



INFORMATIONAL MEMORANDUM

TO: **Community Development and Neighborhoods Committee**
FROM: **Jack Pack, DCD Director**
BY: **Nora Gierloff, Deputy DCD Director and Kia Shagena, Code Enforcement Officer**
CC: **Mayor Ekberg**
DATE: **March 26, 2019**
SUBJECT: **Rental Housing Program Update**

ISSUE

TMC 5.06.050 was updated to provide more oversight of Residential Rental Licensing Program inspections conducted by non-city inspectors.

BACKGROUND

During the November 27, 2018 Community Development and Neighborhoods Committee meeting staff proposed changes to the Residential Rental Licensing Program which included the addition of an audit provision to the code which allows code officials to reinspect units when the inspection report results are in question. On December 10, 2018 City Council approved the proposed code changes to TMC 5.06. See attachment A.

DISCUSSION

In response to an identified quality assurance issue related to rental inspections conducted by a non-city inspector, the rental housing staff reached out to property owners whose last inspection was performed by this inspector to offer a courtesy inspection by our inspection staff. Four property owners took advantage of the courtesy inspection offer. Seven units were reinspected by our inspectors. Of the seven units inspected three units did not pass inspection. Our inspectors found that each of the three failed units were missing one or more smoke alarms and two of the units contained electrical hazards. Inspectors have been working with property owners to have the deficiencies corrected.

In an effort to improve inspection quality assurance, rental housing staff have begun implementation of the program's new audit policy.

Any time before or after a Certificate of Compliance is issued the code official may reexamine inspection checklists submitted by private inspectors.

Under the following conditions the code official may require rental units to be reinspected by the City:

- 1) The City has received one or more life-safety complaints about a specific unit/property.
- 2) The City has received complaint(s) of substandard housing conditions.
- 3) The City has received a significant number of incomplete and/or inaccurate inspection checklists from a specific property/inspector.
- 4) The City has received a significant number of inspection checklists with perfect scores from a specific property/inspector.
- 5) The City has received tenant complaints about inadequate inspections.
- 6) The City has received two or more separate complaints about a specific inspector.

- 7) The City has received three or more separate complaints about a specific property.
- 8) A life-safety and/or substandard housing condition(s) has been found to exist on the property.
- 9) A specific inspector has been removed from the City's approved list.
- 10) A specific inspector, property owner, and/or manager, has been found by the City to have submitted one or more inspection checklists known (or should have known) to be false.

If the code official determines that a reinspection is required, the code official shall issue a written Notice of Rental Inspection Audit and reinspections must be scheduled within 60 days of notice issuance. The code official may request a full or partial reinspection depending on the number of units on the property. Rental units that fail the audited reinspection will be required to be corrected and reinspected within 30 days. An inspection failure rate of more than 40% will result in a mandatory full property reinspection at the owner's expense. See attachment B.

In addition to implementing the program's new audit policy, program staff have updated the rental inspection checklist. The previous inspection checklist required inspectors to indicate if a code standard was met or not. The new checklist requires inspectors to indicate if a code standard was met or not and for most of the listed code standards, if the standard is not met the inspector is required to indicate the severity level of the observed violation. Severity levels are defined as minor, moderate, or severe. This addition to the inspection checklist was included as a means to better measure the overall condition of the rental units, as well as, capture the nuances of the different types of housing issues seen by inspectors within Tukwila's rental housing stock.

In addition to a severity scale, the checklist was also reformatted to improve usability, remove redundancies, and consolidate inspection results.

FINANCIAL IMPACT

The only direct costs would be staff time required to implement and enforce the audit and revocation provisions. This includes the staff time for required reinspections.

RECOMMENDATION

Information and discussion only

ATTACHMENTS

- A. TMC Chapter 5.06.050
- B. Notice of Rental Inspection Audit
- C. Updated Rental Inspection Checklist

5.06.050 Inspection Required

A. The property owner is responsible for obtaining an inspection of each rental unit and submitting the Inspection Checklist to the code official no later than September 30 of the year the Certificate of Compliance expires.

B. When a unit changes from owner occupancy to a rental, the inspection must occur before the unit is occupied by the tenant. An inspection is not required the year a Certificate of Occupancy is issued for a newly-constructed building, and thereafter the building will be inspected according to the quadrant in which it is located.

C. Owners of complexes with 5 or more units are required to utilize a non-City inspector. Owners of rental properties with fewer than 5 units may utilize a City inspector or a non-City inspector. Non-City inspectors must meet the qualifications defined herein, be preapproved by the City, and may not have a financial interest in the property. The City shall provide the Inspection Checklist to the owner with the application form.

D. The code official shall issue a Certificate of Compliance for rental units that comply with applicable laws based on a submitted Inspection Checklist. If using a non-City inspector, the owner shall be responsible for making the inspection arrangements with the non-City inspector.

E. The code official shall audit Inspection Checklists submitted by private inspectors and based on audit results may reinspect units on that property or inspected by that inspector.

F. Submittal of an Inspection Checklist that the owner knows or should have known is false may result in revocation of the residential rental business license and penalties defined in TMC Section 5.06.200.

