

OVERVIEW OF THE RENTAL ORDINANCE PROPOSAL

August 24, 2012

This proposal to re-write CBC 9-1.3 (Rental Inspection Ordinance) will provide a fair, predictable and proactive system of ensuring the health, safety and maintenance of Boston rental units by inspecting, registering, educating and assisting Boston's landlords. Boston is a growing city with a population of 617,594, (Census 2010) with low owner occupancy (37% Census 2010). Boston is an aging city with more than 50% of its dwellings constructed prior to 1950. According to the 2010 Census, there are 162,219 Rental units.

Current Rental Ordinance:

- Inspections are only required when there is a turn-over of a non-exempt rental unit.
- Inspections can be conducted by ISD, Boston Leased Housing Inspectors, or private inspectors "authorized" by ISD.
- Landlords in good standing and with acceptable management plans may be granted a "5-year exemption".
- Rental inspections account for less than 2% of ISD housing inspections. 98% of ISD housing inspections are triggered by complaints which are reactive, adversarial, and requires that ISD follow the strict enforcement process outlined in the State Sanitary Code, as opposed to the friendlier approach of a rental ordinance. (ISD currently conducts 20,000 housing inspections annually).

The proposed rental ordinance:

- **Annual Registration Plan-**
 - Establish a database of rental property owners and rental units, by requiring annual electronic registrations and renewals for a fee (\$25/unit in year one, and \$15/unit annually),
 - Absentee owners must post their ownership information or be subject to fines,
 - Local agents must be designated by out-of-state owners.
 - Strengthens Student Zoning occupancy limit by allowing ISD to issue fines
 - Increases awareness of Fair Housing requirements, as well as other applicable housing regulations.

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- **3-Year Inspection Plan-**
 - Requires that all rental units be inspected once every three years. (Owner-occupied 1-3 unit dwellings are exempt).
 - The inspections must be conducted by ISD, Boston Section 8 Inspectors, or private inspectors trained and approved by ISD.
 - Re-inspection fees are added for 3 or more ISD inspections.
- **3-Year Alternate Inspection Plan –**
 - Exempts approved Landlords from having each unit inspected.
 - Landlords who successfully demonstrate that their rental units exceed minimum standards, and who have an acceptable history of compliance with City of Boston requirements may apply for an exemption from the requirement of having all of their rental units inspected once every three years.
 - Approved Landlords must keep maintenance records on approved unit and must remain in good standing.
- **New Owner Plan-**
 - Owners of newly acquired rentals units must file a reasonable plan with ISD that identifies the problems and provides a timeframe to bring the newly acquired rental units into compliance housing standards.
- **Chronic Offender Registry-**
 - Establishes a system that tracks repeat offenders and imposes fines for non compliance.
 - Creates a website/registry of non-compliant landlord.
 - Provides incentives to deter owners from abusing city and court resources by dragging their feet to correct violations.

• #Rental Units	• 12 Month Point threshold	• 16 Month Point threshold
• 1-50 units	• 6	• 10
• 51-500	• 10	• 16
• 501 or more	• 14	• 24