

# Housing Commission Meeting Agenda

Wednesday, October 23, 2019 – 4:00 PM

City Council Council Chambers, 125 E. Avenue B, Hutchinson, Kansas

---

## 1. CALL MEETING TO ORDER

_____ A. Davenport (7/9)	_____ R. Little ( )	_____ N. DeBerry (4/9)
_____ M. Mast ( )	_____ L. Gleason (C) (9/9)	_____ A. Patterson (6/9)
_____ R. Patton (VC) (9/9)	_____ L. Soltow (7/9)	_____ K. Lanham (7/9)

Ex-Officio Members:

_____ D. Rich (9/9)	_____ J. Thomson (5/9)
---------------------	------------------------

---

## 2. INTRODUCTION OF NEW COMMISSIONERS

## 3. APPROVAL OF MINUTES – July 24 and August 19 and September 25, 2019

## 4. ANNOUNCEMENTS

## 5. WRITTEN REPORTS

- a. Housing Report  
*YTD Report*

## 6. ORAL REPORTS

- a. Healthy Neighborhoods Initiative (*Stewart, Gleason*)
- b. Hutchinson Land Bank Update (*Hvitløk*)
- c. Aging-in-Place Committee (*Gleason*)

## 7. DISCUSSION OF BRUSH UP! HUTCH SOLE SOURCE RFP

## 8. REVIEW OF PROPOSED RENTAL LICENSING AND INSPECTION ORDINANCE (*Hvitløk*)

- a. Staff Presentation of Proposed Ordinance
- b. Public Comment
- c. Housing Commission Discussion and Recommendation to City Council

## 9. OLD BUSINESS

## 10. OPEN COMMENTS

## 11. OTHER

- a. The next Housing Commission meeting is scheduled for Wednesday, Nov. 20, 2019 at 4:00 PM.

## 12. ADJOURN



Follow the City of Hutchinson on Facebook & Twitter

1. ROLL CALL

The Housing Commission meeting was called to order at 4:00 p.m. with the following members present: Lisa Gleason, Ryan Patton, Angie Davenport, Kelly Anne Lanham, Aubrey Patterson, Jeff Thomson and Dan Rich. Julia Westfahl, SCKEDD; Diane Crabtree, Interfaith Housing Services; Steve Dechant and David Inskip, City Councilmembers, were in attendance. Lucas Soltow and Nathan DeBerry were absent. Staff present were Ryan Hvitlæk, Director of Planning and Development; Jim Seitnater; Downtown and Housing Coordinator; John Vetter, Code Enforcement; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the June 26, 2019 meeting were approved as amended on a motion by Patton, seconded by Lanham, passed unanimously.

3. ANNOUNCEMENTS

a. None.

4. WRITTEN REPORTS

a. **Housing Report**

The YTD Housing Report was included in the agenda packet.

5. ORAL REPORTS

a. **Healthy Neighborhoods Initiative**

Stewart said SW Bricktown had a party in the park to celebrate the improvements made to the park with the help of public and private partnerships, as well as the approval of the Master Park plan by the City of Hutchinson. Tina Wells will be offering free yoga classes in the park.

College Grove residents assisted with Landing on the Lawn that was held by the Cosmosphere to celebrate fifty years since landing on the moon. A Donuts on the Driveway is planned for this Saturday. The neighborhood is looking for volunteers to coordinate a porch music festival known as porchfest. This would be the first to be held in Kansas.

Farmington Park Neighborhood has made improvements to the park gazebo. Hutch Rec and Vance Voth will be meeting to discuss a long term plan for Farmington Park improvements.

Creekside Neighborhood has sponsored movies shown at the library; however, the attendance has been low. A proclamation for this neighborhood will be given at the City Council meeting on August 6. A resident in the Creekside Neighborhood is designing a logo for the street sign toppers and residents will be voting soon. The Planning Department is applying for a CDBG grant for the Creekside Neighborhood.

The Faris Neighborhood will be meeting to finalize boundaries. Three neighborhoods will be having National Night Out Parties.

Gleason said she met with Jason Baldetti, Tony Finlay and Aubrey Patterson to coordinate the various entities and their assistance with neighborhood efforts so as not to duplicate services and have multiple staff persons at each event.

b. **Hutchinson Land Bank Update**

Hvitøk said the Land Bank is putting together a work plan to be completed by the end of the year and then present the plan to City Council. Projects may include promoting Land Bank properties with some type of round robin event along with social media and utilizing architectural students to come up with different types of home styles that could be constructed on the available lots.

6. OLD BUSINESS

a. **2019 Brush Up Hutch Program Amendment**

Hvitløk said Staff has updated Brush Up Hutch brochures as the program now allows for investor owned properties to apply. One landlord has turned in applications. To date, there have been 36 applications submitted this year. Staff will be working on the single source provider RFP before the end of the year, to be in place for the 2020 year.

b. **RRIP – Code Enforcement Committee Update**

Hvitløk said the subcommittee met to review the RRIP program and determine what we want to see happen with it in the future. The City Council gave direction to amend or sunset the program. The subcommittee will meet in August and there will be a work session with the City Council on August 13. The subcommittee will review what is important and what we want to continue and what we no longer want.

c. **CDBG Grant Update**

Seitnater said Staff will be meeting with SCKEDD to review the HAT. A skype meeting with Topeka on how past grants have gone will be important and receiving pre-applications to make certain there is adequate interest before the grant approval. We have a different staff team and organized neighborhoods this grant round. The last grant had some funds returned as the housing in the specified neighborhood did not fit the actual grant scope. There is a possibility rentals and demolitions can be included in the grant for the Creekside Neighborhood.

7. OPEN COMMENTS

a. None

8. OTHER

a. Director's Updates

Hvitløk said the 2020 Budget will include a slight mill increase. The Planning Commission approved the 2020 CIP as they believe it meets the intent of the 2017-2037 Comprehensive Plan.

The CIP includes improvements to SW Bricktown Park, a walking trail in Farmington Park and restroom repairs at Elmdale.

Aging in Place Committee – Gleason said the committee has met a couple of times. Aging in place means being able to age in the same community, not necessarily in your original home.

Homeless Veteran’s Project – Hvitløk said this project is about what we can do to help homeless veterans. Westfahl said this project includes the Kansas area and not only Hutchinson. If veterans do not have a physical address, they will not qualify to receive assistance or services. There is a need for partners to assist in finding homes for veterans. One option may be a tiny village located outside the city limits of South Hutchinson. Another option is to acquire homes and rehab them for veterans. Seitnater said looking at properties that are on the demo list to see if they can be rehabilitated may be an option. There are possible grants from Home Depot and Lowes and the Salvation Army also works with veterans. Hvitløk spoke with Human Resources about the Mid Kansas Community Action Program to help homeless individuals find jobs. The Human Relations committee will be working with them. It was noted there are 100 homeless students in the Hutchinson school system.

Vacant Positions – Hvitløk said there are two vacancies on the Housing Commission. Interested persons can apply online and information will be on Facebook.

- b. The next regularly scheduled Housing Commission meeting is Wednesday, August 28, 2019, at 4:00 p.m.

