



Review of Proposed Changes to Rental License and Inspection Program

June 20, 2017

What Do We Have Currently?



- There are approximately 5,477 housing units in Mission - 2,712 (49%) are rental.
- City's Rental License and Inspection Program was adopted in 2007 as a means to insure that rental dwellings meet minimum life, health, and safety criteria.
- Anyone who owns a rental dwelling unit(s) must have a license with the City to rent those unit(s).
- **Multi-Family Structures (4 units or more)**
 - As a part of the annual licensing interior life, health, and safety inspections are conducted.
 - A minimum of 5% of all units in each apartment complex must be available for inspection.
 - Units are inspected on a rotating basis to ensure that different units are inspected every year.
- **Single-Family Structures (3 units or less)**
 - Interior inspections are not conducted.
 - Interior inspections can be requested by tenants if they feel that life, health, and safety standards are not being met.
 - Interior inspections can be performed if there has been three or more code violation notices in an annual licensing period.

What Changes Are Proposed?



Consent for Interior Inspections Now Required

No city or county shall adopt, enforce or maintain a residential property licensing ordinance or resolution which includes a requirement for periodic interior inspections of privately owned residential property for city or county code violations unless the lawful occupant has consented to such interior inspections. - Senate Bill 366

Section 635.090 - Periodic Inspections of Apartment Buildings

The City shall be empowered to periodically inspect the interior and exterior of apartment buildings within the City to ensure compliance with this Chapter and other applicable Chapters, as set forth in Section 635.010. The City shall endeavor to inspect at least five percent (5%) of units in each apartment building annually, provided that a minimum of one (1) unit shall be inspected annually in each apartment building. The selection of individual units to be inspected shall be by the City pursuant to its policies.

The City shall provide reasonable prior notice and obtain the signed consent of the lawful occupant prior to performing a periodic interior inspection. The lawful occupant of a rental unit shall have the right to refuse entry for a periodic interior inspection pursuant to K.S.A. 12-16,138 . If entry is refused, the City may request to enter and inspect a substitute unit within the same building or property. The City shall not seek an administrative search warrant or exercise other lawful means to enter a property solely for refusing a periodic interior inspection, but may otherwise seek entry for cause as set forth in Section 635.140.

What Changes Are Proposed?



Section 635.100 - Periodic Inspections of Non-Apartment Buildings

The City shall be empowered to periodically inspect the interior and exterior of non-apartment buildings (rental dwellings with three or fewer rental dwelling units, including single-family rental dwellings) within the City to ensure compliance with this Chapter and other applicable Chapters, as set forth in Section 635.010. The City shall endeavor to inspect dwelling units in non-apartment buildings on a rotating three (3) year cycle that is determine by the City pursuant to its policies. Inspections may be performed at the time of change of occupancy, if such change occurs prior to the three-year inspection cycle. In such cases, the cycle will reset at the time the inspection occurs.

The City shall provide reasonable prior notice and obtain the signed consent of the lawful occupant prior to performing a periodic interior inspection. The lawful occupant of a rental unit shall have the right to refuse entry for a periodic interior inspection pursuant to K.S.A. 12-16,138. The City shall not seek an administrative search warrant or exercise other lawful means to enter a property solely for refusing a periodic interior inspection, but may otherwise seek to do so for cause as defined in Section 635.140.

What Will Inspections Be Like?



During inspections, all aspects of the interior and exterior of a unit are reviewed including:

- **Foundation** - Deterioration, structural cracks or defects, or water leaks
- **Roofs** - Deterioration, sagging, or lack of drainage
- **Windows** - Cracked or broken panes, evidence of leakage and screens
- **Doors** - Deadbolts on exterior doors
- **Electrical Outlets and Breaker Boxes** - Broken or hazardous wiring, missing cover plates, GFIC were needed
- **Sinks** - Hot and cold running water, connected to approved sewage disposal system
- **Toilets, Tubs and Showers** - Facilities in a room that offers privacy, facilities in working order, No mold
- **Ventilation in bathrooms** - Bathrooms have proper ventilation to the outside
- **HVAC Units** - Functioning furnace with no obvious safety defects
- **Water Heaters** - No apparent safety hazards and pressure relief valve and discharge line
- **Smoke Detectors** - Working smoke detectors
- **Evidence of Infestation** - No evidence of rodent infestation

What Will Happen Next?



July - Report Back to the Community Development Committee

August - Council will Consider Proposed Changes

October - Communicate Changes and Implementation to Owners

January - Begin Inspections

Questions?



Brian Scott, Assistant City Administrator

(913) 676-8353

bscott@missionks.org