in place since 1992. The city’s **rental registry website** includes a comprehensive set of resources for property owners, including slide shows, workshop videos, and a user guide that provides step-by-step registration instructions. For a rental registry to be successful, it must be user-friendly for property owners and tenants, and Santa Ana has excelled in that regard. In 2016, the city took the next step towards advancing Healthy Rental Housing by adopting an **ordinance** that established its Proactive Rental Enforcement Program (PREP). As a result, Santa Ana was awarded a CityHealth silver medal for its Healthy Rental Housing program and demonstrated that policies can evolve and improve over time as needs change.



4 Consider registration and inspection fees

Policymakers need to consider if they would like to charge landlords a registration and/or inspection fee. Table 1 depicts several examples of how cities have structured their Healthy Rental Housing fees. While there is no specific amount that cities should charge, **a registration and/or inspection fee is required for a CityHealth gold medal.** Several considerations include:

- **Frequency** – Should landlords pay a fee only at the time of initial registration or with each renewal? It is common to charge fees with each renewal to help cities recoup the ongoing costs of administering a Healthy Rental Housing policy.
- **Rate** – CityHealth partners surveyed cities with Healthy Rental Housing policies (see Table 1) and found that registration fees (initial and renewal) generally range from \$0–\$90. This figure should be a balance of what is needed to cover the policy’s cost and keep fees reasonable for landlords.
- **Exemptions** – Some jurisdictions exempt smaller properties (e.g., rentals with three units or less) from renewal fees while others have a cap on fees so that larger buildings do not pay exorbitantly large annual fees (e.g., a cap of \$2,500 per building).² Caps are usually only found in larger cities.
- **Inspections** – many jurisdictions require a fee for each inspection, often ranging from \$35 to \$175 per unit. This is a separate charge from the rental registration fee.

Table 1: Survey of Healthy Rental Housing registration and inspection fees

City	Registry Fees	Inspection fees
<u>Boston</u>	\$25 per unit for the first year and \$15 per unit each year thereafter, up to a maximum of \$2,500 per building or \$5,000 per complex	<u>\$50 per unit (1-3 unit buildings); \$75 per unit (4+ units); \$75 per condo</u>
<u>Columbus</u>	\$0 registration, \$150 annual fine for failure to register	N/A
<u>Dallas</u>	\$43 per year per property	N/A
<u>Forth Worth</u>	Annual registration fee is \$25 for the first rental unit and \$10 for each additional	N/A
<u>Los Angeles County</u>	\$90 annual fee per dwelling unit	<u>\$67.94 annual inspection fee (City of LA)</u>
<u>Nashville</u>	\$10 per rental property	<u>None</u>
<u>Indianapolis</u>	Rental registry/renewal \$5	\$84
<u>New York City</u>	\$13 registration annual fee	<u>\$100-\$500 per unit</u>
<u>Philadelphia</u>	\$56 per unit per year, max fee \$22,770 (~406 units)	N/A
<u>Pittsburgh</u>	\$16 application fee, and \$5.50 per parcel fee plus \$14 per unit fee to cover travel and inspection costs	Same
<u>Portland, OR</u>	\$60 per unit per year	\$154 per unit
<u>Sacramento</u>	\$16 per unit per year	\$164 per year for each rental unit inspected by the program (which is triggered by violations)
<u>Santa Ana</u>	\$25 annual fee per unit	Unknown cost for Rental Housing Inspection Fee, Re-Inspection Fee, and Permit Fee
<u>Seattle</u>	\$70 initial registration and covers first unit, plus \$15 biannually for each additional unit	<u>\$175 per property plus first unit, \$35 per additional unit</u>
<u>Washington, DC</u>	\$43 per unit biannually	\$35 per unit, \$2,000 max

NEW YORK CITY'S FEE STRUCTURE:

Given the diversity of housing types, New York City has a detailed fee structure for inspections and code violations. They have staggered their code violations into various classes depending on the severity, recognizing that violations involving lead and access to hot water can be more severe than other types of violations. Cities can use New York's structure as a template that can be tailored to fit their housing stock and common violations. It is common for policy-makers to leave certain fees, such as inspection fees and code violation fees, out of an ordinance. Leaving those specific costs to the regulatory process gives administrations the flexibility to rebalance fee structures as costs change and lessons are learned along the way.

