

Questions Submitted to Rental Housing Services for March 16, 2022 Renters Commission Meeting

Topic	Question/Concern/Information Request	Additional Information (if needed)
Enforcement (General)	<p>Section 8:511 of the housing code describes inspection processes. Here are some excerpts:</p> <p>1. The Building Official shall keep a record of all inspections and reports of violations, and the records are to be open to the public for review and copying; 2. The Building Official shall submit monthly reports to the City Council specifying the number of initial inspections, reinspections, and buildings certified for occupancy during the month [...] These monthly reports shall be available to the public upon request through the Planning and Development Services Unit;</p> <p>Q1. Are all records published on etrakit and STREAM? how frequently are these platforms updated? Yes, Initial and renewal inspections records are real time uploaded by inspectors at the end of the inspection cycle, within 72 hours.</p> <p>Q2. Can you describe the process that tenants/the Renters Commission can follow to put in requests for these monthly reports? Is it a FOIA request? Information is available online, FOIA request are also referred to online fulfillment. The Department Managers are also required to give quarterly report out to the City Manager, that reports up through City Council.</p>	
Enforcement (General)	<p>Also related to 8:511, section (2) complaints: How does a tenant stay informed during this process/who can they contact with questions if a violation occurs? Can you say more to clarify the point about harassment (IE: any examples of behavior that has constituted harassment in the past)? Tenants can contact the rental department for updates on their complaint. Violations of the code are spelled out; we defer to legal on further explanation.</p>	
Enforcement (General)	<p>Rental Housing Services has published a pre-inspection checklist on its website. Is this the only checklist used during each inspection, or are any other tools that Building officials use when they conduct inspections? Are you able to describe what an inspection visit typically looks like? The pre inspection serves as a guide to common issues for owners/agents. No checklist can be as complete as the code itself. The inspectors use an expanded checklist designed for stream.</p>	<p>Chris and I can walk the group through a typical inspection</p>
Enforcement (General)	<p>Does the move-in checklist that landlords give us cover code violations comprehensively or should we also be referring to the pre-inspection checklist to know if there are code violations in our buildings/apartments? A standardized move in checklist should be provided to ensure the space is livable and meets the expectation of the lease agreement. New tenants should refer to STREAM or eTRAKiT to ensure the unit has a current certification and has been inspected, this will be the validation needed that the unit is compliant. We do not expect tenants to have the experience and knowledge to “know” if a code violation is present. If you expect a violation is present you should use the complaint process to report.</p>	<p>https://www.a2gov.org/departments/build-rent-inspect/housing/Documents/02%20RH%20Pre-Inspection%20Checklist%202019.pdf</p>

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<p>Enforcement (General)</p>	<p>Section 8:514 of the housing code pertains to the time frame for repairs. Here are some excerpts that I would like us to talk about:</p> <ol style="list-style-type: none"> 1. The total time for making repairs of violations not constituting a hazard to health and safety, including the initial time and extensions by the Building Official shall not exceed 6 months 2. Time extensions shall not be granted by the Building Official in imminently hazardous conditions, such as, but not limited to, gas leaks, no utilities, no heat in winter, unsafe fire egress, etc <p>Q1. Can you explain how 6 months are calculated? Is it from the day the tenant first reports a complaint to the landlord? It would be from the date of the inspection report, which 8:500 defines as Date of inspection report: The date the inspection report is typed or prepared for mailing.</p> <p>Q2. Can you enumerate all violations that constitute a hazard to health and safety, in addition to what's in the ordinance (gas leaks, no utilities, no heat in winter, unsafe fire egress, etc.)? No, there are various levels of violations that can lead to a hazard.</p> <p>Q3. The city describes a process that a tenant can follow to file a complaint about maintenance/repairs with the city. How does the timeline for the city to act on these complaints interact with the timeline in this ordinance? For example, is the city's participation in supporting the tenant within the 6-month time frame that a landlord has to make repairs once a tenant has already notified them? Complaints are generally handled an expediated based.</p>	<p>https://library.muni-code.com/mi/ann-arbor/codes/code_of_ordinances?nodeId=TITVIIIIBURE_C_H105HOCO_8_514_EXTI</p> <p>https://www.a2gov.org/departments/build-rent-inspect/housing/Pages/Filing-Complaints.aspx</p>
<p>Enforcement (General)</p>	<p>As mentioned in the prev question, the Rental Housing Services website mentions some steps that tenants can follow to file a complaint with the city about code violations. As per step 1, tenants need to give landlords "adequate time" to make corrections, and if they do not respond in a "timely" manner, tenants should contact city staff. How much time is adequate time? This depends on the nature of the repair and what is involved to make corrections. The intent is to inform tenants that they need to notify their landlord of an issue and give them an opportunity to correct it prior to filing a formal complaint.</p>	<p>https://www.a2gov.org/departments/build-rent-inspect/housing/Pages/Filing-Complaints.aspx</p>
<p>Enforcement (General)</p>	<p>Section 8:516 of the housing code pertains to certificates of compliance. Here are some notable excerpts of this ordinance -</p> <ol style="list-style-type: none"> 1. The owner or agent of a dwelling shall permit a tenant or prospective tenant to examine the certificate of compliance. The Building Official shall permit any person to examine the city copy of every certificate of compliance 2. If a dwelling or rooming unit lacks a current certificate, instead of paying rent to the owner, tenants may pay the rent into the escrow account established by section 8:522. The Building Official shall notify tenants of the lack of a certificate and its effect on rental payments 3. If a dwelling is ordered vacated because of violations of this chapter, the landlord must pay relocation costs except in cases where state law shifts the burden to the tenant. <p>Q1. Are you able to enumerate and share with us all criteria that need to be met for a certificate of compliance to be issued to a property? If the property is in compliance with chapter 105, it will be granted a certificate.</p> <p>Q2. Can you describe how tenants can request to examine a certificate of compliance? Is this information publicly available on STREAM/etrakit? Certificates are available online.</p> <p>Q3. What are some steps that tenants can follow to communicate noncompliance</p>	<p>https://library.muni-code.com/mi/ann-arbor/codes/code_of_ordinances?nodeId=TITVIIIIBURE_C_H105HOCO_8_516_CECO</p>

