

ATTACHMENT A

**A RESOLUTION CONFIRMING THE NEXT STEPS RELATED TO ACTIVITIES ON
HOUSING RIGHTS AND RESPONSIBILITIES**

Resolution No. 48/2003-04

WHEREAS, the Carrboro Board of Aldermen seeks to ensure that its existing and proposed policies and regulations are responsive to community needs; and

NOW, THEREFORE BE IT RESOLVED by the Carrboro Board of Aldermen that the Aldermen accepts the staff report presented on October 28, 2003, reiterates its desire that staff proceed with the preparation of revisions to the Housing Code, and specifies that action on other elements will be scheduled following the conclusion of the efforts of the county-wide task force on substandard housing.

This is the 28th day of October in the year 2003.

POSSIBLE SCHEDULE OF COMPLETION OF NOTED TASKS

Additional steps to the three items noted by the Board of Aldermen that may assist in completing the activities are included. A schedule of expected completion of each activity is provided here.

Activity	Proposed Completion Date
1. Prepare preliminary educational materials	October 28, 2003
2. Prepare a proposal for an inspection program	October 28, 2003
3. Staff begins process of reviewing and updating the housing code.	November 2003
4. Hold educational sessions with Rental housing stakeholders	January 2004
5. Advisory Board Review (Planning Board)	February 2004
6. Adopt revised minimum housing code	February 2004

If the Board chooses to move forward with an inspection or licensing program, the following schedule is noted:

Activity	Proposed Completion Date
1. Establish inspection or licensing program	July 2004
2. Implement inspection or licensing program	January 2005

Conclusion

The Housing Code was first adopted in 1978 in response to existing housing which was unfit for human habitation due to dilapidation, hazards, lack of ventilation, and other conditions that made that housing unsafe, dangerous or detrimental to the health, safety, morals, and welfare of the Town's citizens and in order to cause the repair and rehabilitation, closing or demolishing of such housing.

Resources on Housing

North Carolina General Statutes Residential Rental Agreement. www.ncga.state.nc.us

Rental Duties Information Sheet. Town of Chapel Hill, 306 N. Columbia St., Chapel Hill, NC 919/968-2728,
http://townhall.townofchapelhill.org/inspections/rental_licensing.htm

North Carolina Fair Housing Council. P.O. 28958
■ 114 W. Parrish St. ■ Durham, NC 27701
Phone: 919.667.0888
http://www.fairhousing.com/ncfhc/landlord_tenant.htm
North Carolina Low Income Housing Coalition
3948 Browning Place, Suite 210
Raleigh, NC 27609
Phone: (919) 881-0707
<http://www.nclihc.org/issues/vouchers.shtml>

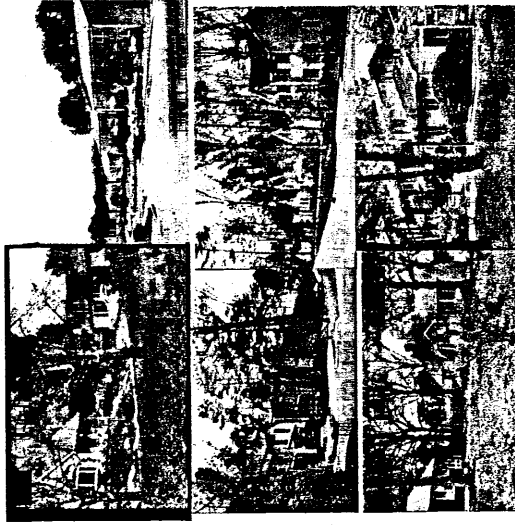
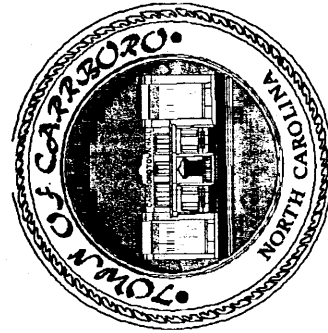
Staff of the Department of Economic and Community Development and the Department of

Planning, Inspections Division. are available to provide assistance on issues related to housing.
Contact Mike Canova, mcanova#@townofcarrboro.org

Town of Carrboro Planning Department,
301 Main Street. 919/942-8541
<http://townofcarrboro.org/pzi/default.htm>

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A Guide for Residents and Proper Owners of the Town Carrboro

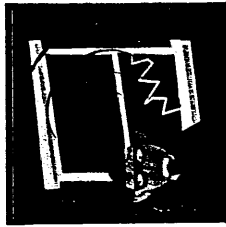
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Introduction

Since 1978, the Town of Carrboro has used a Housing Code to define and enforce the standards of fitness for residential dwelling units.