5 Determine unit minimums

It is common for cities to exempt smaller properties from Health Rental Housing policies (less than four units). Policies with lower minimums capture more rental units and protect more tenants. Policies with higher minimums capture fewer units and are intended to exempt smaller “mom or pop” landlords. The unit minimum a city includes for its Healthy Rental Housing policy should reflect the program's goals based on credible data and community engagement. **To receive a bronze medal, cities must require properties with three or more units to register.**

6 Determine inspection prioritization & method

One of the primary objectives of a Healthy Rental Housing policy is to increase the frequency of inspections on rental homes. Proactive inspections encourage landlords to comply with codes as they are subject to more frequent inspections. Generally, the more frequent the inspections, the greater the benefit is for renters. The relative frequency and method of inspections should seek to prioritize tenants but also must be balanced with administrative time and program costs. There are a variety of methods that could be used to identify and prioritize rental properties for inspection. **Cities must require inspections every 10 years to receive a silver medal and at least every five years to receive a gold medal.**

- **Frequency** – Jurisdictions with Healthy Rental Housing policies typically require inspections to occur anywhere from each year to once every 10 years. A higher frequency of inspection means code violations are caught more quickly. While this may result in higher administrative costs, these can be offset with fees or other revenue streams to maximize protecting renters.
- **Percentage** – Some jurisdictions target a percentage of rental units to be inspected on an annual or semi-annual basis. For example, a jurisdiction could require that 10% of rental units be inspected annually, assuming 100% are inspected over a decade.
- **Rental unit identification methods** – If jurisdictions are unable to inspect every rental every year, they need to develop a system for identifying and





prioritizing which units should be inspected. Common methods include:

- **Random lottery** – Every unit is put into a random lottery with an equal chance of being inspected. In some cases, units that have been recently inspected and were found to be without violations are withdrawn from the lottery pool for a set number of years (e.g., violation-free rentals are exempt from the lottery for two or three years).
- **Multiple code violations** – Prioritizing inspections and re-inspections for rental units with a history of code violations.
- **Location** – Prioritizing certain locations or neighborhoods to strategically prioritize the code enforcement staff’s resources and the tenants most in need of protection.

7 Determine areas of inspection

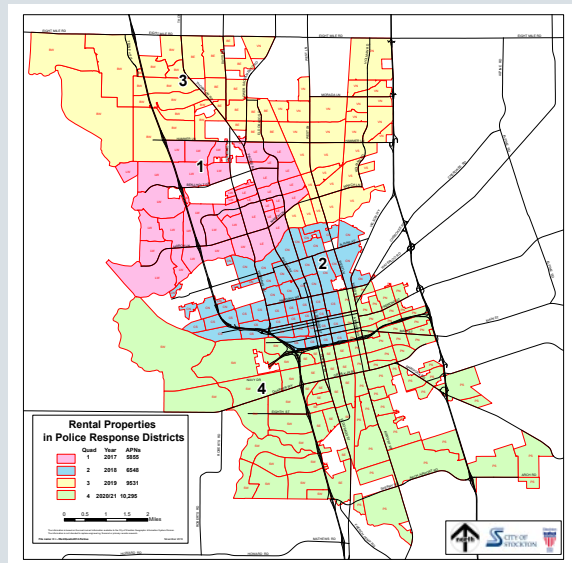
Areas of inspection refer to what part of a rental home is required for inspection (i.e., external, only communal spaces, full internal, etc.). Areas of inspection matter because inspecting the interior versus the exterior of a building can significantly impact the habitability of the rental home. Cities must balance how thoroughly rental homes are inspected against the time and resources it takes for code enforcement officers to inspect the property. The central focus should be to maximize protecting renters from unsafe, unhealthy, or uninhabitable conditions.

- **Exterior inspections only required** – Exterior violations are the least time-consuming for code enforcement officers but miss any interior violations unless reported by the renter. **This is required to receive a silver medal.**

STOCKTON’S RESIDENTIAL RENTAL INSPECTION PROGRAM:

Stockton, California, earned a CityHealth gold medal for its exemplary Healthy Rental Housing policy design. One of its distinctive characteristics is its geographically sequenced inspection process. The rental homes being inspected each year are clearly outlined by the city, providing property owners with a predictable timeframe for when they can expect their rental homes to be inspected. This also improves enforcement efficiency for the city’s code enforcers. Learn more about the [program overview](#) and read the [city’s ordinance](#).

See the program map (PDF).