G. An Inspector may be removed from the City's approved list for reasons including, but not limited to:

1. Submittal of an Inspection Checklist that the inspector knows or should have known is false.
2. Conviction for any crime that occurs in connection with an inspection.
3. Failure to hold a valid Tukwila business license.

*(Ord. 2600 §1, 2018; Ord. 2519 §3, 2016;
Ord. 2459 §2, 2014; Ord. 2281 §1 (part), 2010)*



NOTICE OF RENTAL INSPECTION AUDIT TMC § 5.06.050(E)

DATE	Rental License #:	RENT##-####
PROPERTY OWNER/MANAGER ADDRESS CITY, STATE, ZIP	Rental Location: Parcel #:	ADDRESS #####

REINSPECTION(S) REQUIRED

RESIDENTIAL RENTAL BUSINESS LICENSE INSPECTION REQUIREMENTS

Code Reference: TMC 5.06.050 Inspection Required

- A. The property owner is responsible for obtaining an inspection of each rental unit ...
- E. The code official shall audit Inspection Checklists submitted by private inspectors and based on audit results may reinspect units on that property or inspected by that inspector. ...

Determination: Reinspection of a random sample of rental units is required within 60 days of this notice. Inspections shall be completed by a City Inspector. City Inspector(s) shall select the specific units to be inspected day of inspection.

The landlord must provide ALL tenants written notice at least 48 hours prior to inspection. See enclosure.

Rental units that fail this City inspection will be required to be corrected and reinspected within 30 days.

From the sample of units that are chosen by the inspector(s) for inspection, an inspection failure rate of more than 40% will result in a mandatory full property reinspection at owner's expense.

**Contact the City's Rental Housing Program at (206)431-1674 to schedule inspections.
INSPECTION MUST OCCUR WITHIN 60 DAYS OF THIS NOTICE**

Reasons for Determination: A Rental Inspection is required as a condition of a residential rental business license per TMC 5.06.050. City records indicate that the last rental inspections submitted for this property were completed on May 16, 2017 by a private (non-city) inspector. Per provision E of TMC 5.06.050 an audit of the submitted inspection results was conducted on February 6, 2019.

After review of the 2017 inspection results it was found that all 56 units inspected received a perfect score on their Inspection Checklist. This is an unusual and significant number of inspection checklists with a perfect score. It was also found that the inspections were conducted by a private inspector that has since been removed from the City's list of approved inspectors for having submitted a series of false, insufficient and/or incomplete inspection reports. To verify the conditions and habitability of the rental units at this property partial reinspection is required.

Auditor: Kia M Shagena

Determination Date: DATE

Failure to comply with inspection requirements may result in the non-issuance or revocation of a property's Residential Rental Business License and result in the inability to rent the unit(s). Relocation Assistance pursuant to TMC 8.46 may apply.

Code Enforcement Officer: Kia M Shagena
Telephone: (206)431-2164
Email: Kia.Shagena@tukwilawa.gov

ENCLOSURE(S): Requirements for Notice(s) to Tenants
Inspection Checklist

CC: PROPERTY MANAGER
ADDRESS
SUITE #
CITY, STATE, ZIP



Rental Housing Program - Inspection Report and Checklist

UNIT DOES NOT PASS IF INSPECTION RESULTS EQUAL 25 POINTS OR MORE

Property Owner: _____ **FILE #** _____

Rental Address: _____ **Unit #:** _____ **Inspection Results** _____

Property Name: _____ **Bedrooms:** _____ **Bathrooms:** _____ **Final Inspection Score** _____

Dwelling Type
 Single-family Fourplex
 Condominium Apartment w/5+ units
 Duplex Accessory Dwelling Unit
 Triplex Studio/Efficiency Unit

CITY OF TUKWILA OFFICIAL RENTAL INSPECTION REPORT

DATE OF INSPECTION: _____ INSPECTOR NAME (PRINTED): _____ INSPECTOR SIGNATURE: _____

REINSPECTION REQUIRED? Y / N REINSPECTION DUE DATE: _____

POST INSPECTION COMMENTS / REQUIRED CORRECTIVE ACTIONS

HAZARDS - Check all hazards that apply.	NC-PTS	COMMENTS
Plumbing system hazards found - IPMC 504.3	25	
Mechanical equipment improperly installed and maintained. - IPMC 603.1	25	
Combustion air supply is inadequate for fuel burning equipment - IPMC 603.5	25	
Unit does NOT have electrical service provided by utility - IPMC 604.1	25	
Electrical system hazards found - IPMC 604.3	25	
Other hazards found - IPMC 108	25	
Describe hazard:		
Fire doors are blocked, obstructed, or inoperable - IPMC 703.2	25	
Inadequate emergency egress from one or more habitable spaces - IPMC 702.4	25	
Doors, bars, grilles, grates over emergency escape openings are NOT readily operable from inside, without keys or special knowledge - IPMC 702.3 & 702.4	25	
Missing/inoperable Smoke detector(s): Detectors required for each story; each bedroom; immediately outside each sleeping area - IPMC 704	25	
Missing or inoperable Carbon monoxide detector(s): Detectors required for each story; immediately outside each sleeping area - RCW 19.27.530	25	
One or more bedroom under 70 sq ft - IPMC 404.4.1	25	

