



June 2018 Landlord Symposium Discussion Summary

City staff/representatives in attendance: Mayor Lewis, April Kroner (Planning and Development Director), Megan McBride (Assistant Planner), Chris Luebben (Property Maintenance Specialist)

Guest Speakers: Kim Gifford (Housing Specialist with Northwest Regional Planning Commission), Ashtin Gronning (Housing Specialist with Northwest Regional Planning Commission)

Topics of Discussion

- 1) Updates from 2017 Landlord Forum
- 2) Rental Registration Update and Discussion
- 3) Property Maintenance Update and Discussion
- 4) Update and discussion on City's water shutoff policy
- 5) Presentation by Kim Gifford about landlord resources offered through Northwest Regional Planning Commission
- 6) Discuss future symposiums and possible agenda items

Updates from 2017 Landlord Forum

Suggestion: Add an additional landlord representative to the City's Housing Committee.

Response: The Housing Committee approved the addition of a second landlord representative at their June 13, 2018 meeting. Steve Pierce has been appointed the landlord representative on the committee now. All Housing Committee meetings are also open to the public and the meeting calendar can be found on the City's website.

Suggestion: The City and landlords should work to educate tenants on their responsibilities related to property maintenance and encourage tenants to work directly with the City to address violation.

Response: The City has made brochures available for landlords to provide to new tenants to ensure they are aware of their responsibilities related to property maintenance. All letters for property maintenance issues are also sent to both the landlord and tenant and *both* parties are held responsible. Copies can be found on the City's website (coawi.org) on the *Landlord/Tenant Resources* page.

Suggestion: Discuss options for establishing a specific go-to person to assist and advocate for landlords.

Response: The City is reorganizing the Planning & Development Department in 2019 to have a full-time staff member specifically focused on housing who will also act as a liaison and support person for landlords.

Rental Registration

Overview:

Number of units registered to date: 1,098

Number of Landlords: 299

Number of landlords in Ashland: 189

Number of landlords in Ashland area (Washburn, Bayfield, Mellen, Mason, Superior/Duluth): 68

Number of out of area landlords: 42

Number of unregistered properties that have been identified through property records as potential rentals: 2 (one located in southern Wisconsin, the other in Washington state).

We have reached out to other communities to learn best practices in identifying potential rental properties and how to ensure compliance in efforts to continuously keep the rental

registration database as up to date as possible. The Strategic Housing Plan that was passed in 2018 also identifies that the rental registration database will be thoroughly updated in January of every year, so the City will be sending a notice with property taxes as well as checking property sales records to ensure all landlords are aware of the requirement to register.

Property Maintenance

Overview by City Staff:

- Copies of a brochure that explains some of the most common property maintenance issues are available on the City website for landlords to distribute to tenants as they move in. Educating tenants on property maintenance requirements and encouraging them to work directly with the City on violations can help expedite or prevent the need for landlords to get involved in the enforcement process. However, letters will still always be sent to the property owner to ensure they are completely informed.
- The property maintenance ordinance is enforced equally for all property owners, including both rentals and owner-occupied homes. The City takes a systematic approach in identifying property maintenance violations, identifying issues through both systematic inspections and resident complaints. Additionally, when the property maintenance specialist is out doing inspections they have no way of knowing who owns the property (and therefore if it is a rental or owner-occupied) as another measure to ensure the ordinance is equally enforced.
- The process specified in our property maintenance ordinance requires that a letter with photos documenting the violation be sent to the tenant, property owner, and locally designated property manager (if applicable). Therefore, the tenant is also held responsible for the violation.
- City staff is very willing to work with the tenant and/or property owner to get violations corrected and will give extension on time, as long as someone reaches out to the City to discuss how/when the violation can be corrected if unable to do so by the date identified.

Input and Discussion:

- Landlords expressed frustration that making exterior improvements to properties ultimately results in higher property taxes.
- How can tenants be held accountable for property maintenance violations they incur instead of the landlords?

