



Community Development Committee

Landlord Permit Program January 21, 2016

Item History

Item	Status	Code Section	Next Step
Replace tiered late fee with 25% single late fee	Approved by City Commission (FY16)	Appendix A	Draft ordinance
50% discount for multiple unit parcels	Approved by City Commission (FY16)	Appendix A	Draft Ordinance
Reduction of permit fee	Approved by City Commission (FY17)	Appendix A	FY17 budget process
Revocation hearing before Special Magistrate	Approved by Commission	14-5	Draft ordinance
Create alternative to revocation – increased fee	Pending CDC recommendation	14-5 / Appendix A	Remain in CDC
Transfer of permit to new owner	Approved by Commission	14-5	Draft ordinance
Clarify exemptions: Definition of “related”; amend exemption for owner-occupied	Approved by Commission / Being discussed by CDC	14-5	Referred to City Commission – 1/17/2016

Owner Occupied Exemption

- **CURRENT:** The provisions of this section do not apply if the dwelling unit is occupied by less than three persons 18 years of age or older; one of whom is the owner, and the children of the owner or the other person.
- **Examples:**
 - Owner (individual) + one unrelated tenant = no permit required.
 - Owner and family + one or more unrelated tenant = permit required.
 - Owner (individual) + two unrelated tenants = permit required.

Relative Occupied Exemption

- **CURRENT:** No permit required if property is occupied only by a person(s) “related” to the owner.
 - Need permit if anyone unrelated to owner resides at property.
 - Current regulation does not define who is “related” to owner.

Relative Occupied Exemption

- Approximately 600 permit notices are returned as relative occupied.
- Staff finds this status is sometimes used to evade the permit requirement.
- Proposed exemption language's goal is to make the exemption more stringent and verifiable to maintain the equitable application of the permit requirement.

Proposed Exemption Language

- The provisions of this section do not apply if either: a) the dwelling unit is occupied by the owner(s) as a permanent place of residence, as evidenced by an existing homestead exemption, or b) the occupancy of the dwelling unit is limited to only the following family members of the owner(s): spouse, children, stepchildren, parent, stepparent, foster parent, foster children, grandparent, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, sister-in-law, brother-in-law, or legal guardian.

Exemption Considerations

- Add or remove specified relatives from proposed exemption language?
 - Stakeholder requested nieces/nephews be added
- Require applicant to provide documentation showing proof of specified relationship?
- Fiscal Impact – Owner-Occupied
 - Approximately 70 properties identified with permits may be owner-occupied
 - Current permit fee collected = \$14,280
 - Proposed permit fee collected (per \$118 permit fee) = \$8,260

Affordable Housing Exemption

- Exemption proposed to exempt affordable rentals receiving financial housing assistance.
- Staff proposes waiving the permit fee for rental properties paid for or partially paid for using HUD Housing Choice or HUD VASH vouchers.
 - Permit will be issued without fee charged
 - May encourage the provision of affordable housing and acceptance of HUD vouchers.

CDC Recommendations

- Discuss exemptions for owner-occupied and relative-occupied properties, and for rentals receiving rent subsidies.
- Approve exemption language for owner-occupied and relative-occupied properties and direct the City Attorney to draft and the Clerk of Commission to advertise an ordinance to implement the permit exemption language.
- Create a separate item to the CDC to review/discuss the current single-family occupancy limit.