For each hazard present add 25 points to Final Inspection Score

RENTAL HOUSING INSPECTION CHECKLIST

DIRECTIONS: If code standard is not met the inspector will mark the applicable section with the appropriate point value based on the severity of the violation. Severity levels are defined as minor, moderate, or severe (except where only a single score option is provided). The inspector will mark NA if not applicable and will add inspection notes to support ratings. Sections left blank indicate compliance with the referenced standards. Total score shall be calculated based on assigned non-compliance point values assigned to each violation and severity level. **An inspection does not pass if there is a total of 25 or more non-compliance points (NC-PTS).**

INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC) STANDARD	INTERIOR CONDITIONS												NC-PTS			SCORE		
	entry	living rm	dining rm	kitchen	utility	bathroom (1)	bathroom (2)	bathroom (3)	bedroom (1)	bedroom (2)	bedroom (3)	bedroom (4)	other	minor	moderate	severe		
Windows and frames in good repair - IPMC 305.3														1	2	3		
Floor surface in good repair - IPMC 305.4														1	2	3		
Wall surface in good repair - IPMC 305.3														1	2	3		
No visible mold, mildew, or signs of moisture of leaks - IPMC 504.1														1	5	25		
Adequate source of heat - IPMC 602.3 & 602.5																25		
No evidence of insect or rodent infestation/harborage - IPMC 302.5 & 309														3	10	25		
Functional lighting fixtures - IPMC 402.2 & 402.3														1	2	3		
Two separate & remote electrical outlets per room - IPMC 605.2														2				
Minimum of 1 operable, approved-size window facing directly to the outdoors - IPMC 402.1 & 403.1														1	5	25		
Stove vent properly connected and functional - IPMC 302.6 & 403.4														1				
Has a clear path of not less than 3' clearance between counterfronts and appliances or walls - IPMC 404.2														1	5	25		
Has kitchen sink, cooking stove, refrigerator, and counter space - IPMC 404.7 & 502.1																25		
1 grounded-type receptacle or GFCI: laundry, kitchen, garage, basement - IPMC 605.2														1				
Hot and cold water to all plumbed fixtures - IPMC 505.1																25		
Clothes dryer exhaust vented properly to exterior - IPMC 403.5																		
Water heater correctly installed - IPMC 505.4														2	10	25		
Door for privacy, in good repair, securely attached - IPMC 503.1														3	10	25		
Separate bathroom with toilet, sink, & tub/shower - IPMC 404.4,3														1	2	3		
Bathroom/toilet room properly ventilated (operable screened window or functional mechanical fan) - IPMC 403.2																25		
Has at least one electrical receptacle - IPMC 605.2														2				

INSPECTION NOTES:

EXTERIOR STRUCTURE / EXTERIOR PROPERTY

INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC) STANDARD

	ext. structure			ext. property			NC PTS			SCORE		
	ext. structure	ext. property	NC PTS	ext. structure	ext. property	NC PTS	minor	moderate	severe	1	2	3
Surfaces in good repair - IPMC 304.2										1	2	3
Address numbers 4" tall & visible from the street - IPMC 304.3										1		
Structural members in good repair - IPMC 304.4										3	10	25
Foundation walls in good repair - IPMC 304.5										3	10	25
Exterior walls in good repair - IPMC 304.6										3	10	25
Roof and drainage in good repair - IPMC 304.7										2	10	25
Decorative features in good repair - IPMC 304.8										1		
Overhang extensions in good repair - IPMC 304.9										2	10	25
Stairways, decks, porches, balconies in good repair - IPMC 304.10										3	10	25
Handrails and guardrails firmly fastened - IPMC 304.12										2	10	25
Chimneys and towers in good repair - IPMC 304.11										3	10	25
Exterior doors in good repair; deadbolt locks operable by knob; deadbolt throw not less than 1 inch - IPMC 304.15										2	10	25
Clean, safe & sanitary/no uncontained debris - IPMC 302.1										1	5	10
Approved waste containers w/tight fitting lids - IPMC 308										1	5	10
Sidewalks/driveways free of hazards - IPMC 302.3										1	3	5
No weeds in excess of 12 inches - IPMC 302.4										1	3	10
No evidence of insect or rodent infestation/harborage - IPMC 302.5 & 309										3	10	25
Accessory structures in good repair - IPMC 302.7										3	10	25
No junk vehicles/repair outside garage - IPMC 302.8										3	10	25
Free from graffiti - IPMC 302.9										1	5	10
No standing water or erosion - IPMC 302.2										1	3	5
Swimming Pools, Spas & Hot Tubs - Clean, sanitary, in good repair - IPMC 303.1										2		
Swimming Pools, Spas & Hot Tubs - Enclosure 60" high, w/self-closing latch - IPMC 303.2										1	5	10
										3	10	25

INSPECTION NOTES

space for additional inspection notes on back

