




Code Enforcement Division
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DATE: March 16, 2009
 TO: Community Development Committee
 FROM: James L. Garrett Sr., Code Enforcement Manager 
 RE: Delinquent Landlord Permits Fees

On November 6, 2008 the City Commission referred to the Community Development Committee the issue of landlord license late fees. In 2007 the commission revised the landlord permit ordinance to reflect more accurately the cost of pursuing delinquent landlord permits (LLP). Fees at that time were set as follows:

Application Received	Late Fee	Total Due
On or Before 10 Business Days	\$ -	\$ 185.75
After 10 Business Days	\$ 88.25	\$ 274.00
After 30 Calendar Days	\$ 88.25	\$ 362.25
After 60 Calendar Days	\$ 88.25	\$ 450.50

Landlords found to be more than 90 days delinquent are subject to referral to CEB

- \$1000 maximum daily fine for a first time offender
- \$5000 maximum daily fine for a repeat offender

The LLP ordinance does not provide for a waiver of fees or an appeal process for delinquent landlord permits. However if a landlord provides convincing evidence that the initial renewal notice was not received, the Code Enforcement Division (CED) provides them an opportunity to pay the initial fee of \$185.75 within 30 days.

First time permit holders are required by ordinance to provide billing information to the CED since no source providing this information is available in a public information format. If a new rental is discovered by the CED the owner is notified and provided an application for LLP. If this information is submitted within the 30-days provided by ordinance no late fee is assessed. If a property is reported vacant, owner occupied or sold and later found to be a rental, a permit is required using available public records to determine the day late fees would have been applicable.

The 2007 revisions to landlord permit enforcement included a full time permanent Field Collector position that is responsible for assisting Code Enforcement Officers in collecting delinquent permits. Since the implementation of these changes an average collection of \$40,000 in late fees is normal for an annual permit cycle. It is reasonable to expect that success in this program could be in part measured by a decline in the amount of delinquent fees collect. Delinquent fees are included in the total projected revenue of the department.

The CED would welcome the opportunity to present ideas to and participate in dialogue with the Community Development Committee. If the Committee determines the late fee structure should be changed, direct staff to explore alternatives and come back to the Committee with options.