9. ADJOURNMENT – The meeting adjourned at 4:35 p.m.

Respectfully Submitted,  
Charlene Mosier, Planning Technician

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Secretary

1. ROLL CALL

The Housing Commission meeting was called to order at 3:00 p.m. with the following members present: Lisa Gleason, Lucas Soltow, Angie Davenport, Aubrey Patterson, and Dan Rich. Ryan Patton and Kelly Anne Lanham arrived at 4:00 p.m. Steve Dechant, City Councilmember, and Adam Stewart, Neighborhood Coordinator were in attendance. Nathan DeBerry and Jeff Thomson were absent. Staff present were Ryan Hvitløk, Director of Planning and Development; Jim Seitnater, Downtown and Housing Coordinator; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the July 24, 2019 meeting were not approved as a quorum was not present at that time.

3. ANNOUNCEMENTS

a. None.

4. WRITTEN REPORTS

a. **Housing Report**

Hvitlok reviewed the YTD Housing Report that was included in the agenda packet. The goal is to have all rentals inspected by year end. There have been three new residential construction permits issued this year. There were no housing program applications in July.

5. ORAL REPORTS

a. **Healthy Neighborhoods Initiative**

Stewart said approximately 700 persons participated in the August 6 SW Bricktown, Farmington Park and Creekside neighborhood block parties. Food was served until the storm came. Residents in the Faris neighborhood are planning a cleanup on September 28 and Salvation Army will allow the use of their west parking lot for a dumpster site. Creekside will be voting on the logo for sign toppers. A neighborhood resident has come up with the designs. They will also discuss a neighborhood project. Faris residents had a meeting with Tony Finlay, Hutch Rec, Justin Combs, City Parks Director and the Salvation Army Major about possible plans for a park on the Salvation Army property.

College Grove will have their Donuts in the Driveway on Saturday, August 24. In addition, a guest from the Cosmosphere will give a presentation on astronomy.

b. **Hutchinson Land Bank Update**

Hvitløk said the Land Bank continues to work on their strategic plan. One item to explore will be the possibility of acquiring lots with homes on them in addition to vacant lots. At their next meeting, they will consider an application from an out of state applicant to purchase lots on Avenue C between Maple and Elm.

6. DISCUSSION OF RENTAL REGISTRATION AND INSPECTION POLICY

Hvitløk said the committee has been working the past few weeks to revise the Residential Rental Registration and Inspection Program to a Residential Rental Licensing and Inspection Program. A draft of the proposed licensing program was included in the agenda packet. The group also reviewed other programs in Kansas. Changing from registration to licensing gives the city a way to revoke licenses, which would be handled by the building official. The language about internal inspections would be removed. An inspector cannot go inside a home without consent. Landlords that request interior inspection of property would be incentivized by lower license fees and listed as a best practice rental on the City website or given a sign or insignia to place on their unit. There was a question about program cost. The program fees typically break even with implementation. Fees would remain the same at \$20 for single family and duplexes and \$15 for apartments on an annual basis. Information about where rental units are located is helpful to public safety officials such as the fire department.

Rich asked about Lawrence and other towns that have internal inspections. Hvitløk said they have had their program for years and it is voluntary and expected there as part of the culture. It is not incentivized.

Soltow said most towns do not have the amount of land contracts Hutchinson has and this program does not address this issue. He said the new licensing proposal is do-able, as was the previous one, but his opinion is that it will not change rentals or housing very much. He said poverty, many people with no credit and a number of landlords that should not be in the business are things this program cannot address. Soltow would rather see the \$100,000 collected spent in some other way.

Dechant said staff can develop an incentive package that could make a difference in the culture. At some point tenants may pass up the rentals that do not have a certificate. State legislation would need to be more involved with land contracts to see changes. Having an escrow agent for a land contract is best practice.

Davenport said other professions have to pay a fee to be licensed and landlords should also have to pay a license fee for their business or risk damaging their reputation.

Patterson said some slumlords will sell out and that will affect the landlord base for those that step up and meet the standards. Being a landlord is a privilege and not a right.

Davenport asked what happens if a license is revoked and renters are in the property. Hvitløk said a policy would need to be developed for that. It would be like revoking a contractor license and would be reviewed by a Board of Trades, a group that represents all the trades plus some members at-large.

The Residential Rental and Inspection Program ends this year and we need to complete our proposal soon to get notices to landlords. A joint study session will be held with the City Council to see if they would like to move forward with this.

Soltow believes the incentive is too weak for landlords to comply with licensing. There should be a greater reward for landlords that have units that are all older and need a lot of maintenance and they truly improve them than ones that manage new complexes that should be in excellent condition.

Gleason said she would like to move forward with the licensing program.

Dechant said he hopes the Housing Commission will be unified in support of a rental licensing program if they present the program to the City Council.

Motion by Patterson, seconded by Davenport to meet with the City Council for a work session on a Residential Rental Licensing and Inspection Program, passed unanimously.

Staff will schedule a study session with the City Council on Sept 10 at a time to be determined.

7. OLD BUSINESS

a. **CDBG Grant Update**

Hvitløk said Staff is completing the 2020 CDBG Grant application with the Kansas Department of Commerce for the Creekside Neighborhood area which is the area between West 5<sup>th</sup> Avenue and West 8<sup>th</sup> Avenue and Main St. to Adams St. Pre-applications have been turned in by owners and renters. The application is due to the State on August 29. We should hear the outcome in January, 2020. The grant would be for \$250,000 to rehabilitate ten homes at approximately \$25,000 each.

8. OPEN COMMENTS

- a. Staff is applying for a grant from the Community Foundation for tactical urbanism/placemaking for pilot projects in Midtown, Farmington Park, State Fair and Hyde Park.
- b. Davenport asked if applicants can apply for the zero interest loan to make repairs for earthquake damage. The consensus was it would not qualify for just damage from quakes unless it was included with other qualifying projects.

9. OTHER

- a. Lanham said a house on the northeast corner of Plum St and Avenue A is being remodeled and looks very nice with the improvements. This house appears to be a flip house. Stewart said another home being flipped is at Plum St and 7<sup>th</sup> Avenue.
- b. Rich complimented Hvitløk on tackling the RRIP program at this point in the process and handling the project well.

10. ADJOURNMENT – The meeting adjourned at 4:10 p.m.

- a. The next regularly scheduled Housing Commission meeting is Wednesday, September 25 at 4:00 p.m.

**HOUSING COMMISSION MINUTES**  
Meeting of: Wednesday, August 19, 2019

Respectfully Submitted,  
Charlene Mosier, Planning Technician

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Secretary

1. ROLL CALL

The Housing Commission meeting was called to order at 4:00 p.m. with the following members present: Lisa Gleason, Lucas Soltow, Angie Davenport, Ryan Patton, Kelly Anne Lanham, Aubrey Patterson, Jeff Thomson and Dan Rich. Nathan DeBerry was absent. Staff present were Ryan Hvitløk, Director of Planning and Development; Jim Seitnater; Downtown and Housing Coordinator; and Charlene Mosier, Planning Technician. Adam Stewart, Neighborhood Development Coordinator; Diane Crabtree, Interfaith Housing Services; Trent Maxwell, Building Official; and John Vetter, Code Enforcement were also present.

2. APPROVAL OF MINUTES

The minutes of the July 24, 2019 meeting and the August 19, 2019 meeting were not approved.

