

Draft **Proposed Changes to Rental Registration and Inspection Ordinance** Draft

Row #	Section	Topic	Change Needed	Category	Notes
1	22.214.020.1	Definitions - Accessory Dwelling Unit	Fix capitalization.	Cleanup & Clarity	
2	22.214.020.11	Definitions - Housing Unit	Add Micro units and ADUs (and others?) to the list of unit types.	Cleanup & Clarity	The definition encompasses these types of units, but it will be more clear to spell them out.
3	22.214.020.2	Definitions - Certificate of Compliance	Remove requirement for signature to facilitate online processing. Rewrite or remove reference to 22.214.050.M (full standards).	Operational	Remove requirement for signature to facilitate electronic submittal. Will still capture who did the inspection and can verify through audit. Reference to 050.M implies full standards, rather than weighted standards.
4	22.214.030.B.2 and 3	Alternate inspections - government, Housing and Urban Development, or lender	Clarify alternative inspection documentation needs to be submitted by property owner by the end of the RRIO Inspection due date (within 60 day inspection interval).	Cleanup & Clarity	Anticipate working with non-profit and other organizations in 2014, in advance of inspection requirements, to verify their inspections are substantially equivalent.
5	22.214.040.A	Condo registration requirement	Clarify that owners of multiple condominium units in a single building will be able to register as a single property with multiple rental units.	Unintended Consequence	Multiple units in a single condominium building are not materially different than apartment units in a single building.
6	22.214.040.A.3	Registration schedule	For 1-4 dwelling units, revise and divide December 31, 2016 deadline to implement balanced, geographic registration timetable.	Unintended Consequence	With single filing date, anticipate system gridlock caused by last minute filing. By adopting a schedule with 4-8 registration periods, evens registration workflow. Anticipate registration areas balanced by roughly equal numbers of rental properties and geographic area.

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7	22.214.040.B	Registration schedule	Change such that newly constructed rental properties register when permitting is complete. Eliminate the one year delay in registration. Replace Certificate of Occupancy language with permitting process language.	Cleanup & Clarity	More consistent with other properties to have registration at the point rental housing is available for rent. New construction will still wait 5 years before entering inspection cycle. Since not all new construction/substantial alteration receives a Certificate of Occupancy, "permitting is complete" is more appropriate. Operationally, difficult to track 1 year delay after construction. Remaining question - how to capture "substantially altered" existing construction? As ordinance change or in policy?
8	22.214.040.E	Registration transfer fee	Delete requirement to charge a fee for registration transfer.	Unintended Consequence	Fee acts as disincentive to updating information. In addition, cost to program for processing transfers is not significant.
9	22.214.040.F	Registration transfer fee	Delete reference to transfer fee.	Unintended Consequence	Refer to explanation in 040.E.
10	22.214.040.G.7	Compliance declaration	Removes signature requirement. Remove "under penalty of perjury" clause. Change reference 22.214.050.M (full standards) to "as required in this Chapter 22.214."	Operational	Removing signature facilitates online processing. The "penalty of perjury" language unnecessary given other enforcement tools. Removing reference to 050.M clarifies declaration is for weighted standards, not full standards.
11	22.214.040.G.7	Compliance declaration	Add language to declaration to allow owner to also declare units that aren't currently occupied due to repairs will meet the standards before renting.	Operational	Simplifies registration process for owners remodeling or bringing units up to standards. Can register all at once.
12	22.214.045.A.1.b	Denial of Registration	Change "certificate of compliance" to "declaration of compliance."	Cleanup & Clarity	This section deals with registration. A <i>certificate</i> of compliance only applies to inspections.
13	22.214.045.A.2.a	Weighted values	Change reference to 22.214.050.M (full standards) to "as required in this Chapter 22.214;"	Cleanup & Clarity	Clarifies revocation can occur for failing to meet the weighted standards, not the full standards in 050.M.

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14	22.214.045.A.2.b	Revocation of Registration	Add "or declaration of compliance" to subsection b.	Unintended Consequence	Allows revocation for knowingly submitting a false declaration of compliance.
15	22.214.050.A	Annual selection of properties	Delete reference to "annually select" properties for inspection.	Cleanup & Clarity	Current language implies RRIO will select properties for inspection only once per year. RRIO plans to select throughout the year, rather than have all inspections conducted at once.
16	22.214.050.A	Five year delay for new properties	For newly constructed rental properties, clarify they will not be inspected until after registration renewal 5 years after the permitting is complete (consistent with the change to 22.214.040.B). No need to reference 22.214.040.B .	Cleanup & Clarity	Consistent with change to 22.214.040.B. Also avoids unnecessary cross-reference.
17	22.214.050.B	Inspections at least once/10 years	Delete the exception for subsections 22.214.050.C and D as it is not necessary. Leave exception language for "...as otherwise allowed or required by any federal, state, or city code."	Cleanup & Clarity	The cross reference to 050.C and 050.D is confusing and doesn't add anything to the ordinance.
18	22.214.050.C	Complaints on registered units	Modify or delete reference to 22.214.050.M (full standards) to clarify the unit must meet the weighted standards. Add language to indicate additional inspections need to follow the 22.214 requirements for timing, tenant notice, etc. Change references to 22.214.0505.G.1.c & d (they don't exist) to a & b.	Cleanup & Clarity	Clarifies failing inspection occurs for failing to meet the weighted standards, not the full standards in 050.M. Makes follow-up inspections consistent with regular inspections. Fixes typos.
19	22.214.050.D	Prior violations	Clarify dates for "two years preceding the adoption of this Chapter" for prior NOVs and EOs.	Cleanup & Clarity	Reduces confusion