	<p>to their landlord or the city AND start paying rent into escrow if they themselves find that their apartment unit lacks a certificate? The public can contact Rental Housing Services via, phone or email at 734-794-6264 or Rentalhousing.a2gov,org to report a property that is renting without a valid certificate. To place rent into escrow, a tenant should consult with legal services.</p> <p>Q4. Under what circumstances is a dwelling ordered vacated? What are these cases where state law shifts the burden to the tenant? Properties have been asked to vacate if the property is identified as a dangerous building or causes an immediate threat, due to an act of nature, fire or accidental impact. We defer to legal for when the law shifts the burden to the tenant.</p>	
Enforcement (General)	<p>Section 8:528 of the housing code pertains to smoke and fire detection services. The ordinance states that "No person shall let to another for occupancy any dwelling or dwelling units which are not equipped with smoke or fire detectors, or with an automatic fire alarm system." Yet a tenant told us last Fall that he found that the smoke alarm in his building did not work. We are interested in knowing an estimate of noncompliance with this ordinance, and the city's enforcement mechanisms for this. 8:527 pertains to smoke and fire detectors. The city does not document noncompliance by code section. Where no such devices are provided, we schedule a 72-hour safety inspection.</p>	<p>https://library.municode.com/mi/ann-arbor/codes/code_of_ordinances?nodeId=TITVIIIIBURE_C_H105HOCO_8_5275MFIDEDE</p>
Enforcement (General)	<p>Section 8:529 of the housing code is related to winterization. The ordinance states that "it is hereby ordained that no person shall let to another for occupancy any dwelling or dwelling units which are not equipped with weatherization in safe, good order". Yet, we know that numerous buildings in Ann Arbor are not adequately winterized. In late January, a tenant informed GEO Housing Caucus that their utility bills had skyrocketed and neither the landlord nor DTE were willing to help them understand what was going on, or how they could ensure these costs could be reduced. How would you say the city is enforcing this ordinance, what is the % of noncompliance with this ordinance, and how are you penalizing landlords who are not in compliance? 8:528 pertains to winterization. The city does not document noncompliance by code section. The City verifies, there are no visual gaps, cracks, holes, broken seals and insulation is present to ensure compliance through the inspection process. Other initiatives are being explored through The City's Office of Sustainability working on Green Rental housing improve the infrastructure of climate control.</p>	<p>https://library.municode.com/mi/ann-arbor/codes/code_of_ordinances?nodeId=TITVIIIIBURE_C_H105HOCO_8_528BAWIREHO</p>
Other	<p>If someone submits a complaint that doesn't turn out to be a violation of any law, what response would Rental Housing Services give that tenant? We will offer an education of the code and why the complaint is not a violation.</p>	
Other		
Enforcement (General)	<p>Is Rental Housing Services in charge of enforcing regulations in Chapter 97 that pertains to short term rentals? How can tenants report if they find that property management companies are operating short term rentals without a license (should they email ShortTermRentals@a2gov.org ?)? The can provide evidence of an owner renting without a license to the email address list. However, it must be evidence of the occurrence as we do not have</p>	<p>https://library.municode.com/mi/ann-arbor/codes/code_of_ordinances?nodeId=TITVIIBUTR_CH_97SHRMRE</p>

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	<p>enforcement staff to prove a general finding. How has the city been enforcing it so far? Note to Kristen: Derek will answer question about this with the assistance of Chris and I.</p>	
Enforcement (General)	<p>I know that if a landlord doesn't give a tenant the Rights and Duties booklet they can be fined up to \$500. How are these violations reported? It can be reported through the complaint process. Were there any fines issued in the past year? No. There have never been any tickets issued. The courts are responsible to issuing a fine. If so, how many and for how much?</p>	
Other	<p>Ann Arbor buildings are heterogenous. Where should carbon monoxide detectors be installed if they are to be installed in rental units? The building code contains requirements for CO detection in new and altered buildings. Detector locations in the housing code should note create a conflict with these requirements. This draft ordinance is on Council agenda for 3/20/2023.</p>	