- **Interior inspections as the result of exterior violations** – Some jurisdictions require interior inspections if a violation is visible on the exterior (and in the case of a renter complaint). **This is required to receive a gold medal.**
- **Exterior and interior inspections required** – Some jurisdictions require exterior and interior inspections to ensure that the entirety of the rental home is habitable. This is considered best practice, but not required to receive a gold medal.

PITTSBURGH’S AREA OF INSPECTIONS:

The City of Pittsburgh, Pennsylvania, with its silver medal Healthy Rental House policy, requires inspections of interiors, exteriors, and common areas but leaves the specific details up to the code enforcers. In the case of Pittsburgh’s ordinance, this provides flexibility for code enforcers to comply with building code regulations as they change over time. What is less common is to provide a publicly available, easily digestible list of what inspectors will look for, including separating the areas of inspection by interior, exterior, lead, ventilation, and more. Making it easier for property owners to understand what is expected of them saves time and resources for the City and property owners.

8 Consider any exemptions

Many jurisdictions exempt certain properties from rental registrations, fees, and/or inspections. Each jurisdiction’s exemptions need to be tailored to the city’s housing stock and residents’ housing needs.

- **Age** – Many jurisdictions exempt newer buildings (e.g., five years old or less) because newer buildings are generally less likely to have code violations and are usually inspected to obtain the certificate of occupancy. However, one study of a Healthy Rental Housing policy in Rochester, New York, demonstrated that newer and higher-value rental homes may also feature code violations.³
- **Owner-occupied** – Some jurisdictions exempt buildings with an owner-occupied unit because there is evidence that those properties tend to be kept in better condition than buildings without an owner living on the premises.⁴ Of note, these are usually associated with a size cap (e.g., owner-occupied buildings with eight or fewer units).

- **Recently inspected** – Jurisdictions that use a random lottery system will often exempt buildings that were inspected and found to be without any violations in the past few years.
- **Building type** – Some jurisdictions exempt housing types, like mobile homes or manufactured homes.
- **Housing type** – Jurisdictions often exempt designated student housing/dormitories, care facilities, and public housing that already require periodic inspections.
- **Self-certification** – Some jurisdictions allow certain landlords to self-certify their inspections, indicating that they have inspected the unit and attest that it is up to code. These processes assume that landlords will be honest about the condition of their rental homes, which could leave tenants vulnerable to “bad faith” landlords.

9 Determine required notice

Providing renters and landlords with advanced notice of an inspection can improve policy outcomes, protect tenants’ privacy, and build trust between all parties involved. Above all else, it is best practice to provide notice to both landlords *and* tenants in writing. Requiring notice increases the likelihood that someone is available to open the unit for interior inspections and reduces renters’ concerns about invasion of privacy. Two weeks’ notice is generally considered a reasonable amount of time. **Cities must require advanced notice of an inspection to property owners or tenants to receive a silver medal.**

Information to include:

- Date and time of inspection
- Information on who to contact with questions
- Education on the policy and any related protections they may have

OMAHA’S ADVANCED NOTICE:

The City of Omaha, Nebraska’s ordinance follows best practices by requiring written notice for both property owners and renters at least 14 days prior to inspections. This maximizes communication, transparency, and protects the privacy of both tenants and property owners. Omaha has also established a website dedicated exclusively to explaining the ins and outs of the program in clear language. It features educational information for property owners and renters, including pictures of sample code violations, a step-by-step program overview, and a comprehensive Frequently Asked Questions section.

10 Set key metrics for reporting and evaluation

Annual reporting of Healthy Rental Housing activities and revenue ensures accountability and allows the public to understand how the policy works. A strong annual report will tell a story about a city's Healthy Rental Housing policy and clearly communicate the data and progress in increasing registration and improved health outcomes.

Although both reporting and evaluation are not required for a medal, it is best practice to evaluate these policies in addition to sharing statistics annually. Evaluation helps city administrators understand how well the policy is achieving its intended goal(s) and allows officials the opportunity to reflect, revise, and make improvements to their existing policies.