3. ANNOUNCEMENTS

a. None.

4. WRITTEN REPORTS

a. **Housing Report**

This item was not discussed.

5. ORAL REPORTS

a. **Healthy Neighborhoods Initiative**

b. **Hutchinson Land Bank Update**

c. **Aging-in-Place Committee**

These items were not discussed.

6. DISCUSSION OF BRUSH UP! HUTCH SOLE SOURCE RFP

This item was not discussed.

7. DISCUSSION OF RENTAL REGISTRATION AND INSPECTION POLICY

a. Staff Presentation of Proposed Ordinance

Hvitløk gave an overview of the proposed Rental Licensing and Inspection Program. The City Council and Housing Commission held a joint study session of the proposed program on September 10, 2019. The proposed regulations would require all rental units in the City of Hutchinson to be licensed and would incentivize interior inspections by tenants or landlords by denoting those units as "best-practice units". These units would be eligible for additional recognition and reduced licensing fees. The reduced license fee would continue for the length of time the unit is a best practice unit. The designation would be valid for a period of three years from initial inspection with additional three-year periods if a new interior inspection is completed and the unit remains in good license standing. The program would no longer have a sunset date but continue long term.

## HOUSING COMMISSION MINUTES

Meeting of: Wednesday, September 25, 2019

Hvitlæk explained a licensing component provides a way to regulate health and safety issues and can be revoked if the unit does not meet requirements. The fees are proposed to remain the same as they have been for the rental registration. The Building Trades Board would act as an appeal committee. Exemptions would also stay the same. Units that complete the license as best practice units could be listed on the city website.

Gleason asked for Housing Commission members for comments.

Soltow commented that revoking a license would be a last resort and the process would go through the Building Official and Building Trades Board prior to court action.

Patterson said the Housing Commission and City Council had a good study session and reminded the group that interior inspections for rental units are only conducted after a request by a tenant or landlord. If all requirements are met, the unit would be a best practice unit and be eligible for a reduced fee.

Gleason asked for comments from the audience.

Jill Gumble, Central Kansas Landlords Association, thanked staff for inviting landlords. She said the association holds monthly meetings to educate landlords and tenants on a variety of topics including the fair housing act. The majority of landlords provide clean, safe rental units regardless of rent. A website is being created called [renthutch.com](http://renthutch.com) that provides all types of housing and rental information along with units available for rent. She said tenants that intentionally damage rental property can make the landlord look bad. If a landlord is in violation the association can work with the city to help rectify the issue.

Gumble noted that owner occupied homes and businesses do not have this same kind of scrutiny. She does not believe the fee for a license should be for each unit, but rather a yearly overall fee. To be fair to everyone, she would like an actual process and standard operating procedure for the inspection so the violations are not left to an interpretation depending on the inspector. She believes a 24-hour prior notice should be given before an inspector can come onto the property. Getting a citation in the mail with 30 days to correct violations on top of other expenses like general maintenance, mortgages, and insurance is hard to do with limited funds. She stated she has real estate and rentals and has had to go to court for five consecutive months even though progress was being made on the property in violation. Tenants can retaliate with all kinds of damages and landlords need time to repair before they can rent again and get income again. She wants to work with the City and Housing Commission and does not want to see landlords selling junk homes to poor renters on land contracts as a loophole to get around the system. She does not believe inspectors have treated her or other landlords fairly.

Richard Greever, showed faucets he purchased at Lowes that are designed to be freeze-less. He said they can cause a basement to flood if the pipe cracks. They not allowed on rentals but he feels some homes have them and have not been cited; however, his rentals were inspected and

## **HOUSING COMMISSION MINUTES**

Meeting of: Wednesday, September 25, 2019

did not pass with this type of faucet. Greever said he has been fined and issued jail time for what he feels is unfair.

Soltow clarified the licensing has nothing to do with these types of issues. Exterior inspections are completed because the complaint only process was removed. He also noted that Housing Commission monthly meetings are open to everyone if they wish to attend.

Duane Carey said he has had rentals for decades and had good renters. He said most of his homes that were built years ago and met code no longer meet new codes. He gets notices requiring him to make changes that cost more than he can make up in rent costs.

Lanham said this program was developed after a child died in a rental fire. There are many dangerous situations with deteriorating homes and this program is a part of the growing pains to a solution for improvements. She sees the program working and housing improving.

Gumble said she was told by licensed contractors that a rental did not have a safety issue but she was issued a citation by a City inspector. She believes some of the citations are unfair.

Gleason said contractors and inspectors do need to have the same standards. The system works if an inspection finds a concern and it gets repaired.

Thomson said a rental license helps to insure a home is safe just as a contractor license indicates the contractor has the knowledge to perform a service correctly and safely.

Kerry McCoy said he is learning with his rental. He has had damage done to his property by tenants. He said an inspection prior to renting to prove the property was in good shape before renting it could be helpful but he does not think there should be a fee for each rental.

One landlord believes tenants have more rights than landlords and the last few years as a landlord have been more difficult than the last 40 years.

Gumble said people are coming to our town that are homeless because they can get free housing, food and utilities here with services and programs provided through organizations in Hutchinson. This is a part of the rental problem. Free apartments to compete with is an issue for landlords.

Claudia Glass said she has had tenants move out without notice and they disabled the furnace causing the pipes to burst resulting in extensive damage to her rental.

A landlord who works for KDHE says he understands regulations and the proposed regulations for licensing are poorly written. He handed out a prepared statement. Since the new rental program he has not purchased additional units in Hutchinson. He has purchased units outside the city limits. This will create worse rentals available in the city and more vacant houses. He would like to see better communication between the City and the landlords.

**HOUSING COMMISSION MINUTES**

Meeting of: Wednesday, September 25, 2019

Ron Gingerich there seems to be a lowering of values and standards and the market has declined recently due in part to inspections and requirements. \$60,000 homes are selling for \$20,000. Fewer people are showing up for sales to purchase rental properties.

Patterson said if the ones that are showing up for sales are buying the homes and are capable of maintaining the homes and paying the taxes, then progress is being made.

Fran Conklin said she does not think most landlords will find the best practice certificate enough of an incentive. She does not like government in her home if her properties are nicely maintained.

Gumble said land contracts are a big issue.

Gleason said the Housing Commission is aware of the concerns with land contracts but that is something that needs to be acted upon by the State Legislature of Kansas.

Soltow said a child that died in a house fire was actually living in a land contract home that was no longer a rental.

Gleason thanked everyone who came and shared concerns. Patton said there are two vacancies on the Housing Commission if someone is interested in serving on the commission and helping solve these concerns.

The City Council will review the draft regulations on October 1, 2019.

8. OLD BUSINESS – None.
9. OPEN COMMENTS – None.
10. OTHER
  - a. The next regularly scheduled Housing Commission meeting is Wednesday, October 23 at 4:00 p.m.
11. ADJOURNMENT – The meeting adjourned at 5:45 p.m.

