

2/5/2015

**Community Assembly
Public Safety Committee
Proactive Rental Inspection Frequently Asked Questions**

What is Proactive Rental Inspection?

Under a Proactive Rental Inspection program, inspections of rental housing occurs in a systematic basis based on minimum standards for housing to ensure that rental housing are safe and habitable. A complaint is not required to initiate an inspection.

Doesn't Code Enforcement already take care of substandard housing?

Code Enforcement and the Building Department are complaint based models due to several factors including the types of codes enforced type of penalties (criminal) and staffing levels. The current adopted standards for housing are enforced at a base level by the Building Department (heating, electrical, occupancy, unit size, etc.) based on State adopted building codes. Code Enforcement investigates and processes buildings which meet City codes that define substandard, unfit or abandoned based on a complaint system. Due to these enforcement actions, access to property interiors to review conditions can only be granted with permission of the occupant or owner and not a neighbor or other complainants.

Does the City legally have the authority to run a program like this?

Yes, RCW 59.18.125 give local municipalities the ability to require that landlords provide a certificate of inspection as a business license condition. A local municipality does not need to have a business license or registration program in order to require that landlords provide a certificate of inspection.

How often can a municipality require an inspection?

According to RCW 59.18.125 (3) a local municipality may only require a certificate of inspection on a rental property once every 3 years.

Are there any exceptions for requiring an inspection?

Yes. According to RCW 59.18.125(4)(a) A rental property that has received a certificate of occupancy within the last four years and has had no code violations reported on the property during that period is exempt from inspection under this section. Another exception in the code includes (4)(b) rental properties inspected by a government agency or other qualified inspector within the previous 24 months may provide proof of that inspection which the local municipality may accept in lieu of a certificate of inspection.

Do all units require an inspection?

No. According to RCW 59.18.125(6)(a) If a rental property has 20 or fewer dwelling units, no more than 4 dwelling units at the rental property may be selected by the local municipality to provide a certificate

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of inspection as long as the initial inspection reveals that no conditions exist that endanger or impair the health or safety of a tenant. (6)(b) if a rental property has 21 or more units, no more than 20% of the units, on the rental property, and up to a maximum of 50 units at any one property, may be selected by the local municipality to provide a certificate of inspection as long as the initial inspection reveals that no conditions exist that endanger or impair the health or safety of a tenant.

Will tenants be notified of an inspection?

Yes. As required by RCW 59.18.125(7)(a) A landlord shall provide written notification of his or her intent to enter an individual unit for the purposes of providing a local municipality with a certificate of inspection in accordance with RCW 59.18.150(6). The written notice must indicate the date and approximate time of the inspection and the company or person performing the inspection, and that the tenant has the right to see the inspector's identification before the inspector enters the individual unit. A copy of this notice must be provided to the inspector upon the request on the day of inspection. If a tenant continues to deny access to his or her unit they will be subject to RCW 59.18.150.

Can a rental property owner appeal an inspection?

Yes, according to RCW 59.18.125 if a rental property owner does not agree with the findings of an inspection performed by a local municipality under section (9), the local municipality shall offer an appeals process.

How much will a rental inspection cost?

There is no cost identified as of yet, there would need to be a time spent analysis based on current inspection of buildings to determine what the cost may be.

Have other communities implemented a Proactive Rental Inspection Program?

Yes, many municipalities have Rental Inspection programs, such as Pasco, Tacoma, Seattle, Tukwila and Toppenish. Each community administers their program differently, with different costs and time frame for inspections.