



Community Development

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**RENTAL HOUSING PROGRAM
GUIDELINES AND FEE SCHEDULE
2021-22**

The City of Clive has developed a Housing Program which includes the adoption of a Rental Housing Code and the development of a program that ensures the regular inspection of rental units, inspection of rental units upon complaint and certification of rental units. The City Council adopted the 2018 International Code Council Property Maintenance Code as the basis for the Rental Housing Code.

In support of the Rental Housing Code, the following policies shall be incorporated into the program with respect to all one family dwellings (including single family homes, each side of a duplex or townhome dwelling units):

1. A one-family dwelling shall be permitted to be occupied to the maximum dwelling load permitted provided that all of the occupants shall be bound by a single lease with the property owner for the entire property.
2. A guestroom may be leased to 1 or more occupants subject to the following conditions:
 - In the case that the property owner is a primarily permanent occupant, a maximum of 5 guestrooms may be individually leased as a lodging house. Regardless of the maximum dwelling load permitted, the total maximum occupancy of a lodging house shall not exceed 10.
 - In the case that the property owner is not a primarily permanent occupant, guestrooms may be individually leased provided that the dwelling is compliant with all applicable boarding house code requirements as identified in the City's Building Code.
 - In the case of a lodging house as noted above, demonstration of a properly filed Homestead Exemption application shall be used to identify if the property owner is a primarily permanent occupant.
 - For the purposes of this section guestroom, lodging house and boarding house are defined in the City's Building Code and those definitions will be utilized by the Rental Housing Code.
3. If one or more guestrooms are rented for a period of 90 days in a single calendar year, the dwelling unit shall be considered a rental property and subject to the provisions of the Rental Housing Code.

The City Council has also identified the following program as the preferred means of implementing the Rental Housing Code. A summary of the program is below:

Self-Inspection with Audit: This program will be primarily driven by the individual property owner in that they are responsible to "self inspect" their units and ensure that their units are maintained in accordance with the code. To aid in the self-inspection, the City

will provide an inspection checklist for each rental unit and an acknowledgement form that the owner will return with a fee.

To ensure compliance, the City will conduct audit inspections of approximately 17% of the rental units on an annual basis.

Additionally, the City will be involved in the inspection process when a tenant registered complaint is unresolved by the property owner.

Upon identification of non-compliance during the audit inspection or complaint investigation, the City will require corrective action and proceed with enforcement action if corrective action is not undertaken in a timely manner.

Program Implementation

The program will contain three primary paths to compliance: Self inspection, audit inspection and complaint inspection.

The *Self-Inspection* process will involve the property owner registering their rental unit and then completing an inspection of the unit based upon the City provided acknowledgement form. It shall be the property owner's responsibility to ensure that the unit is fully compliant with all sections of the code throughout the occupancy of the rental unit.

The *Audit Inspection* process will involve the Community Development Department reviewing the submitted inspection reports for each property and selecting approximately 17% of the housing stock to review on an annual basis.

Audit inspections will be conducted throughout the six-year cycle using the following timeline:

Using previous audit inspection dates as a guideline, identify units for an "Audit Inspection" and send notifications providing at least 30 days' notice.

1st working day of month

Accept appeal applications and establish agenda/notification.

3rd Thursday of month

Building Code Appeals Board

The *Complaint Inspection* process will involve the Community Development Department reviewing rental units following a complaint. A tenant will be required to submit the complaint to the property owner and the property owner will have 7 days to address the complaint unless the complaint is associated with an emergency condition e.g., electrical outage, deficient heat supply, lack of water supply to the unit, flooding of the unit). If the property owner does not address the complaint or fails to make corrections within 20 days, the Community Development Department will conduct a Complaint Inspection (inspection of the entire unit will be completed).

In the case of an emergency condition, the property owner should address the complaint immediately and make provisions for safe and habitable conditions within 24-hours.

If a code violation is identified during the Complaint Inspection, the property owner will have 30 days to complete the correction or file an appeal.

If an appeal is submitted, the case will be heard by the Building Code Appeals Board at the board's next available meeting.

Fees

The following is a fee schedule for services (re-inspections, complaint inspections, appeal application): Rental units within single family homes, duplexes, and townhomes which have multiple leases for guestrooms will be charged like that of an apartment.

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| Bi-annual Certificate of Occupancy | |
| Single Family, condo, townhome | \$65.00 |
| Duplex | \$65.00 /1 st unit, \$32.50/2 nd unit |
| Apartment | \$65.00 / 1 st unit <i>per building</i> / \$32.50 each additional unit within that building |
| Failure to Register/Obtain Rental Certificate (initial or renewal) | \$250.00 |
| Failure to Schedule Audit Inspection | \$250.00 |
| Audit Reinspection (1st re-inspection free) | \$65.00 per hour (1 hour minimum) |
| Complaint Inspection | \$150.00 (inclusive of 1 re-inspection) |
| Appeals Application | \$275.00 |
| Late Payment | \$25.00 |