

City of Lawrence
Residential Rental Licensing
Administrative Compliance Procedures

Subject Rental Licensing Administrative Procedures	Applies to: Planning and Development Services	
Effective Date ??????	Revised Date	
Approved By City Manager	Total Pages: 3	Policy Number AP-?????

1.0 Purpose and Scope

To establish administrative enforcement procedures regarding residential rental property standards found in Chapter 6, Article 13 of the Code of the City of Lawrence, Kansas, 2013 Edition and amendments thereto.

2.0 Licensing Schedule in First Year

- A. Ordinance No. 8840 became effective January 1, 2014, requiring all rental units regulated by the ordinance to be licensed. Staff will use several methods to ensure that rental properties are licensed, including, but not limited to, reviewing utility bill address against owner address; online, newspaper, and onsite rental ads; etc. In order to provide for an efficient way to license all of the units, the following schedule will be employed during the first year of licensing units.
- a. 1st Quarter – Owner/Licensee name begins with A, B, C, D, E, F, G, or H
 - b. 2nd Quarter – Owner/Licensee name begins with I, J, K, L, M, N, O, P or Q
 - c. 3rd Quarter – Owner/Licensee name begins with R, S, T, U, V, W, X, Y, or Z

3.0 Inspection Schedule

- A. Residential Rental Properties participating in the RS-based program prior to the January 1, 2014 date of program expansion to all units city-wide will maintain their current inspection schedule, though the month of required inspection may change per the schedule set forth in Ordinance No. 8840. These properties will be eligible to qualify for the incentive-based schedule at their next regularly scheduled inspection.
- B. The initial inspection of Residential Rental Properties first licensed after the January 1, 2014 effective date of the program expansion to all units city-wide, will be conducted based generally on the following schedule as resources allow:
1. Year 1 – Licensee name begins with A, B, C, D, E, F, G, or H
 2. Year 2 – Licensee name begins with I, J, K, L, M, N, O, P or Q
 3. Year 3 – Licensee name begins with R, S, T, U, V, W, X, Y, or Z
- C. Residential Rental Properties licensed after the first year of program expansion to all units city-wide will be incorporated into the above schedule as they enter the program.
- D. Upon licensing a Residential Rental Property, said property will be inspected on a 3-year cycle, regardless of whether a change in name or owner has occurred, unless the Residential Rental Property qualifies for the Incentive, at which time the Residential Rental Property will be inspected on a 6-year cycle. If a property becomes ineligible for the Incentive as an outcome of an inspection, be it scheduled as part of the program or completed due to a complaint, the property will be placed in the 3-year cycle.

- E. In the year where a property is required to be inspected, the license will not be renewed until the property passes inspection.

4.0 **Inspection Procedures**

- A. During the exterior and interior inspection of a rental Dwelling Unit, inspection staff will determine if the violation(s) cited fall into the category of a minor or major violation. The lists of minor and major violations below have been established to provide staff and Licensees a general guide as to how violations will be categorized. These lists of violations are not meant to be all inclusive. Inspection staff can and will use discretion when determining when a minor violation could become a major violation.
- B. The list of Potential Tenant Based Violations below is a guide for determining violations that may be caused by tenants. While compliance with the code is ultimately the responsibility of the Owner, if evidence suggests that the violation is caused by a tenant, then the violation will not be included in calculating the potential to receive the incentive as outlined in Section 6-1312 of the City Code and staff will have discretion to pursue compliance of such violations directly with the tenants.

