



CITY OF MERCED
CITY ATTORNEY'S OFFICE

**REPEAT
HOUSING CODE
VIOLATORS
PROGRAM**

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RENTAL HOUSING

- The City's rental housing is a valuable asset that must be preserved and maintained.
- Rental housing provides affordable housing for many.
- The City has a significant interest in ensuring safe and habitable rental housing remains a desirable option for our citizens.



RENTAL HOUSING CHALLENGES

- Over time, rental housing often deteriorates due to age and deferred maintenance by property owners, and property managers.
- Deterioration often results in substandard conditions adversely affecting economic value of surrounding structures and may be hazardous to public health and safety.
- On occasion, a small percentage of rental property owners have demonstrated a persistent pattern of neglect and violations burdening tenants, neighborhoods and City resources.



POLICY CHALLENGE

How can the City adequately address serial housing code violators to ensure safe and habitable rental housing?



POLICY PROPOSAL

- Create a Repeat Housing Code Violators Program:
 - Only applicable to Owners with not less than 3 “unresolved Violations within a 12- month period.”
 - A “Violation” is a City documented breach of the Merced Municipal Code, State Housing Law, or California Health and Safety Standard that affects habitability, health or safety.



POLICY PROPOSAL

■ OWNERS' RIGHTS:

- Owners notified of all outstanding violations.
- Owners notified of property or properties affected.
- Owners provided opportunity to timely cure.
- Owners' right to appeal to City Council.



POLICY PROPOSAL

■ Tenant Rights:

- Any displaced tenant eligible for tenant relocation assistance, in accordance with California Health and Safety Code Section 17975, et seq., wherein Owner must pay tenants forced to vacate an amount:
 - Equal to two months of the established fair market rent for the area; and
 - Utility service deposits determined by the City; and
 - Refund of any security deposit held by Owner as required by law.
- Tenants and prospective tenants notified of Owner designation as Repeat Housing Violator.
- Tenants and Prospective Tenants informed of City's Repeat Housing Violator Determination.



POLICY PROPOSAL

■ PENALTIES:

- Violation designation posted in a conspicuous location near the entry of the Rental Housing property, where it must remain until the violations are cured.
- Placement on the City's publicly available list of properties designated as Repeat Housing Code Violators.
- Required to pay tenant relocation assistance if Owner loses ability to operate.
- May lose ability to operate and be subjected to all other remedies available to the City.





QUESTIONS/ COMMENTS