

City of Gainesville

City Hall
200 East University Avenue
Gainesville, Florida 32601



Minutes - Draft

December 4, 2018

3:00 PM

GRU Multi-Purpose Room

Rental Housing Subcommittee

Commissioner David Arreola (Chair)
Commissioner Helen Warren (Vice-Chair)
Commissioner Gigi Simmons (Member)
Commissioner Adrian Hayes-Santos (Member)

CALL TO ORDER - 3:00 PM**ROLL CALL**

Present 3 - Hayes-Santos, Simmons, and Vice-Chair Warren

Absent 1 - Chair Arreola

ADOPTION OF THE AGENDA

A motion was made by Vice-Chair Warren, seconded by Simmons, that this Matter be Adopted. The motion carried by the following vote:

Aye: 3 - Hayes-Santos, Simmons, and Vice-Chair Warren

Absent: 1 - Chair Arreola

APPROVAL OF MINUTES180584.**Approval of Minutes (B)**

Amendments under Member Comment: 1) LEEP Plus Program; and 2) Project Share Agency.

RECOMMENDATION *The Rental Housing Subcommittee approve the minutes of November 26, 2018.*

A motion was made by Member Hayes-Santos, seconded by Member Simmons, that this Matter be sent to staff for amendments. The motion carried by the following vote:

Aye: 3 - Hayes-Santos, Simmons, and Vice-Chair Warren

Absent: 1 - Chair Arreola

DISCUSSION ITEMS180581.**Health and Safety (NB)**

Interim Code Enforcement Manager, Jeffrey Look stated that 75 percent of what Code Enforcement rarely does has to do with inspecting the inside of any property. The permission to go inside the home, typically will be given by the lessee. If the lessee does not wish for Code Enforcement to enter the home, then there's nothing the City can do. Mr. Look stated that the majority of the homes in the City are in good/fair condition.

Member Simmons wanted to know if Mr. Look was referring to the structure and condition of the outside of the home or the inside of the home.

Mr. Look stated that the outside of the home is done in a proactive manner. Code Enforcement doesn't get calls about complaints on the inside of homes.

Member Hayes-Santos stated that he is concerned with fire risk/safety. He stated that recently there have been fire incidents of single-family rental homes and rental apartments. He also mentioned that due to a recent apartment fire incident, there's 27 or 37 homeless individuals, and one person died from a fire. Right now, the City does not have availability to inspect an interior unit, unless there's a complaint.

Mr. Look stated that generally, the City needs to go before a judge to get a warrant to enter a property and that would be for extreme cases. Mr. Look stated that he only has done two inspections in the 16 years he has worked for Code Enforcement.

Member Hayes-Santos stated that speaking with Fire Marshalls, they can only go to the common areas of the property and not inside. He wants to ensure that simple things, such as smoke alarms, be installed inside the homes.

Mr. Look stated that we don't have an ordinance in place for carbon monoxide testers. It is difficult to convince the occupant of the importance of having a smoke detector. The owner of the property is only required to have it installed on move-in day. After that, it is the tenant's responsibility to maintain. The City considers this to be a life safety issue.

Member Hayes-Santos stated that we need to look at landlord licenses and periodic inspections. Have yearly inspections where the landlord themselves will do a self-check to make sure all detectors (smoke and carbon monoxide), are working properly. These inspections will solve a lot of issues. By not doing this, it puts the tenant's lives at risk, and the owner's property at risk as well.

Member Vice-Chair Warren stated that there should be a self-check list for the landlord. A self-check list will allow a win-win relationship between all parties. The City does not have in place a way to enforce smoke or carbon monoxide detectors. Member Vice-Chair Warren added that at the last meeting it was discussed how one can know the condition of the inside of a home. Also, the Department of Children and Family Services are receiving calls of neglect and abuse. Sometimes those situations are also eligible for monitoring and corrective action (such as hoarding or not having a clean environment).

Mr. Look stated that Code Enforcement tries to treat each case individually. Of the 10,000 calls received annually, less than 500 goes to the stage of being heard by the magistrate. There's a great successful rate (95 percent in dealing with such cases with each landlord and with each violation).

Assistant City Manager, Fred Murry stated that education is important (such as changing the batteries for the fire detector, and having simple things such as a step ladder). Some folks may not have the resources to purchase a step ladder, and so they may leave the fire detectors battery die. Some landlords are good and will tell their tenants to just call them to take care of it. When Code Enforcement goes into a building, and if they determine that there's a life safety issue, they will call the Department of Doing. In this case, a Building Official or Fire Inspector will go to the property.

