



Community Services Division
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-5642
cityofriodell.ca.gov

City of Rio Dell Rental Housing Inspection Program FAQ's

What is the Residential Rental Inspection Program (RRIP)?

The purpose of the RHIP is to address the issue of substandard long-term rental properties and to ensure that all rental units in the City of Rio Dell meet existing minimum health, safety, and welfare standards. Property owners of rental units within the City will be required to register and a City inspector will conduct an inspection per the approved ordinance.

What information has led the City to believe that this program is necessary?

The City has received complaints from tenants over the years. City Council members also hear complaints from the community regarding substandard living units and properties. In addition, CAL-OES inspectors who were here in January conducting earthquake-related inspections informed the City that they inspected a fairly significant number of substandard dwelling units. Many tenants will not report substandard conditions because of the fear of losing their housing.

What is AB 838? Does this law affect the City's ability to run a rental inspection program?

AB 838 was passed by the state legislature to compel cities to respond to complaints by the community, cities are required by law to inspect for basic life and safety concerns. Our current practices already comply with these new requirements. AB 838 does not conflict with the proposed RHIP program, and AB 838 specifically allows cities to implement such programs.

Does my rental property need to be registered?

All rental properties must be registered with the program. There are a few exemptions:

- Rooms rented to individuals in an owner-occupied single-family residence,
- Hotel or motel units subject to the City's Transient Occupancy Tax,
- Units inspected for health and safety standards by another governmental authority (such as the Rio Dell Fire Department),
- Mobile home parks,
- And newly constructed dwelling units for a period of five (5) years from the issuance of the Certificate of Occupancy.

How does the City plan to get people registered to sign up for the program? What are the consequences of not registering and not paying?

The City will send out multiple flyers and letters to all residential properties that are not owner-occupied, and work with property management companies and realtors. This flyer will include information directed to tenants, owners, and/or operators. If a property owner or operator willfully chooses not to register they will be sent a notice of violation and fines may be issued.

What are the costs associated with this program?

- \$15.00 Annual Registration Fee per parcel. Based on discussions with staff members who will be receiving, reviewing, scanning, and filing, including entering the information in the City's water and sewer bill software the Annual Registration forms, staff believes this task will take approximately fifteen (15) to twenty (20) minutes. Based on the City's current hourly burden rate, staff will be recommending that the City establish a \$15.00 Annual Registration fee.
- \$55.00 Inspection Fee per unit. It's expected that each inspection, including travel time and filing, will take approximately 30 minutes. Inspections will be

made by the Community Development Director/Building Inspector and the Community Services Officer. The fee was developed based on the average current burdened hourly rates for the Community Development Director or the Community Services Officer.

- \$30.00 Self-Certification Fee per unit. Processing the Self-Certification Inspection Checklist would require the same tasks performed by the administrative staff. However, the Self-Certification Inspection Checklist must be reviewed and approved by either the Community Development Director/Building inspector or the Community Services Officer as well. Again, based on the City's current hourly burden rate, staff will be recommending that the City establish a \$30.00 Self Certification fee.

When and how often will my property be inspected?

All required units will be inspected by the City within the first three years of the program. After the initial inspection, units may either qualify for self-certification, continued city inspection every three years, or require a re-inspection if the unit does not pass the initial inspection. If approved for self-certification the property owner will retain record of the annual self-inspections of every unit and provide that copy to the City upon payment of registration each year or upon request.

All units will be inspected at least once every three (3) years or five (5) years depending on if the property is enrolled in the Self-Certification Program. Inspections will be scheduled in coordination property owner and the tenant.

How will the inspections work? How will we know who to call? How will this process work?

Inspections will be scheduled in coordination with city staff, the property owner/manager, and the tenant. The inspector will walk through the unit with the purpose of ensuring that the unit meets existing minimum life, health, and safety

standards. An inspection can be scheduled directly with the Building Division. Ideally, inspections will be scheduled when a unit is in between tenants. All units not enrolled in the self-certification program will require one inspection in a three (3) year cycle. Units in the self-certification program will have one inspection over the course of a five (5) year cycle.

The Fire Department inspects my units, does this mean I qualify for the exemption?

Yes. We will continue to work with the Rio Dell Fire Department (RDFD) to see how and if the programs can be coordinated over time. At this time the RDFD is responsible for parcels with three (3) or more rental units and this program will include parcels with less than three (3) rental units or not inspected by the fire department

Can you clarify what is meant by “another governmental authority”?