Respectfully Submitted,  
Charlene Mosier, Planning Technician

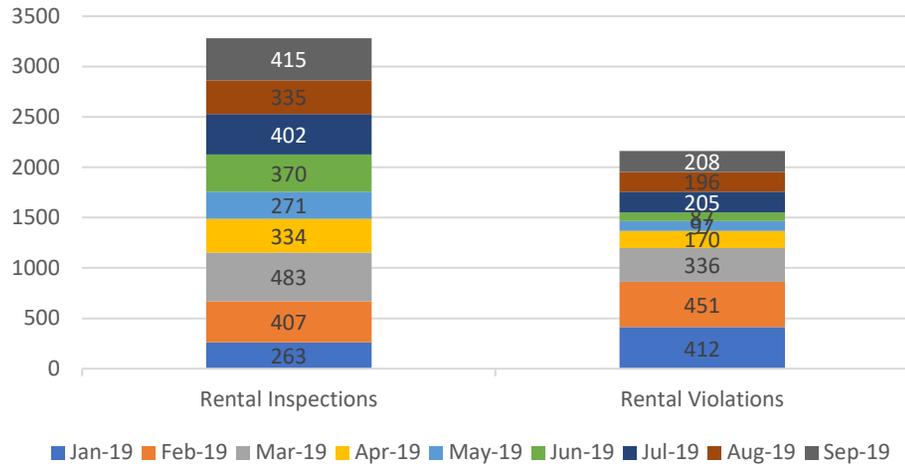
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Secretary

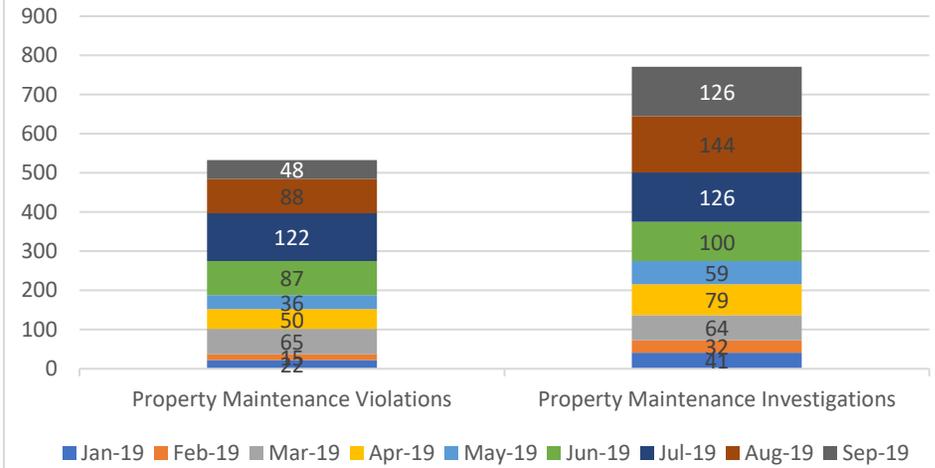
# HOUSING DASHBOARD

PREPARED: October 15, 2019

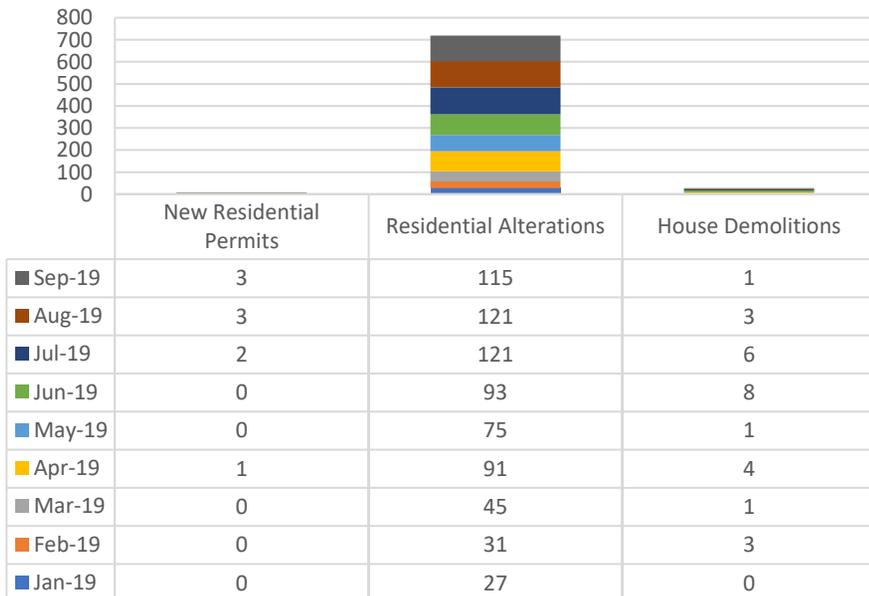
## Rental Registration and Inspection Program



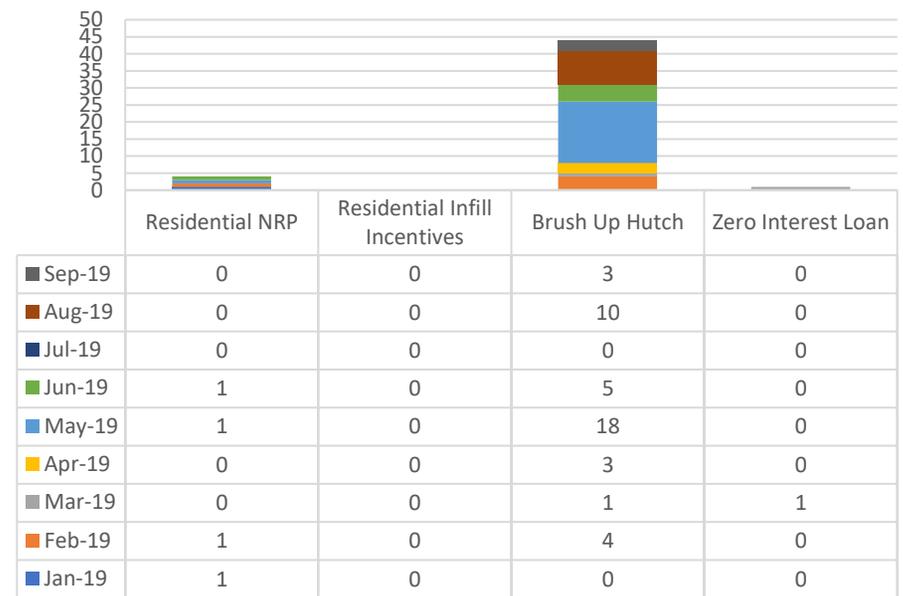
## IPMC



## CONSTRUCTION



## HOUSING PROGRAM APPLICATIONS



## **Proposed Brush Up Hutch! RFP Requirements:**

Proposals must include the following:

- \$500 allotment per house for paint and approved supplies
- Paint reimbursed through the program will be only those types and rates approved by contract. Please provide the type, a short description of the quality and the price point per gallon.
- Approved supplies will include: paint brushes, tarps, ..... A maximum of \$100 of the \$500 can be used for supplies.
- No cost of labor can be reimbursed from this program
- Approved applicants will have 30 days to paint the home
- Persons who are eligible for the program must provide Approval Letter from the City of Hutchinson prior to purchasing paint and/or supplies
- A pre-consultation will be provided to all eligible participants prior to the purchase of the paint. Pre-consultations will include a description of the paint eligible, a review of the existing house and recommendations provided as to how to successfully paint said structure and a review of all color palettes.
- Upon approval of contract, the successful contractor will work with City Staff to identify potential color palettes for applicants to review. At this time, eligible color choice may be limited.
- Provide what type of reimbursement system, such as a City account within the organization paid monthly or a reimbursement on a case-by-case basis.
- If the applicant does not complete their project within the 30 days, said company will charge the applicant for the cost of paint and supplies.
- Any policies or proposals in addition to those listed above.

