

INTRODUCED: January 23, 2023

A RESOLUTION No. 2023-R006

To request that the Chief Administrative Officer develop a program that establishes one or more rental inspection districts and requires inspection of residential real estate dwelling units within such districts pursuant to Va. Code § 36-105.1:1 and to submit a proposed ordinance setting forth the particulars of such program to the Council.

Patrons – All members of Council

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 13 2023 AT 6 P.M.

WHEREAS, section 36-105.1:1 of the Code of Virginia (1950), as amended, authorizes localities to establish rental inspection districts and require inspection of residential real estate dwelling units, as defined by state law, within such districts; and

WHEREAS, subsection (B) of section 36-105.1:1 of the Code of Virginia (1950), as amended, provides specifically as follows:

Localities may inspect residential rental dwelling units. The local governing body may adopt an ordinance to inspect residential rental dwelling units for

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 13 2023 REJECTED: _____ STRICKEN: _____

compliance with the Building Code and to promote safe, decent and sanitary housing for its citizens, in accordance with the following:

1. Except as provided in subdivision B 3, the dwelling units shall be located in a rental inspection district established by the local governing body in accordance with this section, and

2. The rental inspection district is based upon a finding by the local governing body that (i) there is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the designated rental inspection district; (ii) the residential rental dwelling units within the designated rental inspection district are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in the need of inspection by the building department to prevent deterioration, taking into account the number, age and condition of residential dwelling rental units inside the proposed rental inspection district; and (iii) the inspection of residential rental dwelling units inside the proposed rental inspection district is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the proposed rental inspection district. Nothing in this section shall be construed to authorize one or more locality-wide rental inspection districts and a local governing body shall limit the boundaries of the proposed rental inspection districts to such areas of the locality that meet the criteria set out in this subsection, or

3. An individual residential rental dwelling unit outside of a designated rental inspection district is made subject to the rental inspection ordinance based upon a separate finding for each individual dwelling unit by the local governing

body that (i) there is a need to protect the public health, welfare and safety of the occupants of that individual dwelling unit; (ii) the individual dwelling unit is either (a) blighted or (b) in the process of deteriorating; or (iii) there is evidence of violations of the Building Code that affect the safe, decent and sanitary living conditions for tenants living in such individual dwelling unit.

For purposes of this section, the local governing body may designate a local government agency other than the building department to perform all or part of the duties contained in the enforcement authority granted to the building department by this section; and

WHEREAS, the Council of the City of Richmond believes that it would be in the best interest of the city of Richmond, and especially those tenants residing in rental units not subject to inspection as a result of funding by federal housing programs, for the Council to adopt and implement a program that establishes one or more rental inspection districts and requires inspection of residential rental dwelling units within such districts pursuant to section 36-105.1:1 of the Code of Virginia (1950), as amended;

NOW, THEREFORE,

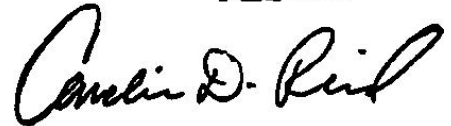
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Chief Administrative Officer is requested to develop a program that establishes one or more rental inspection districts and requires inspection of residential rental dwelling units within such districts pursuant to section 36-105.1:1 of the Code of Virginia (1950), as amended, and to submit a proposed ordinance setting forth the particulars of such program to the Council by no later than June 30, 2023.

BE IT FURTHER RESOLVED:

That the Chief Administrative Officer is requested to include in such program certain requirements that, among other things, provide for periodic and additional inspections of residential rental dwelling units in circumstances allowed by section 36-105.1:1 of the Code of Virginia (1950), as amended, based on existing data to target areas that have exhibited the highest number of formal complaints or code violations among residential rental dwelling units.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camille D. Reil". The signature is written in a cursive style with a large initial 'C'.

City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Haskell Brown, City Attorney

THROUGH Joyce Davis, Interim Council Chief of Staff

FROM Steven Taylor, Council Policy Analyst

COPY Stephanie Lynch, 5th District Council Member
Amy Robins, 5th District Liaison
Tabrica Rentz, Deputy City Attorney

DATE January 12, 2023

PAGE/s 1 of 2

TITLE Rental Inspection District Program – Request that CAO develop and propose a rental inspection program.

This is a request for the drafting of an **Ordinance** ☐ **Resolution** ☒

REQUESTING COUNCILMEMBER/PATRON

S. Lynch

SUGGESTED STANDING COMMITTEE

LUHT

ORDINANCE/RESOLUTION SUMMARY

The patron is requesting the Chief Administrative Officer develop a rental inspection program requiring inspections of residential real estate dwelling units pursuant to Va. Code Section 36-105.1:1.

More specifically, the patron requests the CAO develop a program that establishes one or more rental inspection districts which requires inspection of rental dwellings within the district as authorized under Va. Code Section 36-105.1:1 and submit an ordinance proposing such a program to City Council by June 30, 2023. It is also requested that the proposed program from the CAO provide for periodic inspections of residential rental dwelling units is based on existing data to target areas that have exhibited the highest number of formal complaints or Code violations of rental dwelling units.

BACKGROUND

A large percentage of Richmond residents rent and need to be assured of the safety of their rental units. The Commonwealth allows localities to establish rental inspection districts upon findings that such districts are needed to protect life, health, welfare, safety, and protect areas of the locality from blight and deterioration of buildings.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes ☐ No ☒

Budget Amendment Required Yes ☐ No ☒

Estimated Cost or Revenue Impact \$ N/A

Attachment/s Yes ☒ No ☐ **See attached Draft Resolution.**