City of Ann Arbor

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Ann Arbor, MI 48104
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Legislation Details (With Text)

File #:	17-0879	**Version:**	1	**Name:**	6/05/2017 Amend Sec 8:525 Information provided to tenants in City
Type:	Ordinance			**Status:**	Passed
File created:	6/5/2017			**In control:**	City Council
On agenda:	6/19/2017			**Final action:**	6/19/2017
Enactment date:	6/5/2017			**Enactment #:**	ORD-17-08

Title: An Ordinance to Amend Section 8:525 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-08)

Sponsors: Zachary Ackerman, Chip Smith, Christopher Taylor

Indexes:

Code sections:

Attachments: 1. 17-08 Ord Am Sec 8_525. Tenant Rights Information_Voting Registration Briefed and Approved.pdf, 2. 17-08 Ord Am Sec 8_525. Tenant Rights Information_Voting Registration Briefed.pdf, 3. Ord Am Sec 8_525. Tenant Rights Information_Voting Registration, 4. 17-08 Ordinance Approval Notice.pdf

Date	Ver.	Action By	Action	Result
6/19/2017	1	City Council	Held and Closed	
6/19/2017	1	City Council	Adopted on Second Reading	Pass
6/5/2017	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Section 8:525 of Chapter 105, Housing Code, of Title VIII of the Code of the City of Ann Arbor (Ordinance No. ORD-17-08)
Section 8:525 of the City Code currently requires local landlords and their agents to distribute to tenants and prospective tenants booklets explaining the rights of tenants under city and state law. These booklets are provided to local landlords by the City Clerk without charge per the City Code.

This amendment to Section 8:525 would add the additional requirement that landlords also provide tenants with copies of the State of Michigan Voter Registration Application and information on how to register to vote that would be supplied by the City Clerk without charge to landlords.

According to the City Clerk, there are currently 96,800 registered voters in the City. 77,612 are considered “active” which means 19,188 are “inactive.” Inactive voters may be flagged as such due to a record of inactivity or reasonable suspicion that the voter no longer resides at the registered address (e.g. returned voter i.d. card, word-of-mouth, etc.). “Inactive” voters are eligible to vote.

In the City of Ann Arbor there are approximately 55,000 housing units. Fifty-eight percent of City residents rent their housing.
Prepared by: Mary Joan Fales, Senior Assistant City Attorney and Jacqueline Beaudry, City Clerk
Sponsored by: Councilmembers Ackerman and Smith and Mayor Taylor

ORDINANCE NO. ORD-17-08

First Reading: June 5, 2017
Public Hearing: June 19, 2017

Approved: June 19, 2017
Published: June 22, 2017
Effective: August 1, 2017

HOUSING CODE

AN ORDINANCE TO AMEND SECTION 8:525 OF CHAPTER 105, HOUSING CODE, OF TITLE VIII OF THE CODE OF THE CITY OF ANN ARBOR.

The City of Ann Arbor Ordains:

Section 1: That Section 8:525 of the Code of the City of Ann Arbor be amended to read as follows:

8:525. - Information concerning tenants rights.

(1) The city shall provide the City Clerk with booklets explaining the rights of tenants under city and state law. The City Clerk shall make such booklets available to local landlords and their agents to pick up at the Clerk's office without charge for distribution by local landlords to tenants and prospective tenants. In the event the Clerk makes available to local landlords sufficient copies of the booklet to permit those landlords to comply with this section, no owner of rental property located in Ann Arbor or agent of such an owner shall lease or contract to lease such property without furnishing to the tenant, before the time of leasing or contracting, a copy of said booklet. In the event a housing unit is being leased to more than 1 tenant, it shall be sufficient to offer a single booklet for each housing unit. In the event the lease or contract to lease is accomplished by mail, rather than face to face, the booklet shall be furnished the tenant by mail. A landlord shall be deemed to have furnished a tenant a copy of the booklet if the landlord mails it to him or proffers a copy of the booklet to the tenant face to face, whether or not the tenant chooses to receive the booklet. For purposes of this section, the renewal of a lease shall be considered the same as the making of a new lease; however, if a landlord has previously furnished the tenant or tenants of a unit with a copy of the booklet, the landlord is not required to furnish another copy upon lease renewal. This section shall only apply to leasing and contract to lease transactions entered into 30 calendar days after the City Clerk has published in a newspaper of general circulation in Ann Arbor a notice to landlords informing them of this section and of the availability of said booklets at the Clerk's office. The Clerk shall publish such notice promptly upon receipt of such booklets from the City of Ann Arbor.

(2) AT THE SAME TIME AN OWNER OR AGENT OF AN OWNER FURNISHES A TENANT WITH THE BOOKLET EXPLAINING THE RIGHTS OF TENANTS UNDER CITY AND STATE LAW REQUIRED IN SUBSECTION 1 ABOVE, EACH TENANT SHALL ALSO BE PROVIDED BY THE LANDLORD WITH SPECIFIC INFORMATION ON HOW TO REGISTER TO VOTE AND THE REQUIREMENTS TO REGISTER, NOTICE THAT ELECTION INFORMATION AND FURTHER REGISTRATION INFORMATION IS AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE AS WELL AS THE CITY'S WEBSITE THROUGH THE CITY CLERK'S WEBPAGE AND A COPY OF THE STATE OF MICHIGAN VOTER REGISTRATION APPLICATION. THE CITY CLERK SHALL MAKE AVAILABLE WITHOUT CHARGE FOR DISTRIBUTION BY LOCAL LANDLORDS TO TENANT AND PROSPECTIVE TENANTS COPIES OF STATE OF MICHIGAN VOTER REGISTRATION APPLICATION AND THE ABOVE ELECTION INFORMATION ON REGISTRATION. THE CITY CLERK MAY INCORPORATE THE ELECTION INFORMATION AS PART OF THE ABOVE TENANTS' BOOKLET OR IT MAY BE PRODUCED SEPARATELY.

(3) This section shall apply only to residential leases. Violations of this section shall be punishable by a fine up to $500 but may not be punished by jail.

(4) THE FAILURE OF AN OWNER OR OWNER'S AGENT TO DO ANY ACT REQUIRED BY THIS SECTION SHALL NOT BE CONSTRUED TO AFFECT THE VALIDITY OF THE LEASE OR THE ENFORCEMENT OF ANY OF THE LEASE PROVISIONS.

Section 2. Severability. In the event any court of competent jurisdiction shall hold any provision of this Ordinance invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision thereof.

Section 3: Effective Date. This Ordinance shall take effect on August 1, 2017.

C E R T I F I C A T I O N

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan, at its regular session of June 19, 2017.

Jacqueline Beaudry, City Clerk

Date

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on June 22, 2017.

Jacqueline Beaudry, City Clerk