Proposals must also meet all general requirements per Hutchinson Purchasing Policy.



## Housing Commission Staff Report

Meeting Date: October 23, 2019

**DATE:** October 15, 2019

**TO:** Hutchinson Housing Commission

**FROM:** Ryan Hvitløk, AICP  
Director of Planning & Development

**THROUGH:** John Deardoff  
City Manager

**SUBJECT:** Rental Licensing and Inspection Program

**REQUEST:**

Request to amend Article XI. Residential Rental Licensing and Inspection of Chapter 21 of The Code of the City of Hutchinson, Kansas.

**Staff Recommendation:**

Staff recommends approval of the proposed amendments to Article XI of Chapter 21 of the *Hutchinson City Code* establishing a rental licensing program and voluntary interior inspection program.

**Motion:**

Motion to recommend (approval / modification and approval / denial) to the City Council an amendment to Article XI, Chapter 21 of the *Hutchinson City Code* pertaining to the establishment of a rental licensing program and a voluntary incentive-based interior inspection program.

**BACKGROUND:**

The City Council held a public meeting on October 1, 2019 regarding this issue. While the general consensus of the members of the public in attendance was opposition and concerns about the proposed program, members of Department Staff, the Housing Commission, the City's Human Relations Officer, and a representative of the Reno County Health Department all spoke in support of the proposal. The Council voted 4-1 to direct staff and the Housing Commission to draft ordinance language regarding this topic. Staff is requesting the Housing Commission to review and to provide a recommendation on the ordinance to the City Council for their final review and vote.

On September 25, 2019, the Housing Commission held a public hearing and several members of the public, mostly landlords spoke in opposition of the program, although many concerns were voiced regarding the International Property Maintenance Code, IPMC, which this program has no effect on.

The proposed ordinance requires all rental units in the City to be licensed. The proposed ordinance also tries to incentivize interior inspections by tenants or landlords by denoting those units as "best-practice units". These units are eligible for additional recognition and reduced licensing fees.

**ANALYSIS:**

Staff revised the ordinance based on comments from the City Council and Housing Commission. The following changes have been made to the text since the joint study session:

- Section 21-1104.f. – Added language that a license action (probation or revocation) will not prevent the City from additional enforcement actions
- Section 21-1106.a.: Clarify that the inspection program is an interior inspection program. Exterior inspections and complaint based interior inspections will still continue.
- Section 21-1107.a.: The reduced license fee is increased from a 25% discount to a 50% discount and will continue for the length of time the unit is a best practice unit. This is a change from the previous revision that allowed for a reduced fee for only the first year of being named.
- Section 21-1107.c.: The best practice designation is good for a period of three years from initial inspection, with additional three-year periods if a new interior inspection is completed and the unit remains in good license standing, and any violations are corrected. The intent of this edit is to free landlords from having to request an inspection yearly to stay in best-practice status. The longer inspection schedule will allow inspections staff to focus on units that need more attention, a concern with limited staffing.
- Section 21-1108: Remove the section pertaining to program termination. The overarching comment from both City Council and Housing Commission is that if the City is going to enact a rental program that it must continue with the program for the long-term.

There was a concern from CKLA regarding a license fee per unit. Upon research of other rental licensing programs in the state, a license fee/unit is the most common way rental licenses are issued. One suggestion from the landlords was a flat license fee, but upon further review staff is not recommending this fee structure. A flat fee is regressive on landlords with smaller numbers of units; furthermore, the administration of a single license per landlord would be difficult. A single license would make a license action difficult as well as the best-practice program, which is currently proposed as a per unit program.

Councilperson Soldner expressed concerns about the license fees and asked staff to look at the fee structure. Staff has once again reviewed other communities in Kansas and found that our fee structure is among the lowest in the state. Staff believes that providing a 50% reduction in license fees for the duration of the best-practice designation is a way to reduce the fee burden on the landlords.

**NEXT STEPS:**

If the Housing Commission recommends approval of this ordinance to the City Council, it will be considered by the City Council on November 5, 2019.

**EXHIBITS:**

A – Excerpt minutes of October 1, 2019 City Council

B – Proposed Ordinance Amendment to Article XI, Chapter 21 of the Hutchinson City Code

8. New Business

a. Consider proposed changes to Chapter 21, Article XI. Rental Licensing and Inspection. Ryan Hvitløk, Director of Planning and Development, spoke about the history of the program; and talked about the Joint Study Session held on September 10, 2019 with the Housing Commission and City Council. He said housing conditions have deteriorated over the past 50 years; and won't get fixed overnight. Mr. Hvitløk said the Central Kansas Landlords Association believes the licensing fee is unfair, there is no language for tenant rules and responsibility, the list of corrections needing to be made is never ending, etc. He said landlords indicated the inspectors aren't qualified, the fee is unfair, the Property Maintenance Code criminalizes violations, etc. Mr. Hvitløk said he also wanted to address comments made about people going to jail for code violations. He said there is no one in jail for violating the IPMC, but the person might be in contempt of court for violation of a judge's order. Mr. Hvitløk said staff has also reached out to Prairieland Realtors and the Kansas Association of Realtors, both of whom are opposed to the changes; and support sunset of the program. Mr. Hvitløk said the proposed program would shift from registration to licensing; and said almost every community that has a rental program does licensing. He also said that any appeals would go to the Building Trades Board. Mr. Hvitløk also spoke about other proposed changes to the program, saying he hoped to bring an Ordinance back to Council on October 15, with the new program going into effect January 1, 2020.

Mayor Inskeep said council most recently tasked staff and the Housing Commission to look at alternatives knowing this program was going to sunset. He said it was decided to hold a joint study session. Discussion ensued regarding the three-year best practice designation, HUD inspections, health and safety issues, etc.

Councilmember Daveline said it might be helpful to talk about some historical data; and what has happened with code violations, etc. He said he sent a number of questions to Mr. Hvitløk prior to the meeting; and he would like to look at those. Mr. Hvitløk said in 2019 they have had just under 3,000 rental inspections with 2,000 violations. Councilmember Piros de Carvalho asked how many rental units there are. Mr. Hvitløk said there are just over 5,500 rental units; and over the last several years the Inspection Department has made an effort to do exterior inspections. He said there are only about 300 left to be done. Discussion ensued. Councilmember Daveline asked what the top three or four code violations would be. Mr. Maxwell said for exterior issues those would be roofing, paint and broken windows. Councilmember Daveline asked if these are all cosmetic violations. Mr. Maxwell said water coming into a unit from a leaking roof would be more than cosmetic; and that a cosmetic violation would be visible to a person driving by. Councilmember Daveline also asked about compliance, data regarding housing stock in terms of conditions, etc. Additional discussion ensued.