What are standards of fitness?

- Minimum space and use standards including room size, access, kitchen storage, privacy, doors, and locking capability
- Lighting and ventilation standards including minimum window area and/or lighting requirements, placement, condition, screening, and size in bathrooms
- Exit standards including compliance with Building Code, maintenance of entry/exits



- Structural standards of foundations, floors, walls, ceilings, roof, porches, and stairs
- Maintenance of structures in a clean and sanitary condition including adequate drainage, yards clean and free of physical hazards, noxious plant growth, and rubbish, grounds and structures free of insects or rodents, and adequate sanitary facilities for disposal of garbage and rubbish

- Electrical standards including condition of fixtures, number of outlets, presence of ceiling lights in bathrooms, round-the clock lighting in multi-family public halls and stairways and compliance with Electrical Code in all installation and maintenance
- Plumbing standard including approved OWASA or approved alternative water and sewer service, condition of fixtures, piping, plumbing vents and all service lines, access to toilet and bathing facilities
- Heating standards including central or in sufficient number to maintain prescribed minimum temperature, storage requirements for liquid fuel, and condition of heating facilities

What are the owners' responsibilities?

- ✓ Every owner of a multi-family dwelling of four or more units shall be responsible for maintaining the shared or public areas of a dwelling in a clean and sanitary condition floodplains and other ecologically fragile sites (secondary conservation areas)
- ✓ No owner shall occupy or let to any other occupant a vacant dwelling unit unless it is reasonably clean, sanitary, and fit for human occupancy
- ✓ It shall be the responsibility of the owner to furnish and install all required screens
- ✓ Owners shall be responsible for extermination whenever infestation of insects, rodents, etc., has resulted from failure by the owner to maintain a dwelling or whenever infestation exists in two or more dwelling units in a house or in the shared public parts of a house containing two or more dwelling units

For complete information on the housing standards of fitness, refer to the
Carrboro Town Code.

<http://townofcarrboro.org/jpzi/PDFs/HouseCode.pdf>

What are the occupant's responsibilities?

- ✓ Occupant is to keep his part of the dwelling in a clean and sanitary condition.
- ✓ Occupant is to dispose of all rubbish and any other organic waste in a clean container and placing it in the appropriate disposal or storage facilities.
- ✓ Occupant is responsible for the extermination of any insects, rodents, or other pest; whenever a house contains more than one unit; occupant

- is responsible for extermination whenever his/her dwelling unit is the only one infested.
- ✓ Occupant is to keep all plumbing fixtures in a clean and sanitary condition and is responsible for the exercise of reasonable care in the proper use and operation thereof
- ✓ Occupant is to maintain all required screens in good condition, reasonable wear and tear expected.

How are the standards enforced?

- Ø Complaints.
- Ø Follow-up inspections



- Ø Hearing if public authority or at least five residents file a petition charging that any dwelling unit is unfit for human habitation.
- Ø Findings and issuance of order to repair, demolish.
- Ø Appeal to the Board of Adjustment may be filed in writing with Zoning Administrator within ten days of the order of the inspector.
- Ø Penalties.

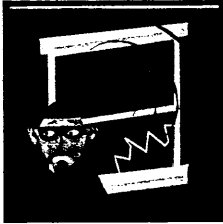
Town of Carrboro, North Carolina: *Housing Rights and Responsibilities* *DRAFT*

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Need Help? Staff of the Inspections Division. are available to provide assistance on issues related to housing. Contact Mike Canova, meanova#@townofcarrboro.org

Town of Carrboro Planning Department,
 301 W. Main Street. 919/918-7336
<http://townofcarrboro.org/pzi/default.htm>

What are the occupant's responsibilities?