Staff Responses and Follow-up to Occur:

- Staff will look into methods that other communities use to incentivize repairs to rental properties, such as not increasing property assessments for a period of years (some incentives cannot be offered in Wisconsin).
- Both the tenant and landlord are notified for property maintenance violations. If it is found that the violation is the fault of the tenant and the landlord had no way to address the issue, then the tenant alone can be issued the citation. It is very important for landlords to reach out to the property maintenance specialist to work through cases such as this and ensure the correct party is held responsible and being worked with to correct the violation.

City Water Disconnection Policy and Procedures

Overview by City:

City staff provided copies of the water disconnection policy, and went through some of the sections that dictate the process and timeline for water shut-offs including:

Notice of Disconnection of Service (Section 100.3)

- Any utility bill not paid within 20 days of issuance will be declared delinquent by the Utility
- The Utility will issue a disconnection notice no earlier than 20 calendar days and not more than 30 days after the issuance of a utility bill. The disconnection notice will provide a disconnection date no sooner than 10 calendar days nor later than 20 calendar days after the date of issuance of the disconnection notice.

Procedures for Disconnection (Section 100.5)

- Will not disconnect service on a Friday or a work day prior to a scheduled holiday or furlough day;
- Will not disconnect utility service after 1pm
- Shall not disconnect utility service during the investigation of the disputed bill
- Will delay disconnection of residential service for 21 days if the occupant provided documentation to the utility of a medical or protective services emergency. During this period, the occupant will enter into a deferred payment agreement with the utility to continue service.

Exception to Disconnection (Section 100.6)

- Utility service shall not be disconnected until a dispute involving utility charges is investigated by the utility and the customer is notified of the result of the investigation.



- Utility service shall not be disconnected if the utility customer has entered into a deferred payment agreement with the Utility and the customer is making payments in accordance with the agreement.
- No utility service will be disconnected between November 1st and April 15th of any year if the water service is a necessary part of a dwelling's heating system (PSC185.37(9)).

Tax Lien (Section 100.7): Any delinquent bill remaining after November 1, 2010 will be attached to the property tax bill of the property served pursuant to Chapter 66.0809(3), Wisconsin State Statutes.

Discussion

Question from meeting: Is there a way for delinquent water charges to follow the tenants rather than running with the property/property owner?

Answer: Not according to Chapter 66.0809(3), Wisconsin State Statutes.

Question from meeting: Who should landlords contact to find out if their tenant is keeping up on their water bill?

Answer: Landlords can call the Utility Department at any time to check that their properties are up to date on their bills. This can help prevent tenants from accumulating several months' worth of delinquent water bills that will ultimately stay with the property if left unpaid per Wisconsin State Statute.

Question from meeting: Who should landlords contact to discuss changing an ordinance?

Answer: Landlords can contact their Council person (can contact City Hall if you don't know who your Ward Councilor is) to discuss their concerns and changes they would like the Council to consider.

Landlord Resources through Northwest Regional Planning Commission

Overview by Kim Gifford (Housing Specialist with Northwest Regional Planning Commission):

There is a revolving loan fund available for landlords to do repairs to their properties.

Loans through this program:

- Have 0-3% interest;
- Are repaid in installments over 10 years;
- Require that the landlord rent to Low to Moderate Income (LMI) individuals or that an LMI renter occupy the unit within 6 months if rehabilitating a vacant building/unit; and



- Can go towards a wide range of improvement projects including roofing, siding, heating/electrical, insulation, foundation, sewer/water laterals, and handicapped accessibility.

Future Landlord Meetings

Suggested Future Structure:

- Send out a questionnaire prior to the next meeting to determine a date and time that works for the most people.

Suggested Future Agenda Items:

- Have representatives from the Police and Fire Departments provide information and answer questions related to issues that landlords frequently deal with and provide information/resources for landlords who are having legal or health/safety-related issues with tenants (such as suspected drug use).
- Discuss creating a centralized webpage that landlords can use to advertise as units become available—would this be helpful? Is it needed?
 - **Follow-up since meeting:** Attached to this summary packet is information about WIHousingSearch.org's free statewide rental housing locator where landlords can post available units and view statistics to assist with market comparisons and or see how often your rental has come up in searches.