Councilmember Piros de Carvalho said it's incredible that the average compliance is 90-95%, with 2,000 of the violations occurring on 3,000 inspections. Mr. Hvitløk said this speaks a lot to Mr. Maxwell's staff; and said they have about 98% compliance with the

registration requirement. He said 90% of the people do what's right. Councilmember Piro de Carvalho asked about interior violations. Mr. Hvitløk said interior inspections would look at plumbing, electrical, etc. Mr. Maxwell said interior inspections are complaint based, with a lot of those being about mold. He said they also see GFI outlets not being present, overloaded circuits, broken windows or windows that are painted or screwed shut, etc. Mr. Maxwell said there are also occasions where the heating doesn't work, plumbing that isn't functional, etc. Additional discussion ensued.

Councilmember Soldner said she keeps hearing that landlords aren't given enough time to fix problems; and asked if time frames are reasonable. Mr. Maxwell said a 30 day notice is given in every letter unless there is a safety issue. He said if you work with the inspector, that time can be extended, but if there is no response or no improvements made, the time frame stops, and the matter goes to Court. Discussion ensued.

Jill Gumble, 1506 Linwood Drive, said she is President of the Central Kansas Landlords Association; and there have been a lot of changes with the organization. She said they are holding monthly meetings; and have talked about lead based paint disclosures, outlining deficiencies with tenants by doing a walk through, etc. She said the majority of landlords provide safe, clean housing; and they are all on the same page. Ms. Gumble said this program is designed to target landlords, saying that no other property owners have to comply. Ms. Gumble spoke about the fees charged, trivial infractions, discrimination against landlords, etc.

Lisa Gleason, 3800 Fox Fire and a member of the Housing Commission, said she would like to speak about what they have been trying to accomplish. She said one-third of the housing stock was labeled as dilapidated and not up to code. She said as they focused on neighborhoods falling into that category, they found that 40-50% of the homes were rentals. Ms. Gleason said they all want the same thing, which is a safe, healthy environment. She said most landlords want to run their business in a manner that serves a purpose; and is profitable. She also said the Housing Commission has been tasked to make sure tenants are in a safe, healthy environment; and the ultimate goal is to improve the city's housing stock.

Aubrey Patterson, also a member of the Housing Commission, said housing has been a big issue for a long time in the community. She spoke about several news articles from 2011; and said people started paying attention to the issue. Ms. Patterson said it takes a long time to make changes; and we do have a problem. She said the City has shown they are committed to the problem by demolishing more properties, implementing the IPMC, formation of the Land Bank, feature neighborhoods, etc. Ms. Patterson said there are a lot of vulnerable people in rentals; and we have to have the courage to go forward and address the problems. She asked that council implement the program.

Fran Conklin, 2609 Heather Parkway, asked those in attendance to raise their hands if they would be affected by the program. A majority of those attending the meeting raised their hands. She also asked for those in favor of doing interior inspections to raise hands, at which time only one hand was raised.

Jackson Swearer, 103 West 22<sup>nd</sup>, said he wears many hats, but today he is wearing the Health Department hat. Mr. Swearer said he works as the health equity specialist; and works a lot with the Lincoln neighborhood. He said he is not an expert, but said it's important to realize that housing does impact the community. Mr. Swearer said 60% of homes in the Lincoln neighborhood are owner occupied; and said 53% of the homes are substandard. He said life expectancy in that area is 13 years less than other neighborhoods in the City. Mr. Swearer said we are talking about real health impacts; and people are being affected.

Daniel Peters, 76 Faircrest Drive, said he is the Property Manager for Rock Rentals. He said there are a lot of stakeholders with regard to this issue; and said the City has been great to work with, time frames are flexible, and the Inspector has been good to work with. Mr. Peters said he believes there will be an increased cost to the tenants which needs to be considered; and encouraged councilmembers to think before making this program permanent. He said his two main responsibilities are communication and expectation; and if you do those two things it removes the majority of the problems. Mr. Peters said you have to educate and give expectations to both landlords and tenants; and said a good landlord is not afraid of a well-educated tenant. He said one of his goals for the company is to educate tenants so they know what their rights are; and he would like to see a way to educate all tenants, Mr. Peters offered to be a part of any such program.

Betty Greever, 3409 N. Maple, said she has been in the rental business for over 55 years; and the business has gone downhill. She said tenants don't maintain the properties; and she doesn't understand why landlords have to be licensed.

Ron Gingerich said he is a long time realtor and appraiser with offices at 201 East 2<sup>nd</sup>. He said he is proud of our City; and the City has worked hard to maintain a good reputation. Mr. Gingerich said the population in the City is declining, there has been a loss of value in upper-end real estate, commercial properties have declined in value; and now there is downward pressure on affordable housing. He said some of this may be due to the rental inspection program. Mr. Gingerich said investors and landlords of lower end properties are not interested anymore; and are tired of dealing with City inspectors. He said we need to maintain a good tax base; and said Council should be concerned. He asked councilmembers to do the right thing by discontinuing the inspection program.

Datjaeda Moore, Human Relations Officer for the City of Hutchinson, said it is important for her to speak from a tenant's perspective. She said her concern is for all citizens; and to date she has received three complaints regarding housing issues and living conditions. Ms. Moore said two of them were afraid to come forward for fear of retaliation. She said as a City we have to think about those who do not have a voice. Ms. Moore said if we continue to ignore maintenance issues and concerns tenants have, we put their welfare at risk. She said she understands government can't regulate morality, but we need to be concerned about the welfare of all people.

Harley Ewing, 206 West 18<sup>th</sup>, said that for everything that was said, please consider the counterpoint. He asked that councilmembers evaluate both sides of everything. Mr. Ewing said his main concern is the legality of the approach to this matter with regards to the constitution; and went on to speak about the fourth amendment. Discussion ensued between Mr. Ewing and Councilmember Piros de Carvalho.

Chad Harris, 3902 Deer Ridge, said he is not here as a landlord but as a real estate agent. Mr. Harris said he wants to emphasize what Ron Gingerich had to say. He said property values have decreased; and people don't want to invest in the community. Mr. Harris asked that council allow the program to sunset.

Sara Bagwell, 803 West 22<sup>nd</sup>, talked about her history of being homeless, then low income and having to rent. She said there is too much over-regulation; and that council is hurting the people they are trying to protect. Ms. Bagwell said she would like to find a solution to hold landlords accountable, but not for a solution that won't fix the problem.

Kurt Schull said he owns a number of rentals in Hutchinson but lives in McPherson. He said as he's listened, what strikes him is that we have a real opportunity to find a real solution to this matter. He asked if council was going to continue with a punitive program or go with a positive solution. Mr. Schull said they now have a real opportunity for everyone to step back and work together to come up with positive solutions that will help address not only tenant concerns, but also put a positive environment in the market. He said he no longer invests here but has bought a lot of property in McPherson. He said he would love to be part of a positive program; and volunteered to be on a task force committee to develop such a program.

Richard Greever, 3409 N. Maple, said he is not opposed to licensing his business, but is opposed to having to license each location. He said there needs to be reasonable health and safety guidelines; and to stop the nitpicking about minor peeling paint, backflows on faucets, etc. Mr. Greever also disputed the fact that violators are not sentenced to jail. He said the only reason he's not in jail is because the judge allowed him to sell his property at a considerable loss; and the new owner assumes liability.

Steve Garza, 700 East Avenue B, said he feels council is singling out one party; and it is not fair to the landlords. He told council they are supposed to listen to the people; and the people are here telling council what they want. He asked council to "scrap it" because it's not working.

