

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David A. Bobardt, Community Development Director  
Joseph Fiss, Principal Planner

**DATE:** October 15, 2010 (CC Meeting of 11/17/10)

**SUBJECT:** Consider Status of Rental Housing Inspection Program

On June 7, 2006 the City Council adopted Ordinance 337, creating the Rental Housing Inspection Program (RHIP) by adding Chapter 15.34 to the Moorpark Municipal Code (CC Attachment 1). The stated purpose of the ordinance is to "safeguard the inventory of decent, safe, and sanitary rental housing units within the city and to protect persons entering or residing in them by providing for annual inspection of rental housing units and associated common buildings and areas...". This program applies to all rental units within the City limits.

The 2006-2008 American Community Survey by the U.S. Census Bureau (ACS) identified 10,752 dwelling units within the City of Moorpark. Of those, 15.7 percent, or 1688 units, are identified as renter-occupied units. 1,088 units are within apartment buildings, and the remaining 600 units are single-family or duplex/triplex structures. Since the creation of the RHIP, approximately 365 rental units have been registered and inspected. Seventy-five to eighty percent of initial inspections have required remedial repairs. The majority of the issues that have been found are relatively easy to repair, such as missing/non-functioning smoke detectors, missing/inadequate water heater straps, and blocked doors and windows. Occasionally, inspections have revealed more serious problems such as substandard wiring, broken/missing heaters, illegal construction, and persons living in improper structures, such as garages. For those units that remain as rental units after the first year, there has been full compliance on paying for and obtaining annual re-inspections. Annual re-inspections are conducted by Community Development Department staff by means of exterior inspections. Staff has not identified any property maintenance issues as a result of the exterior annual re-inspections.

Once a potential rental unit is identified, a letter is sent to the property owner (CC Attachment 2). Once the owner files the proper forms, an inspection is arranged. Initial RHIP inspections are conducted by the Building Inspector, after payment of the appropriate inspection fee, business registration fee and scheduling of an inspection. The first year inspection fee for a single-family residence is \$180.00; for two or three unit multi-family dwellings it is \$240.00; and for four or more unit multi-family dwellings it is \$240.00 plus \$5.00 per unit. There is an additional Issuance Fee of \$27.00 and an imaging fee of \$3.00. The annual renewal fee for single-family residence is \$60.00 and for multi-family dwellings the annual renewal fee is \$90.00. The initial fee for a Business Registration Certificate is \$90.00 for the certificate and \$40.00 for annual renewals. The total RHIP fees for a typical single-family residence are \$300.00 for the first year, which includes an interior and exterior inspection, and \$100.00 for annual renewals.

During the interior inspection, the inspector looks for general maintenance, broken or missing windows, sound and water tight roof, rodent and insect infestation, smoke detectors, proper heating, working plumbing, water proofing in showers, proper venting and strapping of water heaters, functioning toilets, safe electrical and lighting systems, and general property maintenance. During the subsequent annual inspection, a City staff member observes the property only from public right-of-way to see if there are obvious signs of lack of maintenance and deterioration since the last inspection. If there are signs of major deterioration, the applicant is directed to pay for a complete inspection and to make any required repairs prior to issuance of the renewal.

In the past, many California cities have had inspection programs for apartment buildings, and upon resale of single-family homes. At the time that Moorpark enacted the RHIP, few cities had programs for regular inspections of all rental units, including single-family dwellings. Since 2006, several other California cities have instituted Rental Inspection Programs that include regular inspection of all rental units. The programs are similar to Moorpark's with some differences, including fees, frequency of inspection, and exemptions. The attached table (CC Attachment 2) shows a random survey of various cities and highlights of their programs. Camarillo, Simi Valley, and Thousand Oaks do not have RHIPs. RHIPs were proposed in Eureka, Loma Linda, and Villa Park, but were rejected by their respective City Councils. The City of El Cerrito and Richmond use a contract service to run their programs. Typical exemptions in all programs include hotel rooms, hospitals, and owner occupied dwellings. Business Registrations or Licenses of some sort are generally required with all RHIPs. The City Council may wish consider revising the ordinance by 1) discontinuing the annual inspections in favor of a three or five year full inspection, and/or 2) waiving the Business Registration when only one rental unit is owned by the landlord.

Honorable City Council  
November 17, 2010  
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**FISCAL IMPACT**

The Rental Housing Inspection Program is fully funded by inspection fees.