Best practices for reporting and evaluation promote transparency and track the city's progress in implementing and improving the policy. For example, Seattle's Healthy Rental Housing policy (a silver medal policy) requires an annual report to the city council that includes an evaluation of properties' registration status, newly identified housing units, property owners' compliance with the

policy, inspection results, the number of inspections that have resulted from complaints, any audits and findings on inspections, and how well fees are supporting the program.⁵

Some important metrics that are common for cities to track include:

- Reporting year(s)
- Total number of rental homes
- Total number of homes registered
- Total number of renewals
- New registrations each year
- Total landlords registered
- New landlords registered
- Number of homes inspected
- Number of proactive inspections performed
- Number of complaint-based inspections performed
- Response time for complaint-based inspections
- Number of violations identified
- Number of violations resolved
- Revenue generated
- Cost of program
- Net cost
- Most frequently identified / common violations



BEST PRACTICES: ADDITIONAL CONSIDERATIONS

It is important to map out how a Healthy Rental Housing policy will be implemented and administered contemporaneously with the policy design process. Cities can develop a thoughtful Healthy Rental Housing policy approach that fits their housing landscape and protects renters. These policies can fall short if the city does not adequately gauge the time and capacity needed to administer and enforce the policy. It is essential that cities have the personnel and administrative systems in place to effectively oversee and monitor the policy.

- **Personnel & management** – Who will be the chief administrator and manager for the program? Is there someone in place with the bandwidth to take this on or do new positions need to be created?
- **Community education & feedback** – Like any new policy, the local government will need to proactively educate both renters and landlords on the structure of its Healthy Rental Housing policy. This is critical once a policy is adopted before it goes into effect, as well as on an ongoing basis. Identifying who will organize and operationalize community education is essential for success. It is also important to routinely convene groups of landlords and renters to ask for feedback about improving the policy.
- **Inspectors** – If the local government has a goal of inspecting a certain number or percentage of rental units per year, are there enough public and/or private inspectors available to hit the goal? Some cities allow for private inspectors, while others require that inspectors be public agents.
- **Enforcement** – If violations are found, how is the code enforced? What is the process in place so that code violations are addressed by landlords? Inspection policies are not effective without teeth.
- **Budget** – When estimating startup and ongoing costs, city leaders should also consider non-personnel-related direct costs, such as educational materials, notifications, and staff travel.

Staff and other direct costs cannot be supported without a sustainable funding source. It is common for cities to use general funds, rental registration fees, inspection fees, and code enforcement fines as funding sources to support the policy. Like any new program or policy, it is common for the first few years to be more costly given the added staff and administrative needs, but if designed correctly, Healthy Rental Housing policies can be revenue-neutral.

Importantly, the non-fiscal benefits of these programs for renters need to be considered as a part of a cost-benefit analysis. Healthy Rental Housing policies are designed to protect renters from living in unhealthy, unsafe, or uninhabitable conditions, and the benefits these policies provide cannot always be measured monetarily.

Last, administrative systems need to be integrated or be able to communicate with each other. Cities should ensure that code enforcement's data tracking is connected or embedded into a rental registry. Efficient data management helps to ensure that Healthy Rental Housing policies run smoothly and can be evaluated effectively.

Several other administrative best practices include:

- Connect residents with healthcare providers and services when unhealthy conditions have been identified (e.g., mold).
- Collect data electronically on-site and capture metrics that can be used to evaluate housing quality and the program's effectiveness over time.
- Design culturally sensitive education materials and train inspectors on cultural competency. If possible, hire inspectors who can work in their own communities to help with communication/trust-building.
- Connect property managers with repair funds and assistance when code violations are identified.
- Provide tenants with assistance if they need to relocate and need funding for application fees, security deposits, etc.

COMMON CHALLENGES AND SOLUTIONS



How do cities sustainably fund their inspection programs?

The new revenue streams from registration and inspection fees can help to recoup the costs of the program, and because proactive inspections occur more frequently, cities are likely to see an increase in revenue from code violation enforcement.

Gathering inspection data electronically can help to reduce administrative costs. Other creative funding

CLEMSON'S ANNUAL INSPECTIONS

The City of Clemson, South Carolina, has saved on the program's operating costs by conducting annual inspections. While this may seem counterintuitive, the city found that renter homes were more likely to comply *because of* the annual inspection cadence. The frequency of this cadence ensured that property managers had to keep their properties up to code. While the policy required additional inspectors during the first several years, the city "borrowed" building inspectors from the Building Construction and Building Safety Department and contracted the additional work out to third-party inspectors rather than hiring new city staff. As a result, operating costs were higher in the first few years, but the program is now revenue-neutral (if not revenue-positive) because of how quickly inspections can be performed.

mechanisms could also be implemented, such as a fee for short-term rentals.⁶ Staffing costs could be reduced by allowing inspections to be performed by city-approved private, third-party agents instead of in-house inspectors.