Mayor Inskeep called for a break at 11:55 a.m. The meeting reconvened at 12:02 p.m.

Councilmember Daveline said he will be brief but direct; and made a motion to sunset the rental registration program effective December 31, 2019. There was no second.

Mayor Inskeep said he asked Trent Maxwell, Building Official, to prepare a presentation that would illustrate some of the issues being raised. He said there is a misconception that this is predominately about aesthetics. Mr. Maxwell showed photos of

violations that had been found in rental properties. He said these photos were put together in 2012; and are what helped spark the whole discussion. Mr. Maxwell said they see a lot of things including creative fixes that aren't done correctly, a lot of neglect, space heaters operated for extended periods, electrical issues, etc. He said they just want properties to be maintained; and the rental registration program doesn't change the requirements of the International Property Maintenance Code. Mr. Maxwell said regardless of what happens, any property in Hutchinson is still subject to the IPMC.

Motion by Councilmember Dechant, second by Councilmember Piros de Carvalho, to direct City staff and the Housing Commission to prepare an ordinance establishing a Rental License and Inspection Program and associated fee structure.

Councilmember Piros de Carvalho said she made a lot of notes; and thanked staff and the Housing Commission for the time they have put into this matter. She also commended Jill Gumble on her leadership; and said they might not have been in this position if she would have been at the helm in the beginning. Councilmember Piros de Carvalho also commended the work landlords do saying she dealt with mostly good landlords, but had bad ones as well. She said this program is not meant to punish them, but the goal is to heighten the quality of the rental stock. She said tenants fear eviction if they speak up; and said poor housing has been identified as a barrier to employment in the City. Councilmember Piros de Carvalho said government has a responsibility to step in when the market isn't taking care of the problem; and told those in attendance if they are not willing to bring properties up to basic standards, then maybe they don't need to be buying property.

Councilmember Dechant said he applauds the CKLA for what they are doing, saying he wishes it could have happened five years ago. He said he has been a landlord for over 20 years; and that he supports this program as well as the IPMC. Councilmember Dechant said the people not in attendance are the powerless tenants. He said he agrees that tenants do have rights, but by-and-large many tenants feel powerless.

Councilmember Soldner said she is trying to weigh everything, but is not ready to let the program sunset. She also said she would like to look at the fee structure if the program continues as there is chronic complaining about the fees. Councilmember Piros de Carvalho said any revenue generated from fees should be just enough to run the program; and should not be revenue generating. Councilmembers also said it may be time to put the program costs into the general fund.

Additional discussion ensued. The motion passed by a vote of four to one, with Councilmember Daveline voting no.

b. Consider proposed extension of Stutzman Refuse Disposal Contract. John Deardoff, City Manager, said the current contract was approved in 2013; and is set to expire in 2022. He said Hershel West, Municipal Market Manager for Stutzman's, approached him about extending the contract for an additional seven years. He also said there would be a reduction in rates. Mr. Deardoff said staff would like to see the contract

ORDINANCE NO 2019-\_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HUTCHINSON, KANSAS, AMENDING THE RESIDENTIAL RENTAL REGISTRATION AND INSPECTION PROGRAM AND AUTHORIZING FOR COLLECTION OF FEES TO SUPPORT THE PROGRAM**

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, that all persons renting residential dwelling units within the City enjoy a habitable and safe place to live; and

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, to correct and prevent rental housing conditions that adversely impact life, health, safety and general welfare of tenants and the surrounding area; and

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, to protect the quality, character and stability of residential areas; and

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, to preserve the value of land and buildings and the local tax base; and

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, to reduce the number of complaint-based rental inspections; and

**WHEREAS**, it is the goal of the Governing Body of the City of Hutchinson, Kansas, to protect the public from increased criminal activity, which tends to occur in residential areas that are unstable, blighted or substandard; and

**WHEREAS**, the Governing Body of the City of Hutchinson, Kansas, has determined that these goals can be achieved by regulation of residential rental properties within the City.

BE IT THEREFORE ORDAINED BY THE GOVERNING BODY OF THE CITY OF HUTCHINSON, KANSAS:

**SECTION 1.** Chapter 21, Building Regulations, Article XI, of the Code of the City of Hutchinson, Kansas, is hereby amended as follows:

**Article XI. Residential Rental Licensing and Inspection**

**Sec. 21-1101. Purpose.**

A residential rental licensing and inspection program is hereby established in order to:

- a. Recognize that the offering for rental of dwelling units is a business, and the condition of a dwelling unit has a direct impact on the physical and mental health as well as the social well-being of tenants occupying dwellings.
- b. Protect the quality, character, and stability of residential areas.
- c. Correct and prevent housing conditions that adversely impact life, health, safety and general welfare of tenants and the surrounding area.

- d. Preserve the value of land and buildings and the local tax base.
- e. Reduce complaint-based inspections.
- f. Protect the public from increased criminal activity, which tends to occur in residential areas that are unstable due to blighted or substandard dwellings.

## **Sec. 21-1102. Title and Definitions**

a. **Title.** This article shall be known as the “Rental Licensing and Inspection Program” of the City and may be cited as such.

b. **Definitions.** The following words and phrases shall, for the purposes of this article, have the meaning ascribed to them herein, unless the context clearly requires otherwise.

1. **“Building Official”** means the City of Hutchinson Building Official or designee.

2. **“Director of Planning and Development”** means the Director of the Planning and Development Department for the City of Hutchinson or designee.

3. **“Dwelling Unit”** means one room or a suite of two or more rooms designed for or used for **living** and sleeping purposes. Each of said units shall have a restroom and kitchen.

4. **“Inspections Department”** means the Inspections Department of the City of Hutchinson, Kansas.

5. **“Landlord”** means the Owner of property that is offered for Rent, as defined by this article.

6. **“Lawful Occupant”** shall mean a tenant that is lawfully authorized to Occupy a Residential Rental Unit, as defined herein.

7. **“Let”** means to provide or to offer for possession or Occupancy a Dwelling Unit to a Tenant for no consideration.

8. **“Occupancy”** or **“Occupy”** means residing or sleeping at a Dwelling Unit the majority of a person’s time.

9. **“Owner”** means the individual or individual(s), natural or corporate, in possession of lawful title to real property. As used in this Article, Owner may also include Resident Agent.

10. **“Premises”** shall mean a lot, or contiguous lots under common ownership, together with all buildings, structures and appurtenances existing thereon.

11. **“Re-inspection”** means any subsequent inspection conducted for the purpose of verifying that any violations reported during any inspection have been remediated.

12. **“Rent”** means to provide or to offer for possession or Occupancy a Dwelling Unit to a Tenant for consideration, pursuant to a written, oral or implied agreement.

13. **“Resident Agent”** means any person or business entity located or residing within Reno County, Kansas, who has been authorized to carry out transactions, as required under this Article, on behalf of the Owner.

14. **“Residential Rental Unit”** means any Premises having one or more Dwelling Units that are Rented to one or more Tenants.

15. **“Tenant”** means any person who Occupies a Dwelling Unit, other than the Owner or any person residing with the Owner.

