



MEMO

NEIGHBORHOOD ENHANCEMENT

To: Rental registration subcommittee
FROM: Greg Carr, Director of Neighborhood Enhancement
DATE: November 19, 2020
RE: Recap of committee meeting held on 11/10/2020

SUMMARY

Staff provided a presentation on the current ordinance, the impact of rental properties in San Marcos, and provided some options with a staff recommendation.

At the direction of the City Manager, the department's philosophy to address community concerns has changed from one of strict enforcement to one of doing what is right to help the community. This includes working on solutions that fit the circumstance. The department recently hired a Community Vitality Coordinator who will help develop programs to help residents in need and help provide programs that will let residents help themselves. This will be done with the coordination and help of community partners. We are currently developing relationships with community partners.

The City of San Marcos has a unique situation where there are more rental properties than there are owner occupied properties. We have a majority of good owners that manage their properties well. However, with the high numbers of rental properties and an aging housing stock, we need to be looking at how to stay ahead of declining rental property conditions.

The requirement under the ordinance is for voluntary registration at this time. The requirement for registration becomes mandatory on January 1, 2021. There is no inspection component to the program at this time. The collection of information on registered properties can only be used for notifications at this time.

QUESTIONS FROM PRESENTATION

Q: Are the multi-family fire safety inspections finished?

A: In 2019, the 150 largest multi-family (MF) properties were inspected. Some other additional MF properties were also inspected. In 2020, we started the annual inspections over. Due to COVID, they were suspended in March. Pending the spread or threat of COVID, they will again start in January 2021.

Q: Do the numbers from Texas State pertain only to the San Marcos campus or include the other campuses?

A: The numbers are San Marcos.

Q: Can property owners who own rentals be allowed to repair certain issues themselves without having to hire a contractor?

A: State code states that if it is a person's homestead then they don't need to hire a state licensed contractor. If it isn't their homestead then they have to hire a state licensed contractor. We are unable to modify that through ordinance.

Q: The term inspection seems to be intrusive if a program was implemented. Is there an alternative we could use?

A: The goal is to have a productive program with minimal intrusion. An overall program name could be "The Good Landlord Program" and any inspections associated with it could be called reviews, surveys or checkups.

Q: How can we limit the impact of a program on good property owners?

A: There are several methods as described in the presentation that can be used to make it less impactful for good property owners. That is what would be addressed in developing a program with public input.

Q: What are examples of what would be inspected?

A: An example of inspection items is attached. They are very basic and self explanatory and could be conducted by a layman with little difficulty.

Q: Would minor defects cause an inspection to be failed?

A: If there is something minor that can be fixed with relative ease, then a verbal agreement to repair and then a followup photo would be sufficient. If it is an immediate safety item, then that would need to be fixed as soon as possible.

Q: We don't want to impact affordable housing. Can the program be designed to keep tenants in the property?

A: The goal is to improve problem properties. That might mean that immediate safety issues are addressed as soon as possible. Other deficiencies that do not pose an immediate safety concern can be placed on an action plan to get it fixed.

Q: Can there be incentives for landlords through volunteer groups to help address repair issues?

A: Neighborhood Enhancement is currently working to develop programs to help residents in need (seniors, disabled, low income, etc.). These programs work with community partners and/or volunteers. We believe these could be used to help. The goal is to provide safe housing for our residents whether they rent or own.

Q: Will we include public input before moving forward with any significant changes?

A: That will be a major component on any program implemented. We will seek input from all stakeholders to include apartment associations, realtor associations, property managers, and independent owners.

Q: Can we require rental registration before a property is eligible to receive Cadmine alerts from the Police Department?

A: We are researching to see how we could make this happen.

Q: Can we offer registration for landlords only to create a mailing list without requiring them to list all of their properties?

A: We wouldn't have a way of knowing if we have landlord info for every rental property if they don't list all properties.

Q: The use of volunteers to help is good. That provides for labor. How do we pay for materials? Can CDBG funds be used?

A: We will be working on community partnerships to help with funding for volunteer projects. CDBG funds can be used. We just have to plan for that and develop procedures due to restrictions that apply.

Q: Would inspections be intrusive or unannounced?

A: All inspections would be scheduled by appointment with full notice to the tenant.

Q: Some tenants may have living conditions that they do not want to have outsiders coming in. How will we deal with this?

A: Any city oriented inspection would take the residents dignity into account. We would be there to look at the items on the checklist. There is a good possibility that we could find circumstances where we could provide referrals to outside resources to address needs. Landlords should be doing regular property inspections to preserve their investment and make sure that there are not any safety issues that could harm the resident or neighbors.

Q: What would be a timeline for a program?

A: It will take time create a program that fits San Marcos, receive public input, and recommend to City Council. It would be at least 12 months and probably be in the range of 18 months before anything could be implemented.

RECOMMENDED STRATEGY

- Keep current rental registration ordinance so that data can be used to contact rental owners and craft appropriate rental inspection program
- Approve the drafting of a proactive rental inspection program