Is it important to have a local contact for the property owners?

Yes, this is an essential part of any Healthy Rental Housing policy, especially in markets with many investor-owned properties. Many cities require a local contact within the jurisdiction or within a reasonable number of miles. One creative solution some jurisdictions have considered to help protect smaller, local landlords in the wake of increased institutional investment in smaller rental properties is to institute a portfolio-size exemption instead of a building size exemption. This helps to ensure that property owners with smaller portfolios are exempt while still ensuring that institutional investors who buy multiple smaller properties are not.

Do Healthy Rental Housing policies increase rents or result in displacement?

Currently, there are no known studies or data that demonstrate that Healthy Rental Housing policies increase rents. Some cities that have concerns about this issue explicitly state in city code or the establishing ordinances that registration fees and inspection fees cannot be passed

down to tenants through rent. Other complementary renter protection policies, such as rent stabilization policies, can help to ensure that rents are not raised beyond reasonable amounts. As another means of accountability, some cities can enact policies allowing renters to pay rent into an escrow account while property owners make needed repairs.

NEW ORLEAN'S ANTI-DISPLACEMENT FUND

New Orleans, Louisiana, has established an Anti-Displacement Fund, which allows renters to apply for grants if they were displaced because of violations found through the Healthy Homes program. The fund is financed by 33% of the fines collected from landlords who fail to register in a timely manner or fail to renew their certificate of compliance. Landlords must pay these fines before they can secure a new certificate of compliance from the city for their rentals.

How do Healthy Rental Housing policies impact smaller “mom or pop” landlords?

Public officials should engage with landlords and landlord associations early and often to ensure that fees and inspection obligations are appropriate given the local context.

Some cities exempt single-family rentals or smaller multi-family properties from Healthy Rental Housing policy requirements. Other cities exempt smaller properties where the landlord lives in the building, as those properties tend to be kept in better condition than buildings without an owner living on the premises.⁷ However, CityHealth recommends that these exemptions only apply to fees, not inspections. All landlords should be held to the same standard of maintaining healthy and habitable homes regardless of their size.

One way to minimize the burden on smaller landlords and ensure compliance is to make the registration process as simple and clear as possible. For instance, many cities provide a document explaining in step-by-step detail how to register (complete with screenshots) and what is expected of them regarding inspections.

Are short-term rentals part of a Healthy Rental Housing policy?

No. While important, short-term rental registries and proactive inspections are not eligible for CityHealth medals

as they are not designed to serve local renters. However, where enacted, short-term rental registries and inspection programs can serve as a good foundation to build Healthy Rental Housing policies that include long-term rental homes.

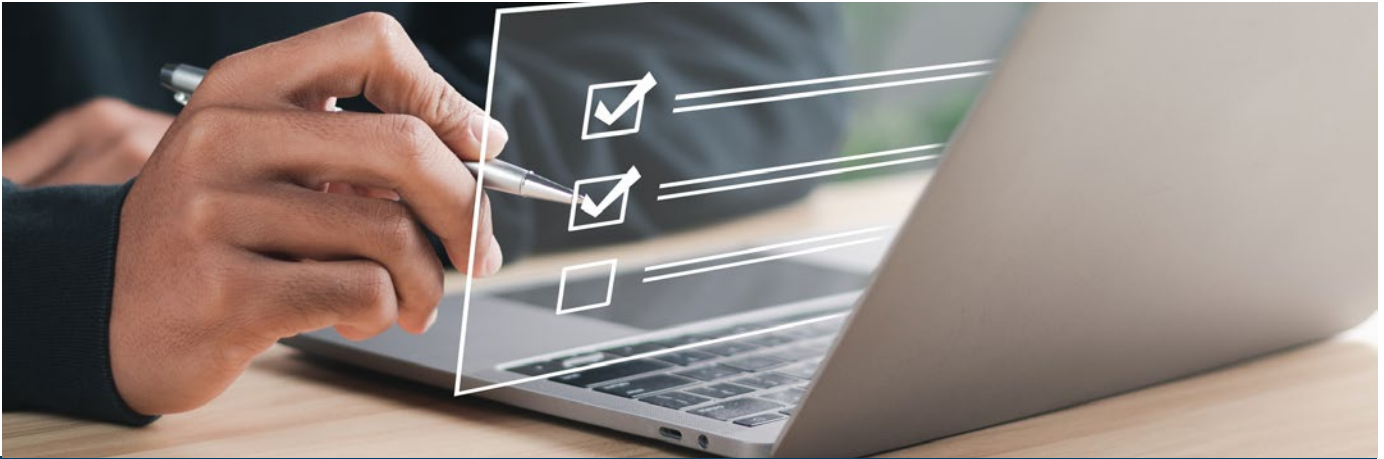
What can my city do if it is pre-empted from adopting a Healthy Rental Housing policy?

