

1. ROLL CALL

The Housing Commission meeting was called to order at 4:00 p.m. with the following members present: Lisa Gleason, Lucas Soltow, Angie Davenport, Ryan Patton, Kelly Anne Lanham, Aubrey Patterson, Jeff Thomson and Dan Rich. Nathan DeBerry was absent. Staff present were Ryan Hvitløk, Director of Planning and Development; Jim Seitnater; Downtown and Housing Coordinator; and Charlene Mosier, Planning Technician. Adam Stewart, Neighborhood Development Coordinator; Diane Crabtree, Interfaith Housing Services; Trent Maxwell, Building Official; and John Vetter, Code Enforcement were also present.

2. APPROVAL OF MINUTES

The minutes of the July 24, 2019 meeting and the August 19, 2019 meeting were not approved.

3. ANNOUNCEMENTS

a. None.

4. WRITTEN REPORTS

a. **Housing Report**

This item was not discussed.

5. ORAL REPORTS

a. **Healthy Neighborhoods Initiative**

b. **Hutchinson Land Bank Update**

c. **Aging-in-Place Committee**

These items were not discussed.

6. DISCUSSION OF BRUSH UP! HUTCH SOLE SOURCE RFP

This item was not discussed.

7. DISCUSSION OF RENTAL REGISTRATION AND INSPECTION POLICY

a. Staff Presentation of Proposed Ordinance

Hvitløk gave an overview of the proposed Rental Licensing and Inspection Program. The City Council and Housing Commission held a joint study session of the proposed program on September 10, 2019. The proposed regulations would require all rental units in the City of Hutchinson to be licensed and would incentivize interior inspections by tenants or landlords by denoting those units as "best-practice units". These units would be eligible for additional recognition and reduced licensing fees. The reduced license fee would continue for the length of time the unit is a best practice unit. The designation would be valid for a period of three years from initial inspection with additional three-year periods if a new interior inspection is completed and the unit remains in good license standing. The program would no longer have a sunset date but continue long term.

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Hvitlæk explained a licensing component provides a way to regulate health and safety issues and can be revoked if the unit does not meet requirements. The fees are proposed to remain the same as they have been for the rental registration. The Building Trades Board would act as an appeal committee. Exemptions would also stay the same. Units that complete the license as best practice units could be listed on the city website.

Gleason asked for Housing Commission members for comments.

Soltow commented that revoking a license would be a last resort and the process would go through the Building Official and Building Trades Board prior to court action.

Patterson said the Housing Commission and City Council had a good study session and reminded the group that interior inspections for rental units are only conducted after a request by a tenant or landlord. If all requirements are met, the unit would be a best practice unit and be eligible for a reduced fee.

Gleason asked for comments from the audience.

Jill Gumble, Central Kansas Landlords Association, thanked staff for inviting landlords. She said the association holds monthly meetings to educate landlords and tenants on a variety of topics including the fair housing act. The majority of landlords provide clean, safe rental units regardless of rent. A website is being created called renthutch.com that provides all types of housing and rental information along with units available for rent. She said tenants that intentionally damage rental property can make the landlord look bad. If a landlord is in violation the association can work with the city to help rectify the issue.

Gumble noted that owner occupied homes and businesses do not have this same kind of scrutiny. She does not believe the fee for a license should be for each unit, but rather a yearly overall fee. To be fair to everyone, she would like an actual process and standard operating procedure for the inspection so the violations are not left to an interpretation depending on the inspector. She believes a 24-hour prior notice should be given before an inspector can come onto the property. Getting a citation in the mail with 30 days to correct violations on top of other expenses like general maintenance, mortgages, and insurance is hard to do with limited funds. She stated she has real estate and rentals and has had to go to court for five consecutive months even though progress was being made on the property in violation. Tenants can retaliate with all kinds of damages and landlords need time to repair before they can rent again and get income again. She wants to work with the City and Housing Commission and does not want to see landlords selling junk homes to poor renters on land contracts as a loophole to get around the system. She does not believe inspectors have treated her or other landlords fairly.

Richard Greever, showed faucets he purchased at Lowes that are designed to be freeze-less. He said they can cause a basement to flood if the pipe cracks. They not allowed on rentals but he feels some homes have them and have not been cited; however, his rentals were inspected and

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did not pass with this type of faucet. Greever said he has been fined and issued jail time for what he feels is unfair.

Soltow clarified the licensing has nothing to do with these types of issues. Exterior inspections are completed because the complaint only process was removed. He also noted that Housing Commission monthly meetings are open to everyone if they wish to attend.

Duane Carey said he has had rentals for decades and had good renters. He said most of his homes that were built years ago and met code no longer meet new codes. He gets notices requiring him to make changes that cost more than he can make up in rent costs.

Lanham said this program was developed after a child died in a rental fire. There are many dangerous situations with deteriorating homes and this program is a part of the growing pains to a solution for improvements. She sees the program working and housing improving.

Gumble said she was told by licensed contractors that a rental did not have a safety issue but she was issued a citation by a City inspector. She believes some of the citations are unfair.

Gleason said contractors and inspectors do need to have the same standards. The system works if an inspection finds a concern and it gets repaired.

Thomson said a rental license helps to insure a home is safe just as a contractor license indicates the contractor has the knowledge to perform a service correctly and safely.

Kerry McCoy said he is learning with his rental. He has had damage done to his property by tenants. He said an inspection prior to renting to prove the property was in good shape before renting it could be helpful but he does not think there should be a fee for each rental.

One landlord believes tenants have more rights than landlords and the last few years as a landlord have been more difficult than the last 40 years.

Gumble said people are coming to our town that are homeless because they can get free housing, food and utilities here with services and programs provided through organizations in Hutchinson. This is a part of the rental problem. Free apartments to compete with is an issue for landlords.

Claudia Glass said she has had tenants move out without notice and they disabled the furnace causing the pipes to burst resulting in extensive damage to her rental.

A landlord who works for KDHE says he understands regulations and the proposed regulations for licensing are poorly written. He handed out a prepared statement. Since the new rental program he has not purchased additional units in Hutchinson. He has purchased units outside the city limits. This will create worse rentals available in the city and more vacant houses. He would like to see better communication between the City and the landlords.

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Ron Gingerich there seems to be a lowering of values and standards and the market has declined recently due in part to inspections and requirements. \$60,000 homes are selling for \$20,000. Fewer people are showing up for sales to purchase rental properties.

Patterson said if the ones that are showing up for sales are buying the homes and are capable of maintaining the homes and paying the taxes, then progress is being made.

Fran Conklin said she does not think most landlords will find the best practice certificate enough of an incentive. She does not like government in her home if her properties are nicely maintained.

Gumble said land contracts are a big issue.

Gleason said the Housing Commission is aware of the concerns with land contracts but that is something that needs to be acted upon by the State Legislature of Kansas.

Soltow said a child that died in a house fire was actually living in a land contract home that was no longer a rental.

Gleason thanked everyone who came and shared concerns. Patton said there are two vacancies on the Housing Commission if someone is interested in serving on the commission and helping solve these concerns.

The City Council will review the draft regulations on October 1, 2019.

- 8. OLD BUSINESS – None.
- 9. OPEN COMMENTS – None.
- 10. OTHER
 - a. The next regularly scheduled Housing Commission meeting is Wednesday, October 23 at 4:00 p.m.
- 11. ADJOURNMENT – The meeting adjourned at 5:45 p.m.

Respectfully Submitted,
Charlene Mosier, Planning Technician

Approved this 23rd day of October, 2019.



Secretary