Mr. Look stated that Code Enforcement works closely with both the Fire Department and Police Department. If they determine there's an issue, Code Enforcement has to go out to the property to make their own inspection. But if the property owner does not let Code Enforcement in their property, there's nothing that can be done. If there's

something on the outside of the home, then Code Enforcement can deal with it, but generally life safety issues are typically on the inside of the property. If there's enough evidence to get a warrant, then Code Enforcement can go into the property.

Member Vice-Chair Warren stated that we need to look and see what other cities are doing. We should encourage landlords to be responsible and have conversations with their tenants and to inspect the home inside more than just once a year. If you're Section 8, then landlords need to inspect more often. We hear conversations that property managers are to protect the rights of the landlords, the one who owns the property, but the code of ethics says it is equal responsibility for the landlord and tenant.

Member Hayes-Santos stated that the City of Daytona Beach has landlord license and inspections. They go inside properties every two years to see if it meets standards. A lot of cities around the country have the same thing in place, such as Minneapolis (an ordinance has been passed for health and safety and to retain property value).

Member Simmons stated that we should keep data on repeat offenders. These offenders are the ones that are doing the most harm to the renters and getting away with it. The City needs to come up with a framework and/or strategy to take action on this. She would like to have the Red Cross (relating to smoke detectors) and the Housing Authority (relating to health and safety) at the table.

Member Hayes-Santos commented that educating the people is good, but it should be the landlords responsibility to deal with changing the battery to the detectors.

Kameelah Spence, Darlene Pifalo, Amy Carpus, Robert Carroll, Reina Saco, Jessey Corney, Jeremiah Tattersall, James Thompson, Robert Mounts, Terry Martin-Bach, Janice Garry, Kayla Sosnow, Gween Thompson and Brian O'Brian spoke to the matter.

A letter was read into the record.

RECOMMENDATION **Discuss**

Discussed

170873.

Landlord License Rental (B)

Motion: At the February 5, 2019 meeting direct staff to: 1) Come back to us with what other cities do; 2) Look at universal landlord licenses; 3) Look at landlord inspections (what is good and bad); 4) Look at what the City can legally do in terms of landlord licenses and fees, inspections, and health and safety standards; 5) report back with data regarding repeat offenders (addresses, names and heat maps).

Member Vice-Chair Warren stated that there's a feeling that nothing is being done with the license fees. Incentives should be given to landlords that keep their rental homes consistent and in good shape.

Mr. Look stated that the landlord permit is given to single-family neighborhood zones and some multi-family zones. There's a mechanism in place. The fee for a single-family license is \$147. The City has 6,000 rental licenses.

Member Simmons asked where the majority of permits are located in the City.

Mr. Look stated that it is widely distributed.

Member Hayes-Santos stated that we should ensure that standards are met. The City needs to find ways to enforce the standards we basically have. Member Hayes-Santos suggested low-cost loans for landlords to fix their homes and provide affordable housing.

Member Vice-Chair Warren stated that we need to maintain people in their homes and there should be a tenant/landlord relationship. There must be an emphasis on how people can stay in their homes and to improve the lives of people.

Member Simmons asked staff to go back to look at ways to utilize license fees in order to hire inspectors to inspect every three years. She stated that a database is needed for repeated offenders. Member Simmons stated that the education component needs to be looked at, and use examples from other cities.

Mr. Murry stated that he will bring the following information to the February 5, 2019 meeting: 1) Fee Structure; 2) Data on repeat offenders (what is in the system); 3) GIS map where the issues are located; 4) Research other communities similar to the City of Gainesville as a university town and see what they are doing and what the consequences have been; 5) Research on cities that may be leaders on this; and 6) Inspection list from other cities.

Member Vice-Chair Warren stated that we should include rental licenses and inspections to duplexes, and HOA with larger condominiums.

Member Hayes-Santos mentioned that at the February meeting, the Subcommittee should look at the legal aspect of inspections.

City Attorney Nicolle Shalley stated that the Legal Department reviews any official action to make sure it complies with County, State, and Federal laws. Whatever the subcommittee brings to the legal department they will look at it for review and counsel.

RECOMMENDATION *The General Policy Committee discuss.*

A motion was made by Hayes-Santos, seconded by Simmons, that this Matter be Approved, as shown above. The motion carried by the following vote:

Aye: 3 - Hayes-Santos, Simmons, and Vice-Chair Warren

Absent: 1 - Chair Arreola

180593. Rental Housing Subcommittee Referral List (B)

RECOMMENDATION *Discuss*

No Action Taken

MEMBER COMMENT

CITIZEN COMMENT

NEXT MEETING DATE - December 18, 2018

ADJOURNMENT - 5:15 PM