



**City/UCD Student Liaison Commission Minutes
Community Chambers Conference Room
23 Russell Boulevard
Wednesday, May 13, 2009
4:30 p.m.**

Voting Commissioners Present: S. Zimmerman for R. Achterberg, C. Bonilla (@5:05pm), B. Kim (@5:00pm), M. Lachowicz, S. Lee (Chairperson), B. Little, C. Olsen, R. Sharp, C. Simvoulakis, M. Sundstrom

Non-Voting Commissioners Present: M. Carmichael, G. Sandy, C. Valencia, S. Winton

Commissioners Absent: S. Worker, J. Evans

Council Liaison Present: None

Others Present: Vince Sturla, Sarah Boone, Daniel Boone (Oeste Manor Neighborhood Association), Mitch Sears, Kim Vincent (City of Davis), Michelle Johnston (UC Davis Student Health)

Roll Call and Introductions: Meeting called to order at 4:30 p.m.

- 1. Agenda** – The agenda was approved unanimously by consensus.
- 2. Minutes** – The minutes of April 15, 2009, were approved unanimously by consensus.
- 3. Commissioner Communications** – C. Simvoulakis provided an update on Panhellenic charitable activities.
- 4. City Council Communications** - None
- 5. Public Communications** – None
- 6. Oeste Manor Neighborhood Association (OMNA) Rental Housing Issues**–
Vince Sturla, OMNA, stated that more than 50% of homes in OMNA are rentals. Over the years, there have been more illegal rental units and substandard properties. The OMNA Board has heard from many students regarding substandard housing, lack of deposit refunds and issues with absentee landlords. OMNA wants to hold landlords accountable for maintenance of their rental units. Their goals to ensure that long-term quality of life standards apply to long-term and short-term residents. They submitted an Oeste Manor Neighborhood Association Proposal: “Rental Housing Safety Ordinance” (attached). The proposal requires the City to maintain a database of residential rental property information, make the information available to the public, hold landlords financially accountable for their property, and require landlords to have a City business license. OMNA is proposing the City charge a fee to register in the

database and issue a fee for complaints issued on the property for noise, zoning or health violations. OMNA is requesting the Commission support their proposal.

S. Winton briefed the Commission on the history of the City's landlord business license requirement. A business license is considered a tax. The tax was originally approved in 1984 at \$25 per single family rental unit. The tax was suspended in 1996, as the costs involved in collecting became higher than the revenue received. The original tax was a business license; therefore it would need to go to a City vote to be increased. Improvements to the City's computers system over the years may make it easier to manage the program at this time.

The Rental Housing Association of Sacramento Valley (RHA) submitted a memo addressing their concerns. RHA was generally supportive of the proposal. However, they had concerns about making the database information available to the general public and feel renters also need to be held responsible for their actions on the property. B. Little stated the proposal brought up some interesting issues. However, recent renter survey results did not indicate a large problem that needs to be addressed. V. Sturla feels the proposal will put single family renters on an even playing field with apartment renters who generally have on-site managers that can address their concerns.

G. Sandy stated the database would open dialog between the City and the landlord. S. Winton briefed the Commission on the City's ability to currently cite the property owner for code violations.

C. Olsen requested the issue be presented to the Chamber of Commerce. M. Sundstrom also suggested they contact ASUCD for support.

S. Lee motioned, seconded by M. Lachowicz, to request the City Council direct staff to analyze options related to landlord accountability issues.

Ayes: S. Zimmerman for R. Achterberg, C. Bonilla, B. Kim, M. Lachowicz, S. Lee, B. Little, R. Sharp, C. Simvoulakis, M. Sundstrom
Noes: None
Abstain: C. Olsen

7. Renter's Sub-Committee Update –The Sub-committee will bring the final survey results to the June meeting. M. Lachowicz requested additional analysis on responses based on type of rental unit and area of town.

8. Commission Sustainability Goals - Mitch Sears and Kim Vincent (City of Davis) suggested three areas that students can focus on to improve sustainability efforts:

1. Transportation-biking or carpooling outside of Davis to campus
2. Waste & consumption – recycling, end of year large furniture items
3. Energy – sustainability rating for apartments

M. Lachowicz motioned, seconded by R. Sharp, to form a sub-committee to address renter sustainability issues. M. Lachowicz will Chair the committee and members include R. Sharp and B. Little. The committee will hold electronic meetings. The committee will brainstorm and research ideas and make a recommendation on a plan for the Commissions review. The motion passed unanimously.

9. Status Reports

City/Campus Entertainment Partnership- B. Kim stated an event is being planned for May 22nd at Central park.

Safe Party Initiative – C. Valencia stated she is now TIPS Certified to provide safe party training to groups. The training is 2-3 hours and costs \$15 per student.

Davis Neighbors Night Out – S. Winton stated that a “Save the Date” card went home with every elementary school student. The next planning committee meeting is May 28th 10am City Hall.

