



Legislation Text

File #: RES. 2023-R006, **Version:** 1

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.

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 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.