### **Sec. 21-1103. Residential rental licensing required.**

a. **Licensing required.** On or after January 1, 2020, no owner of property located within the City Limits of the City of Hutchinson shall rent to a tenant any dwelling unit or portion thereof, as defined by this Article, without licensing said unit with the Director of Planning and Development.

1. Failure to license a residential rental unit within a given calendar year by the rental licensing deadline for that year shall result in a \$20 administration fee per month for each month that a unit is used as a rental and goes unlicensed. Units not licensed by May 31<sup>st</sup> of each year shall be in violation of this ordinance and the provisions of Hutchinson City Code Section 21-1105 shall apply.

b. One license shall be issued for each building with rental dwelling units and shall cover all such dwellings in the building under the same ownership.

c. In the case of multiple owners of any residential rental unit subject to this article, it shall be sufficient for any one of the owners to license said unit.

d. A license issued under this article is nontransferable. A new license shall be required for each change of ownership of a rental dwelling.

e. Beginning January 1, 2020, residential rental units shall be licensed annually, on or before May 31<sup>st</sup> of each year.

f. Landlords who reside more than 100 miles from the City of Hutchinson shall be required to identify a resident agent, including resident agent mailing address and phone number, who resides within Reno County and who will be held responsible for ensuring compliance with licensing and other provisions of Article XI.

g. All owners obtaining a rental license under this Article shall pay an annual Rental License Fee. The license fee shall be due at the time of application or renewal and shall not be prorated or refunded upon revocation of a rental license. The annual license fee shall be based upon the type of residential rental unit according to the following schedule:

Rental License Fee Schedule

Single Family Dwelling Unit	\$20 per unit
Other Dwelling Unit	\$20 per unit
Duplex/Triplex	\$20 per unit
Apartments	\$15 per unit

h. Rental licensing shall be accomplished via forms provided by the Director of Planning and Development.

i. The Director of Planning and Development shall provide confirmation of licensing to all licensees.

j. The Rental License shall be maintained by the Licensee on the Premises, if possible, or at the Licensee's principal place of business, and shall be made available, upon request, to any Tenant of the Dwelling Unit or to Building Official or Director of Planning and Development.

k. A listing of Rental Licenses shall be provided on the City of Hutchinson's website and available to the public.

l. Exemptions. The following types of units are exempt from this article and do not require licensing:

1. Hotels and motels.
2. Any residential unit that is occupied by the owner, provided that units

that are not occupied by the owner but are located within the same building or complex, shall be licensed.

3. The following transient / congregate care uses, provided said uses have obtained the appropriate approvals and licenses, as defined by the International Building Code, including:

- a) Bed and breakfasts
- b) Campgrounds
- c) Group homes or Adult care homes
- d) Assisted living facilities
- e) Extended care, Dependent living or Nursing care facilities
- f) Extended stay lodging
- g) Dormitories, if owned by an educational institution licensed by the State of Kansas
- h) Parsonages, if located on the same premises as the place of religious assembly

4. Properties on Land Contract.

5. Properties where the unit is offered by "Let" and no rental agreement is in place.

#### **Sec. 21-1104. Violations of Rental License.**

a. If the Building Official determines that a building or dwelling unit that is licensed under this Article is in violation of Chapter 21 of the City Code, they shall mail a notice to the licensee and any resident agent on file. The notice shall specify the violation(s) of Chapter 21 and include the time period to correct the violation(s).

b. The Building Official shall have the authority to place a rental license on probation. The intent of a probation action is to provide the licensee an agreed upon, reasonable time to correct any condition(s) that cause(s) a violation of Chapter 21 of the City Code. Probation may include conditions of reasonable reporting requirements, reasonable time frame to correct the violation(s), or other reasonable conditions necessary to bring the unit in violation into compliance with City Code. Failure to successfully complete any and all conditions of probation shall be grounds for revocation of the rental license. A probation action allows the licensee to continue renting the unit subject to the probation action.

c. The Building Official shall have the authority to revoke a rental license. In making the action to revoke, the Building Official shall provide account of the severity of the alleged violation of Chapter 21 of the City Code, and all other mitigating and aggravating circumstances, including, but not limited to whether or not the licensee has had other revocations or convictions under this Article. Any revocation shall be effective, and no rental license shall be issued for the dwelling unit, until the dwelling unit is re-inspected by the Building Official and all violations have been remediated.

d **Appeal of License Action.** Any licensee aggrieved by the action of the Building Official in the probation or revocation a rental license shall have the right to appeal that action to the Building Trades Board, as authorized in Section 21-106.e. of the City Code. Such appeal shall be submitted by filing a Notice of Appeal with the Building Official within 30 days of the license action. The final order of the Building Trades Board shall be the final decision of the City.

e Nothing in this Section shall prevent the Building Official from immediately revoking a rental license when a unit is determined to be unfit or hazardous pursuant to Chapter 21 of City Code or applicable state statutes.

f Nothing in this Section shall prevent the City from additionally enforcing Chapter 21 of City Code or any other chapter of City Code through the penalties contained in the City Code.

#### **Sec. 21-1105. Unlicensed units.**

It is unlawful for any person to rent to another, offer for rent or allow to be occupied any rental dwelling unit without first licensing said unit as required in Sec. 21-1103. Violation of this section is a Class C misdemeanor, punishable as provided in Hutchinson City Code Sections 24-901 and 24-902. Each rental of an unlicensed dwelling unit shall be deemed a separate offense.

#### **Sec. 21-1106. Rental inspection program.**

a The City of Hutchinson shall have a voluntary interior inspection program for all licensed rental units in the City.

b Landlords or tenants may request an inspection of the interior of property from the Inspections Department, by completing a consent form and scheduling an inspection with the Building Official. Inspections will be completed in accordance with the standards of the International Property Maintenance Code, as amended by the City of Hutchinson.

c Results of inspections shall be made available to the public through the City of Hutchinson's website.

d Nothing in this section shall prohibit the Building Official from enforcing Chapter 21 of the City Code nor the International Property Maintenance Code when violations are noted through complaints or inspections from the public right-of-way.

#### **Sec. 21-1107. Incentives.**

Residential rental units that are in good license standing and request an interior inspection shall be eligible, once noted deficiencies are corrected, for additional

recognition from the City of Hutchinson as a “best-practice rental”. Best-practice units shall be eligible for the following incentives:

- a. Best-practice units are eligible for a 50% reduction on the Rental License fee for the unit(s);

The City of Hutchinson shall provide signage to the landlord to advertise that the unit is a best-practice unit. The City of Hutchinson will also maintain a list of best-practice units on the City’s website for public viewing.

- b. Best-practice units shall be eligible for the designation for a period of three calendar years from the initial inspection entitling the unit to best-practice status. A unit shall be eligible for an additional three years of recognition after the initial three-year period expires, if the unit remains in good license standing and another interior inspection is completed, with any violations corrected.

**Section 2.** That all other sections of Chapter 21 shall remain in full force and effect.

**Section 3.** This ordinance shall take effect and be in force from and after its passage and publication once in the official City newspaper.

**PASSED BY THE GOVERNING BODY**, this \_\_\_\_ day of \_\_\_\_\_, 2019, for the City of Hutchinson, Kansas.

\_\_\_\_\_  
David A. Inskeep, Mayor

ATTEST:

\_\_\_\_\_  
Karen Weltmer, City Clerk