Community/General Use Facility Rental Policy – S. Winton stated the Commission and Community Services recommendation will be going to Council on May 19th. The Community Services Department would like the issue to return to the Parks & Recreation Commission for analysis.

10. Adjournment – The meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Stacey Winton
Administrative Analyst II

Attachment

**Oeste Manor Neighborhood Association
Proposal: "Rental Housing Safety Ordinance"**

Statement of Fact:

Half the dwellings in Davis are rentals. Residential rental property is a for-profit enterprise—a business. Landlords make a profit by either renting a property for more than the mortgage payment (for a positive monthly cash flow) or by eventually selling their investment property for a profit. The residential rental business takes in millions of dollars a year, effects thousands of students and impacts nearly every neighborhood in Davis, yet it goes unregulated as a business.

Problems To Be Solved:

1. Landlords of residential rental property do not need to comply as a licensed business. While most landlords are ethical business people there are a few who are not. Renters living in substandard housing in need of repair, are being victimized by non-responsive landlords who simply wait for a lease to expire rather than spend the money to perform repairs or upgrades to their properties.
2. Homeowners living next to substandard, code-violating housing are forced to endure declining, nuisance properties that are a blight on the neighborhood, degrade the quality of live in a community and erode long-term property values.

Goals:

1. Require all landlords of residential rental property to be licensed as a business.
 2. Hold landlords financially responsible for code violations and repeated emergency service responses involving their property.
 3. Establish and maintain a database containing information about residential rental property including, but not limited to: Name, address and phone number of the property owner so they can be quickly notified about code violations and repeated emergency service responses. The cost of maintaining the database would come from licensing fees and fines. The City of Davis enacted a business licensing tax from residential rental property owners on 2-22-1984--Article 13 of the Davis Municipal Code Related to Business Licenses (**Attachment A**). But on 12-04-1996, the city council voted to *suspend* the collection of that tax. (**Attachment B**)
 4. Make landlord contact information available to the public—same as any other business in town.
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What These Goals Would Accomplish:

1. Would give renters the ability to bypass unresponsive landlords and take their code violation complaints directly to the City of Davis.
2. Would give homeowners a way to hold non-responsive landlords responsible for the conditions at their rental properties.
3. Would give the City of Davis the means to collect on the costs of repetitive emergency response calls to nuisance properties.

Specific Proposals:

Three California college towns, similar in size to Davis, San Luis Obispo, Santa Cruz and Berkeley have passed the following ordinances related to the maintenance of safe, quality residential rental property. We would like to see the City of Davis adopt these legal, affordable and time-tested ordinances:

1. The City of Berkeley requires all owners of residential rental property to have a business license. Berkeley has also established a department where renters can file complaints regarding code violations at their residences. Upon confirmation of the complaint, the city opens a file on the property charging the owner an initial \$300 administrative fee for establishment of the file. This does not include the cost of any fines or penalties. Code enforcement officers are also granted proactive inspection rights, allowing them to inspect rental properties on a routine basis, the same way a health code officer has the right to inspect a restaurant's kitchen.
(Attachment #1)
2. The City of San Luis Obispo requires all owners of residential rental property to have a business license. Their ordinance holds the landlord financially responsible for nuisance properties.
(Attachment #2)
3. The City of San Luis Obispo provides new tenants with a "Renter's Checklist for Safe Housing." This gives tenants the quick and easy means of making sure their new home complies with building safety codes.
(Attachment #3)
4. The City of Santa Cruz requires landlords to have a business license if they have more than 2 rental units, but are looking to change the code to include any rental property. Regarding nuisance property, Santa Cruz passed a law, Ordinance 2005-20, that allows them to charge the landlord the cost of any repeat police or fire responses to loud or unruly parties within a 1 year period.
(Attachment #4)

Summary:

1. The City of Davis lags far behind other California college towns of comparable size in terms of monitoring and regulating residential rental property.
 2. Landlords of residential rental property should be held to the same business standards as apartment owners. We would like to see the City of Davis adopt an ordinance reinstating the collection of business license tax from landlords of residential rental property as provided under the Davis Municipal Code, section 19.04.090(1)
 3. The re-establishment of the business licensing fee would provide renters the means to ensure their home was kept up to code and give them the means to petition for the return of their deposits in disputed cases.
 4. The re-establishment of a business, licensing fee would help ensure residential rental property was kept up to code minimizing the potential negative impact upon the greater neighborhood.
 5. Holding landlords, not the tenant or management company, ultimately responsible for code violations and emergency response costs would help ensure, quicker and more comprehensive compliance resulting in an improved quality of life in our residential neighborhoods.
 6. The establishment of a business licensing fee and data base would give the city the means to easily contact property owners and if need be levy fines against them. Delinquent fines could result in a lien being placed on the property.
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