- ✓ Occupant is to keep his part of the dwelling in a clean and sanitary condition.
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- ✓ Occupant is responsible for the extermination of any insects, rodents, or other pest; whenever a house contains more than one unit; occupant is responsible for extermination whenever his/her dwelling unit is the only one infested.
- ✓ Occupant is to keep all plumbing fixtures in a clean and sanitary condition and is responsible for the exercise of reasonable care in the proper use and operation thereof
- ✓ Occupant is to maintain all required screens in good condition, reasonable wear and tear expected.

Per the Housing Code of the Town of Carrboro, a copy of this notice must be displayed on or near the interior side of the main door of each residential unit that is rented or otherwise leased for temporary occupancy by persons other than the owner of such property.

OPTIONS FOR DEVELOPMENT OF INSPECTIONS OR LICENSING PROGRAM

As was described in the staff report from September 16th, the Town's Housing code is enforced on an as-needed basis, at the request of tenants/occupants, by staff of the Inspections Division. On average, 20-30 minimum housing code inspections are performed a year (personal communication, Michael Canova, Chief Code Enforcement Officer). Staff of the Planning and Inspections Divisions have reviewed the inspections programs utilized in other North Carolina municipalities and have identified two alternate proposals for programs that could be established in Carrboro. It should be noted that both programs emphasize compliance of non-owner occupied property and, depending on the structure and allocation of resources, could limit the ability of a local government to provide minimum housing code support to owner-occupied properties. For further information on the primary emphasis of either approach, see the summary prepared by Mike Brough and T.C. Morphis that was attached to the September 16th agenda abstract on the question of Tenants Bill of Rights and Landlord Licensing.

1. Certification/Licensing model. Based on the program that has been recently established in Chapel Hill, this approach involves the establishment of a database of rental property owners, contacting those property owners and obtaining from property owners a certification or affidavit that the rental units under their control are in compliance with the Town's Housing code provisions. Additional activities include development of educational materials, outreach, and responding to inquiries and complaints related to enforcement of the code. One new staff person, qualified to be, or already certified in the four building trade areas would be required to manage the regular work load of this new activity.

Depending on the staffing and project load on other staff of the Planning Department, it will likely also be necessary to hire a temporary staff person to assist with establishing the database of contact information and coordinating the mailing and receipt of all affidavits. Of course, revisions to the Town Code to establish the elements of the program must also occur. The estimated cost of carrying out such a program is (1) inspector at \$50,000 per year (salary and benefits), \$15,000 per year (vehicle, training, equipment, office support) and (1/2 data entry/administrative support at \$25,000 per year (temporary, first year only), (\$10,000, equipment and office support) and these costs could be recouped through an annual charge for all rental units of, in the first year \$20 per unit. Depending on changes in the supply of rental units and the demand that is created for information and/or inspections related to the housing code, this fee could be reduced in subsequent years.

2. Inspections model. One alternative to the certification/licensing model is an inspections approach that involves periodic inspections of all rental units in a community. Of a total of 7,535 housing units recorded within the Town limits during the 2000 Census, 5,194 (69 percent) were rental units. A dedicated Housing code inspector is estimated to be capable of conducting 1,100 – 1,200 inspections per year.

Based on the total number of rental units in Carrboro, a program that involved an inspection of every unit once every four years could be established with one additional inspector at a cost of approximately \$50,000 per year (salary and benefits), \$15,000 per year (vehicle, training, equipment, office support), (1/2 data entry/administrative support at \$25,000 per year (temporary, first year only), (\$10,000, equipment and office support) and these costs could be recouped through a charge of \$65 per inspection for the first four years. Depending on changes in the supply of rental units and the demand that is created for information and/or inspections related to the housing code, this fee could be reduced in subsequent years after the first four-year cycle of inspections was completed. Complaint-based inspections and enforcement of housing code issues would also be handled principally by the position described here.

Costs associated with either of the inspection-based programs are, in current dollars, summarized as follows:

Activity	Staff Expenses (\$)	Other Expenses (\$)	Total (Town) (\$)	Impact (Tenants and landlords) (\$)
Licensing				
Year One	75,000	25,000	100,000	20/ unit (Year One
Years Two -	50,000	15,000	65,000	
Inspection				
Year One	75,000	25,000 (Year One)	100,000	65/ unit (Years One -
Years Two -	50,000	15,000 (Years Two -)	65,000	Four)