

#### **MEMORANDUM**

To: New Castle County Council Members

CC: Thomas P. Gordon, County Executive

David Grimaldi, Chief Administrative Officer

Chair and Members, Rental Housing Advisory Committee

From: Eileen Fogarty, Land Use General Manager

Date: April 17, 2014

Subject: Annual Rental Registration and Inspection Report for 2013

The New Castle County Department of Land Use is pleased to submit this annual report for the rental property registration and inspections program.

Reporting Requirement. This report is prepared pursuant to Section 2 of Ordinance No. 05-039, which requires an annual report to be submitted regarding the implementation and effectiveness of the Chapter 19 Residential Rental Property Code.

Background and Notable Trends. In 2006, the Department registered 35,000 units, approximately 93% of which were re-registered in 2007. In 2008, in anticipation of a change to the registration procedure, only new rental units were registered. In 2009, all known rental units were again re-registered and, after removing 750 units from the former Brookview Apartments and 123 units in the former Courtyard Apartments, a total of 34,866 rental units were registered for 7,948 parcels. Beginning in 2010, with the passage of Substitute No. 1 to Ord. 10-015, rental units are now being re-registered biennially. In 2011, the County registered 35,433 rental units for 8,333 properties, and in 2013 registered 27,893 rental units for 6,594 properties.

When a landlord enters into a new lease, he is required to provide a copy of the "Tenants' Rights and Responsibilities Guide" to the tenants. This document is available in both English and Spanish and may be downloaded from the County web page.

Since August of 2013, Code Enforcement has been focusing its efforts on complaint based rather than random rental inspections.

Random Inspections: The 907 failed units produced 2,403 code violations. Apartment complexes were issued 1,638 violations and single-family rentals generated 765 violations.

The categories representing the most common violations, include:

- 1. missing or defective smoke detectors (487)
- 2. mechanical appliances (134)
- 3. plumbing system & fixture gen. (247)
- 4. interior surfaces (340)
- 5. electrical system hazards (332)
- 6. water heater facilities (149)
- 7. clothes dryer exhaust (138)
- 8. interior doors (76)

Of the 1,638 violations issued for apartment complexes, the top violations included:

- 1. missing or defective smoke detectors (301)
- 2. interior surfaces (260)
- 3. electrical system hazards (252)
- 4. plumbing system & fixtures general (183)
- 5. water heater facilities (151)
- 6. mechanical appliances (97)

Of the 765 violations issued for single-family rentals, the top violations included:

- 1. missing or defective smoke detectors (186)
- 2. electrical system hazards (80)
- 3. interior surfaces (80)
- 4. clothes dryer exhaust (62)
- 5. plumbing system & fixtures general (65)
- 6. mechanical appliances (37)

#### **Rental Inspections Synopsis:**

The number of units we were able to gain access dropped dramatically in 2013. From 33 percent of units visited in 2010, to 25 percent in 2012, down to 14 percent in 2013.

Observations/Challenges: The Rental Code Inspection program is facing significant challenges, largely because the Office of Code Enforcement is currently down four officer positions. The Department is in the process of filling these positions (two immediately). Another challenge is the increasing difficulty we are facing gaining access to individual units to perform random inspections. Random inspections require the tenant to grant us access and that is happening less often than it used to. This could be a function of the fact that over time, we have visited the units before, some on more than once so the tenants may have no desire to continue to participate. Another reason could be that over time, there has been some improvement on the part of landlords to be more responsive and proactively correct violations as a result of our inspection involvement in the past.

### Recommendations and Discussion.

Because of the recent difficulty in accessing rental units to conduct random inspections, the Department is considering several ways to make the program more effective. Some of these include: continuing our focus on complaint based inspections in lieu of random inspections, focusing our limited resources on apartment complexes with a documented history of code violations, inspecting only vacant units where we could easily gain access through the rental office, and shifting the overall focus of these inspections to issues that have the greatest potential to cause serious injury or death.

The Department is available to discuss the contents of this report upon the request of any Council member.

## Data and Tables.

# INSPECTIONS ANALYSIS

<u>Units</u>	<u>Status</u>	Percent
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5377	Units Visited	
1881	Inspected	35%
855	Passed	45%
1026	Failed	54%
2178	No One Home	40%
739	Tenant Refused Access	14%
382	Vacant	7%
190	Section 8	8%
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1772	Reinspections	
1169	Passed	66%
262	Failed	15%
211	No access	17%
2052	<b>T. 1.1.</b>	
3653	Total Inspections	
2024	Passed	55%
1372	Failed	41%