Any unit that is regularly inspected by a qualifying governmental agency is exempt from the program. Such as the Rio Dell Fire Department, US Department of Housing and Urban Development (HUD), and the California Department of Housing and Community Development (HCD).

What criteria is being used? What is the program looking for?

The intention of the program is to meet minimum health, life, safety, and welfare standards as set by the various codes. The RHIP Inspection checklist will be used by our City Staff and available to those enrolled in the Self-Certification Program. A copy of the checklist can be viewed on the city website.

Does the property owner or their designee need to be present for the inspection?

Either the tenant/designee or the owner/designee must be present for the inspection. The tenant can also act as the authorized agent if arranged by the property owner.

If inspections are missed or entrance is not allowed by tenants, how does the City plan to deal with that?

The property owner will not be penalized for this sort of situation. There are no consequences from the City, and we will work with the property owner to find a solution.

Missed inspection appointments. Is a fee assessed if the missed inspection cannot be made within 7 days due to the city staff?

Re-inspection fees will not be incurred if city staff cannot perform inspections. Nor will they incur fees if inspections need to be rescheduled by the operator or tenant provided notice is given. The ordinance allows the re-inspection fee to be waived at the discretion of the Director. A re-inspection fee will be levied only if warranted.

Who decides and how is it decided if a Rental Dwelling Unit has deteriorated to the point where the health and safety of the tenant are in danger?

Either the Community Development Director/Building Inspector or the Community Services Officer will perform the initial inspection. Depending on the kinds of issues found, the City may refer the results to the State Fire Marshall.

What is the process and timeline for enforcement if a landlord perpetually refuses to make the necessary fixes?

The City has standard Code Enforcement Protocols listed in the Municipal Code that includes a process for administrative citation and enforcement. The language in all initial code compliance letters asks that the responsible party either corrects the problem **or contacts us** within a set timeline, typically thirty (30) days. In the case of this program, the Property Owner will have a reasonable time to complete the repair (times will vary depending upon the repair type). If repairs are not completed in the time frame or an alternate time schedule has not been approved by the City, an Administrative Citation will be issued, and the property owner will begin to incur daily financial penalties.

Are there legal protections against property owner retaliation for anything discovered during an inspection?

If the issue with the unit/property is due to an omission by the owner to fulfil a duty imposed by law, State laws protect the tenant from retaliation. If the issue is generated by the tenant, it is a matter between the owner and the tenant per their rental lease agreement.

What if a property is found to have serious violations? Would the owner have to pay for relocation?

In the rare event that a residential unit is considered “unlivable” (meaning the code violations are so extreme that the unit is deemed unfit for human occupancy) then the owner/manager is responsible for relocation costs, per state law.

What happens when the property is built in an earlier code cycle and has not been remodeled but is found to have items that are not up to the current code, is this considered a code violation?

Assuming everything was built to code at the time it was built/remodeled then it is allowed to remain as-is. Typically, these corrections are often relatively easy to correct. For example, missing smoke/CO alarms, missing earthquake strap on a water heater, or replacing a defective GFCI outlet. More complex corrections are often not because of a code issue, but because of lack of maintenance, such as unsafe stairs, deck, or broken windows.

What recourse do property owners have to appeal decisions made by the Inspector or Department?

Section 8.40.210 of the RHIP regulations identifies the appeal process.

Do my properties qualify for the Self-Certification Program?

Properties that pass the initial inspection and have no existing or past violations of

building, housing and sanitation codes or ordinances within the last three (3) year period may be eligible for the Self-Certification Program.

What is a Self-Inspection?

The owner will be provided with a Self-Inspection checklist and instruction packet by the City. Each year the owner or manager must conduct an inspection on each unit on the property. The completed checklists should be kept in your records for at least five (5) years and provided to the City within seven (7) calendar days. If the unit is occupied, the tenant is required to attest the inspection checklist. Failure to conduct self-inspections may result in suspension from the Self-Certification program for a period of three (3) years.

What if one of my properties fails the City inspection? Am I automatically out of the Program?

Depending on the severity of the situation a property may be removed from the Self-Certification Program for three (3) years. For most cases, the City will work with the property owner to set up a reasonable timeframe to correct violations. The unit(s) on the offending properties will be subject to the regular inspection schedule. However, the unit(s) on the properties without existing or past violations will continue to be eligible for the Self-Certification Program.

Does this mean I will not have regular inspections by the City if I am Self-Certifying the units?

No, the City will still conduct one inspection but in a five (5) year period as opposed to three (3). As required by AB 838, the City will continue to respond to complaints received from tenants or other interested parties.