**STAFF RECOMMENDATION**

Direct staff as deemed appropriate

**Attachments:**

1. Chapter 15.34 Moorpark Municipal Code
2. RHIP Sample Mailing
3. RHIP City Comparison

## **Chapter 15.34 RENTAL HOUSING INSPECTION**

### **15.34.010 Purpose.**

The purpose of this chapter is to safeguard the inventory of decent, safe, and sanitary rental housing units within the city and to protect persons entering or residing in them by providing for annual inspection of rental housing units and associated common buildings and areas to ensure compliance with the provisions of Title 15 (Building and Construction) and Title 17 (Zoning) of the Moorpark Municipal Code. (Ord. 337 § 1 Exh. A (part), 2006)

### **15.34.020 Scope.**

The provisions of this chapter shall apply to single-family dwellings, two-family dwellings, multiple-family dwellings, second dwellings, boardinghouses, bed-and-breakfast inns, hotels, and motels as defined in Title 17. The following uses are specifically exempt from this chapter:

- A. Owner-occupied housing units not operated as boardinghouses or bed-and-breakfast inns;
- B. Second dwellings not occupied by person(s) paying rent or providing other goods or services in lieu of a rent payment;
- C. Accommodations in any hospital, extended care facility, residential care facility, convalescent home, hospice, or state-licensed community care facility;
- D. Mobilehomes within mobilehome parks;
- E. On-campus dormitories operated by secondary schools, colleges, or universities. (Ord. 337 § 1 Exh. A (part), 2006)

### **15.34.030 Rental authorization permit.**

No person shall rent or lease a housing unit unless a valid rental authorization permit has been obtained. The application for a rental authorization permit shall be made on a form provided by the community development director with payment of a fee as established by resolution of the city council. The permit shall be valid for a period of one (1) year, unless revoked for cause. Renewal is the responsibility of the property owner, with an application for renewal of the rental authorization permit required to be filed at least fifteen (15) calendar days prior to expiration if the housing unit is to continue to be rented. A valid city business registration permit is also required for any person engaged in the rental of housing units. (Ord. 337 § 1 Exh. A (part), 2006)

### **15.34.040 Inspections.**

A. Prior to issuance of the initial rental authorization permit as well as each annual renewal, the community development director shall cause the subject rental housing unit(s) to be inspected for compliance with applicable municipal code sections relating to building, housing, zoning and property maintenance.

B. Inspections shall be made by appointment with the property owner. The property owner shall be responsible for making the rental housing unit(s) available for inspection. If the owner or tenant denies the city inspector access to the rental housing unit, an authorization to rent permit shall not be issued. If the rental housing unit is occupied, the city may pursue any remedy available to the city under the laws of the state of California, including but not limited to, obtaining an inspection warrant.

C. The initial inspection shall include an inspection of both the exterior and interior of the rental housing unit. Annual permit renewal inspections shall be made of the exterior of the rental housing unit, unless the exterior inspection gives evidence of possible interior violations, in which case the interior of the rental housing unit may be inspected.

D. Where inspection reveals a violation, the property owner shall be provided with a written notice describing the violation, location and a reasonable time for compliance. A rental authorization permit shall not be issued until all violations have been corrected and reinspected by the city. A reinspection fee as established by resolution of the city council shall apply. (Ord. 337 § 1 Exh. A (part), 2006)

**15.34.050 Smoke detectors required.**

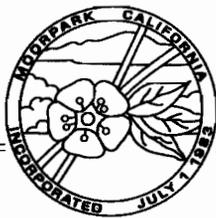
At the time of the application for a rental authorization permit, the property owner shall certify that each rental housing unit has at least one (1) working smoke detector in each bedroom and one (1) working smoke detector in the area outside of the bedroom (i.e., hallway). Where required by the building code, smoke detectors shall be hard-wired with battery back-ups. All smoke detectors shall be tested by city inspectors as part of the interior inspection, when interior inspections are required. (Ord. 337 § 1 Exh. A (part), 2006)

**15.34.060 Revocation.**

A rental authorization permit may be revoked by the community development director at any time if municipal code violations are discovered on the property that make the rental housing unit unsafe or unfit for occupancy. (Ord. 337 § 1 Exh. A (part), 2006)

**15.34.070 Appeals.**

Any person aggrieved by the determination of the community development director under this chapter may appeal to the planning commission in accordance with the appeal procedures in Chapter 17.44 of this code. (Ord. 337 § 1 Exh. A (part), 2006)