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20	22.214.050.F	Certificate of Compliance	Delete "list and show compliance." Modify or remove reference to 22.214.050.M (full standards) to be clear weighted standards apply. Clarify that owner is to submit certificate. Delete "sworn."	Cleanup & Clarity	"List and show compliance" likely inconsistent with Supreme Court case on Pasco. The Certificate of Compliance should reference the weighted standards, not the full standards in 050.M. Inspector will provide certificate to property owner for submission. We don't need a "sworn statement" - audit and enforcement will verify work was done.
21	22.214.050.G.1	Inspections	Make intent regarding previous violations more clear - if a rental property has had violations with enforced compliance or court decision, then all units may be inspected.	Cleanup & Clarity	Language is confusing
22	22.214.050.G.2 and 3	Random selection of units to be inspected	Delete requirement for "random." Need a methodology that provides a wide range of units dispersed throughout the building as well as basement and attic units if present.	Unintended Consequence	May develop a mixed methodology based on floor levels, such as randomly selecting a unit on the basement level, top level, and then the rest throughout the other floors.
23	22.214.050.H	Notice to tenants	Clean up formatting and comma placement. Change "48 hours" to "two days" to be consistent with state RCW. Citation in 22.214.050.H.2 should be to 22.214.050.H.	Cleanup & Clarity	For the 48 hrs notice, state statute references two days. We should be consistent.
24	22.214.050.I	Certificate of Compliance - validity	Edit to account for weighted standards. In other words, violations of 22.214.050.M that would cause the unit to fail inspection.	Cleanup & Clarity	
25	22.214.050.J	Auditing	Recommend deleting specific instructions for how to audit ("...by reviewing inspection reports and certificates of compliance...."). Also, delete sentence regarding the Department "inspecting" any listed rental housing units for compliance.	Operational	Potential "right of entry" problem for auditing through follow-up inspections. Audit plan includes contacting inspectors by telephone, tenant survey/mailer, and reviewing inspector submittals.

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26	22.214.050.L	Weighted values	Include reference to the weighted checklist. Change "values" to "standards."	Cleanup & Clarity	Want to more clearly refer to passing the weighted checklist, not complying with all the standards.
27	22.214.050.M	Minimum Standards	Edit to delete requirement for "certify compliance." Instead, reference passing inspection per the weighted checklist.	Cleanup & Clarity	Clarify that inspection must meet weighted standards, not full standards listed in 22.214.050.M.
28	22.214.050.M.2	SROs and micro units	Add new subsection 2.f - if a single room occupancy or micro-apartment unit shares a kitchen or a shared bathroom for SRO, the shared kitchen / bathroom shall be inspected as part of the rental housing unit inspection.	Unintended Consequence	Clarifies how bathrooms and kitchens will be treated in these types of units.
29	22.214.060.A.1	Private inspector registration	Delete "annual."	Cleanup & Clarity	Makes fee cycle consistent with two-year registration cycle in 22.214.060.B
30	22.214.060.A.3	Private inspector registration	Reference should be to 22.214.020.9.b.	Cleanup & Clarity	
31	22.214.080.B	Enforcement	Delete specific reference to warnings for failure to register. Warning notices are part of all compliance - failure to register, failure to inspect, etc. We don't want to imply warning should only apply to failure to register.	Unintended Consequence	Do not want the specific reference to warnings for late registrations to limit our ability to issue warnings for other violations.
32	22.214.085.B.2	Civil enforcement and penalties	Add "declaration" to list.	Cleanup & Clarity	Clarifies that there is a penalty for knowingly submitting a false declaration.
33	22.214.085.B.3	Civil enforcement and penalties	Delete this subsection. All enforcement moves forward under standard enforcement protocols per 22.214.085.B.1 & 2	Cleanup & Clarity	The escalating daily penalty in subsection 1 will be more effective at driving compliance.
34	Uncodified sections of Ordinance #124011	Section 16.A and B Database	Confirm that Council wants to publish ALL contact information for all owners of a property.	Cleanup & Clarity	Lots of information for buildings with multiple owners. Potential privacy concern. Recommend requiring only the contact person information be published online.
35	Uncodified sections of Ordinance #124011	Section 17. C Annual report	Delete reference to inspection as a condition of "registration."	Cleanup & Clarity	This is not a requirement. Prior violations are registered first and then inspected in following year.