When cities face pre-emption from adopting Healthy Rental Housing policies, they can employ several strategies to improve housing quality and code enforcement. Initially, cities can assess opportunities, challenges, and needs within their current system to identify areas for improvement. This could include code enforcement education and putting in place additional renter protections. Increasing resources for code enforcement departments, particularly for priority neighborhoods, can enhance proactive monitoring and enforcement efforts. Implementing a cooperative code enforcement model fosters collaboration between cities and property owners, emphasizing problem-solving approaches to address housing issues effectively.

In addition, developing a revolving fund tailored explicitly for small, local property owners can offer financial assistance to make critical repairs, thereby ensuring compliance with housing standards. Lastly, cities can focus on partnership development with funders to secure necessary resources and support for sustainable housing initiatives, promoting safer and healthier living environments for all residents.

TULSA'S VOLUNTARY INSPECTION PROGRAM

When the City of Tulsa, Oklahoma, was pre-empted from mandating proactive rental inspection programs, the city created a voluntary program that would benefit both landlords and tenants. By signing up for the Tulsa Health Department Safe & Healthy Home program, property owners are offered a free inspection to ensure their homes are healthy for their tenants. In addition, the Safe & Healthy Home program offers education to renters about their rights and what they should expect from their landlords relating to living in safe, habitable, and healthy rental homes.



HEALTHY RENTAL POLICY CHECKLIST

Healthy Rental Housing policies offer an alternative approach to code enforcement that helps improve housing quality, ensures homes are safe, and addresses problems relatively quickly. City as a policy that requires annual rental registration of buildings with three or more units for all property types. Certain exemptions may be allowed including when the unit is vacant, a family member is living there but not on the deed, units where rent is not collected, and if the owner occupies one of the units.



OUR POLICY:

- **City has a policy that requires annual rental registration of buildings with three or more units for all property types.** Certain exemptions may be allowed including when the unit is vacant, a family member is living there but not on the deed, units where rent is not collected, and if the owner occupies one of the units.
- **City policy requires routine, periodic inspections to be conducted at least every three to five years.**
- **City policy requires inspection of property exteriors and interiors when there is an exterior violation.**
- **City policy requires advanced notice of inspection to go to the landlord or the tenant.**
- **City policy requires landlords to pay registration or inspection fees.**
- **City policy requires an evaluation or reporting requirement.**

ENDNOTES

- 1 Klein, E. G., Keller, B., Hood, N., & Holtzen, H. (2015). Affordable Housing and Health: A Health Impact Assessment on Physical Inspection Frequency. *Journal of Public Health Management and Practice*, 21(4), 368–374. <https://www.jstor.org/stable/48516924>
- 2 City of Boston. Code of Ordinances, §9-1.3(h) Inspection and Re-Inspection of Rental Units. https://codelibrary.amlegal.com/codes/boston/latest/boston_ma/0-0-0-15101
- 3 Korfmacher, K. S., & Holt, K. D. (2018). The Potential for Proactive Housing Inspections to Inform Public Health Interventions. *Journal of public health management and practice: JPHMP*, 24(5), 444–447. <https://doi.org/10.1097/PHH.0000000000000757>
- 4 Rose, G., & Harris, R. (2022). The three tenures: A case of property maintenance. *Urban Studies*, 59(9), 1926–1943. <https://doi.org/10.1177/00420980211029203>
- 5 ChangeLab Solutions (2022). A Guide to Proactive Rental Inspections https://www.changelabsolutions.org/sites/default/files/2022-11/A-Guide-to-Proactive-Rental-Inspections_FINAL_20221031A.pdf
- 6 States have different parameters on how fees and fines can be used. Please be sure to consult with your local legal experts to understand what is feasible in your community.
- 7 Rose, G., & Harris, R. (2022). The three tenures: A case of property maintenance. *Urban Studies*, 59(9), 1926–1943. <https://doi.org/10.1177/00420980211029203>