# City of Moorpark

COMMUNITY DEVELOPMENT DEPARTMENT: PLANNING – BUILDING AND SAFETY – CODE COMPLIANCE

799 Moorpark Avenue, Moorpark, California 93021 (805) 517-6200 fax (805) 532-2540

<<Date>>

<<Property Owner>>

<<Street Address>>

<<City, State and Zip>>

**SUBJECT: Mandatory Rental Inspection of <<Property Address>>**

Dear <<Property Owner>>:

The City of Moorpark is contacting you at this time regarding a rental property you own within the City. All residential rentals are subject to the provisions of the City's mandatory Rental Inspection Program. This program requires that all rental housing in the City of Moorpark be inspected annually to safeguard the inventory of decent, safe and sanitary rental housing units within the City to protect the health and safety of the occupants.

To comply with the *mandatory* Rental Inspection Program you *must* complete the following:

1. The owner must complete and submit the enclosed Business Registration Permit Application.
2. The owner must complete and submit the enclosed Rental Authorization Permit Application.

These two forms *must* be submitted to the City of Moorpark along with the required fees for both the Business Registration Permit and the rental inspection itself. The total amount due for an initial Business Registration Permit and the initial rental inspection is \$300.00 for a single-family home rental. **You must submit the enclosed two applications and submit the related fees to the City of Moorpark within thirty days of the receipt of this notice.**

With the required forms and fees submitted, the property owner must sign the inspection permit application to allow the building inspector onto the property. Your property will then be subsequently inspected by the City Building Inspector at a time convenient for you. The owner or a representative must be present during the building inspection. Upon completion of the inspection, and after the resolution of any issues identified by the inspection, the property owner will be issued a Rental Authorization Permit and Business Registration Permit.

Again, this regulation applies to *all* rental properties in the City of Moorpark. However, if you feel that your property is not subject to this ordinance or if you have further questions or concerns, please call me directly at (805) 517-6230 or email me at [dlasher@ci.moorpark.ca.us](mailto:dlasher@ci.moorpark.ca.us). For your information and convenience, a rental inspection guide is enclosed.

Sincerely,

David C. Lasher  
Management Analyst

Enclosures

## CC ATTACHMENT 2

JANICE S. PARVIN  
Mayor

ROSEANN MIKOS  
Mayor Pro Tem

KEITH F. MILLHOUSE  
Councilmember

DAVID POLLOCK  
Councilmember

MARK VAN DAM  
Councilmember

City	Population	Year Program Established	Mandatory/ Self Certification	Approx Fee Business Lic./Reg)	Frequency of Inspections	Atypical Exemptions
Berkeley	108,119	2001	Self Certification	No initial fee. \$17.00 fee per year for all rental units	3 years	Units < 5 years old
Camarillo	66,690	No Program	-	-	-	-
El Cerrito	23,666	1991	Mandatory	\$267.00	2 years	Section 8 and units < 2 years old
Eureka	26,066	2009 (considered, but not implemented)	-	-	-	-
Hayward	153,104	1989 (revised 2003)	Mandatory	\$200.00	3.5 years or less	Typical
Lancaster	145,875	2007	Mandatory	\$170.00	0 to 3 years	Typical
Loma Linda	22,760	2007 (considered, but not implemented)	-	-	-	-
<b>Moorpark</b>	<b>37,576</b>	<b>2006</b>	<b>Mandatory</b>	<b>\$300.00</b>	<b>Annually</b>	<b>Typical</b>
National City	57,799	1996 (revised 1999 and 2006)	Mandatory	\$50.00 to \$150.00	Annually	Typical
Palmdale	152,622	2006	Mandatory	\$225.00	1-5 years	Typical
Pinole	19,555	2006	Mandatory	\$290.00	3 years	Typical
Rancho Cordova	62,899	2007	Mandatory	\$99.00 plus necessary inspections per fee schedule	As needed	Typical
Richmond	105,630	2005	Self Certification	\$171.00	3 years	Section 8, units < 5 years old, and < 3 units owned
Sacramento	486,189	2008	Mandatory	\$28.00 per unit	Annually	Section 8 and units < 5 years old
Simi Valley	126,902	2005 (considered, but not implemented)	-	-	-	-
Thousand Oaks	130,209	No Program	-	-	-	-
Villa Park	6,307	2008 (considered, but not implemented)	-	-	-	-