



City of Urbana
400 South Vine Street
Urbana, IL 61801
(217)384-2362
FAX (217)384-2301

DATE: February 10, 2005

TO: Mayor Satterthwaite and
Urbana City Council Members

FR: Esther Patt

RE: Rental Housing Registration Program

On the agenda for the February 14 meeting of the Committee of the Whole is a Rental Housing Registration Program proposal. The program description was written in cooperation with Urbana residents Glenn Berman, Liz Cardman, Betsey Cronan, and Lisa Treul as follow up to the city council's approval last month of changes to the Zoning Ordinance regarding over-occupancy of single-family homes.

This proposal addresses the immediate need for a mechanism by which to monitor occupancy of rental homes. The program would also provide the city with data to identify the appropriate party responsible for every rental property. This information will be very helpful for notifying rental property owners of changes in laws as well as for code enforcement and law enforcement purposes.

According to Joanne Chester, the Township Assessor, as many as 2,260 rental units in Urbana are not located in multi-family structures of three or more units. They are 1,436 single-family homes occupied by someone other than the owner, 357 duplex structures that are rental (714 rental units) and 110 owner-occupied duplexes (110 rental units).

Recently, Mayor Satterthwaite and some candidates for city council have expressed support for a city program that would involve landlords paying an annual fee for each rental unit they own with the proceeds being used to pay for systematic, annual inspection of rental properties. The Mayor has suggested appointing a task force to develop that program. The work of the task force could easily take one year.

In the mean time, the City has no effective way to monitor compliance with occupancy standards for single-family homes. The University-Neighborhood-City committee has been discussing rental housing registration for the last 18 months. We need to take action now if we are to have a program in place before next fall when thousands of University of Illinois students will be signing leases for the 2006 – 2007 lease year.

If the city council were to vote this month to approve the registration program described in this packet and request that an ordinance be drafted for approval in the next 30 days, that action would not preclude any future action to create a more elaborate registration or licensing program. Approval of the more modest proposal now would ensure that effective monitoring of over-occupancy of single-family homes is not delayed until 2007.



RENTAL HOUSING REGISTRATION PROGRAM PROPOSAL

PURPOSE

To promote the general health, safety and welfare of the people of Urbana, to provide the City with accurate information about the ownership of residential real estate and to enhance compliance with city codes and ordinances pertaining to rental property.

PROGRAM DESIGN

1. Every owner of residential rental property shall be required to register with the City the name, address and telephone number of the property owner, name address and phone number of the property manager, if any, and the addresses of each property owned. No property may be occupied for residency unless the property is registered with the city in accordance with this ordinance.
2. For each property the registration shall include the number of units in each building and the number of bedrooms in each unit. If the property is a rooming house, each bedroom shall be considered a unit.
3. A registration fee of \$25.00 shall be charged to each owner upon registration of all properties owned.
4. Every rental property owner shall be required to update his or her registration if:
 - a. any registered property is sold to another owner;
 - b. any new property is acquired;
 - c. the address or telephone number of the owner changes;
 - d. a new manager assumes responsibility for management of the property;
 - e. the address or telephone number of the manager changes.
5. A fee of \$10 shall be charged each time an established registration is updated.
6. Every single family home owner who offers a home for occupancy to persons other than the owner's family members, shall be required to provide the following documents to the city each time the owner enters into a lease for a single family home:
 - a. A sworn affidavit signed by the owner stating the total number of unrelated persons who will be occupying the house and attesting to the fact that the owner provided the tenants, prior to negotiating the lease, information about zoning restrictions on the number of unrelated persons allowed to occupy the house.
 - b. A sworn affidavit signed by the tenants, at the time of entering into the lease, that they will not allow the house to be occupied by more than 4 unrelated persons.

7. No owner of a single family dwelling shall fail to clearly state in any advertisement, sign, other form of written representation or in any oral statement, the maximum number of unrelated persons allowed by law to occupy the dwelling.

8. No property in the City of Urbana may be leased for residential occupancy unless the property is registered with the City as required by this ordinance. In addition to the penalties set forth in this ordinance, the City shall have the authority to revoke or not issue registration for any property if:

- a. the owner fails to correct housing codes cited by the city
- b. the owner fails to furnish the city with the affidavits required in Section 6 prior to occupancy of a single family home
- c. the owner offers to lease the property to, or allows occupancy by more unrelated persons than allowed by law.

9. Penalties for violation of the provisions of this ordinance. The fines set forth below shall apply to each person who violates the provisions of this ordinance. If a person commits the same violation a second time, that violation shall be considered a second offense, even if a different property owned by that person is the property at which the second violation occurs. The fine for a third offense will be imposed if the same person commits the same violation three times, even if at a different property owned by that person.

a. Failure to register a property:

1st offense: \$135

2nd offense: \$500

3rd offense: \$750

b. Failure to file an affidavit:

1st offense: \$500

2nd offense: \$750

3rd offense: \$1,000 plus suspension of rental registration for 6 months at any property for which affidavit is not filed.

c. For perjury:

1st offense: \$1,500

2nd offense: \$2,500 plus suspension of rental registration for 6 months at any property for which affidavit is not truthful.

3rd offense: \$3,000 plus suspension of rental registration for 1 year at any property for which affidavit is not truthful.

Rental Housing Occupancy Affidavit

Dwelling: _____

Dates of Occupancy: _____

I have made personal and diligent inquiry and make this affidavit based upon personal knowledge. The names of all the persons with whom I have leased and the names of the occupants who reside in the dwelling and those persons and their relationship to any other persons residing in the dwelling (if no relationship, state none) are as follows:

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If any relationship is claimed between occupants, the names of the tenants who claim to be related shall be identified below, together with the names, addresses, and telephone numbers and relationship of the persons through whom they claim to be related and who can verify the information:

Prior to offering the dwelling unit for rent, I informed the above named persons that Urbana law prohibits more than 4 unrelated persons from occupying the dwelling unit and that any person who uses the dwelling unit as an address for any purpose is an occupant.

Initial one of the following:

- _____ I am the owner of the property
- _____ I am the manager of the property

I affirm under the penalties for perjury that the foregoing representations are true. Perjury is a felony punishable by incarceration. Submission of an incorrect affidavit is a violation of Urbana City Code punishable by a fine of \$1,500 to \$3,000, and may result in the suspension of the rental registration.

Date: _____ Signature: _____ Printed _____

TENANTS MUST COMPLETE REVERSE SIDE OF THIS FORM

Occupant Confirmation of
No More Than 4 Unrelated Persons Occupying the Dwelling Unit

I affirm by my signature below that the house located at _____
for which I have signed a lease was rented for occupancy by no more than 4 unrelated persons.

I AFFIRM THAT IT IS MY INTENTION THAT THIS HOUSE WILL BE OCCUPIED BY NO MORE THAN FOUR UNRELATED PERSONS DURING THE ENTIRE TERM OF THE LEASE.

I UNDERSTAND THAT A PERSON WHO USES THIS ADDRESS FOR ANY PURPOSE SHALL BE CONSIDERED AN OCCUPANT.

I affirm under the penalties for perjury that the foregoing representation is true. Perjury is a felony punishable by incarceration. Submission of an incorrect affidavit is a violation of Urbana City Code punishable by a fine of \$1,500.

Date: _____ Signature: _____ Printed: _____

Date: _____ Signature: _____ Printed: _____

Date: _____ Signature: _____ Printed: _____

Date: _____ Signature: _____ Printed: _____