MINOR VIOLATIONS:

- BBQ grill on deck
- Upholstered furniture on a deck or unenclosed porch
- Bathroom ventilation fan is inoperable
- Clogged drains
- Cracked window
- Dirty furnace and/or filter
- Doors (interior) that do not fit in jamb, or are damaged
- Electrical panel has open port or missing cover
- Extension cords used for permanent power source
- Exterior door that does not provide weather tight fit
- Fungus that is most likely mold that is located on walls, ceilings, or floors (small area)
- GFCI receptacles need replaced or installed in wet areas, bathrooms and/or kitchens
- Grass or weeds in violation of the city's weed ordinance
- Handrail for stairs (interior and exterior) needs to be installed or repaired
- Inadequate exterior storm drainage
- Plumbing fixture leaks
- Deadbolt lock(s) need to be installed on exterior doors that otherwise have a non-deadbolt lock
- Receptacles that are improperly wired
- Receptacles and/or light switches with missing or broken covers
- Temperature and pressure relief valve drain pipe on water heater missing or inadequate
- Clothes washer receptacle not grounded or not GFCI protected
- Smoke detector(s) inoperable
- Vehicle that is not properly tagged or inoperable
- Windows that are not fixed, but do not open
- Missing or damaged window screens when required by the code
- Wood rot of exterior wood on siding, trim, window sills or other structural exterior elements (small or single area)
- Yard has trash, debris or exterior storage

MAJOR VIOLATIONS:

- Occupancy violation
- Land use violation of the Land Development Code (Chapter 20 of City Code)
- Backed up sanitary sewer line

- Ceiling height requirement not met in habitable rooms as defined by code
- Combustion “makeup” air requirement not met for gas furnace and/or water heater
- Missing or inoperable lock on exterior doors
- Dryer not vented to exterior or improperly vented
- Egress requirement not met for bedrooms
- Electrical wiring that is exposed, frayed or faulty as defined by code
- Fire escape from 3rd story or higher not in place when required by code
- Fungus that is most likely mold that is located on walls, ceilings, or floors (large or multiple areas)
- Furnace or water heater flue that is loose or disconnected
- Gas fired furnace and/or water heater not properly vented
- Heating facilities not provided in a habitable space or current heating facilities are inoperable, operating in an unsafe condition, or incapable of maintaining 68 degrees in habitable rooms
- Bedroom and living room size requirements not met
- Smoke detectors not present
- Leaking roof
- Structural deficiencies that affect the structural integrity of ceiling, walls, flooring, etc.
- Water heating facilities inoperable or inadequate
- Window broken or missing
- Windows within 6 ft. of grade with missing or inoperable locks
- Wood rot of exterior wood on siding, trim, window sills or other structural exterior elements (large or multiple areas)

POTENTIAL TENANT BASED VIOLATIONS:

- Occupancy violation
- Upholstered furniture on a deck or unenclosed porch
- Backed up sanitary sewer line
- Smoke detectors inoperable due to missing batteries
- BBQ grill on deck
- Broken, cracked or missing window
- Ceiling/wall hole(s)
- Extension cords used for permanent power source
- Grass or weeds in violation of the city’s weed ordinance
- Vehicle that is not properly tagged or that is inoperable
- Missing or damaged window screens when required by the code
- Yard has trash, debris or exterior storage

5.0 New Construction and Major Reconstruction

- A. Section 6-1310 of City Code exempts new and newly renovated Residential Rental Property from inspection for a period not to exceed six (6) years, though the properties must be licensed upon completion. The following defines the terms “New Construction” and “Major Reconstruction” as it applies to this code section.
- B. New Construction shall mean any building or structure built entirely new including foundation, walls, and all other components of a building or structure.
- C. Major Reconstruction shall mean a renovation in which four or more Primary Building Systems of a building or structure undergo at least a 50% replacement within a 12-month

period. Primary Building System is defined as: (1) HVAC; (2) electrical; (3) interior walls and/or exterior structural walls and windows; (4) roofs and ceilings; (5) plumbing; and/or (6) foundation and foundation walls.

6.0 **Exemptions**

- A. In addition to the exemptions noted in Section 6-1325 of the City Code, any and all housing associated with a use categorized as a Religious Assembly, as those uses are defined in Chapter 20 of the City Code, that is/are located on the property of the Religious Assembly use and used for said purposes is/are also exempt from the provisions of Article 13. Rental Dwelling Units that are owned by a religious institution but located off the property of the Religious Assembly use and/or not used for said purposes are not exempt from Article 13 of the City Code.