



Shakopee City Council
April 20, 2021

FROM: Michael Kerski, Director, Planning & Development

TO: Mayor and Council Members

Subject:

International Property Maintenance Code and Rental Housing Inspection Program.

Policy/Action Requested:

Provide input and direction regarding the 2018 International Property Maintenance Code and Rental Housing Inspection

Recommendation:

Staff is seeking input, and based on that input, staff may bring back to Council an ordinance to adopt the code and create a rental housing inspection program.

Discussion:

Staff has previously provided a copy of the 2018 International Property Maintenance Code (IPMC) along with commentary to provide additional insight into how the code is used. The actual code, should it be adopted, is substantially smaller without the commentary.

Council should note that the Commentary is to be used in conjunction with the International Property Maintenance Code and not as a substitute for the code. The Commentary is advisory only; the code official alone possesses the authority and responsibility for interpreting the code.

The IPMC is a model code that regulates the minimum maintenance requirements for existing buildings. The IPMC

is a maintenance document intended to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety.

The goals of the code are to protect the character and stability of residential and business areas, preserve property values and to correct and prevent housing conditions that adversely affect or are likely to affect the life, safety, general welfare, and health of residents. The city would have a rental housing inspection program using the 2018 IPMC. An inspector would provide the following services and inspect for items such as the following::

- Public outreach and education
- Annual residential rental licensing compliance
- Rental property inspections
- Complaint driven inspections
- Inspections of repairs to structures

Under a proactive rental housing inspection program, most covered rental units are inspected on a periodic basis to ensure that they are safe and habitable, and that property values are maintained. Typically, inspections take place at designated intervals, though they may also be triggered by an event, such as a change in tenancy. While the hallmark of proactive rental inspection programs is that inspections are not complaint-based but are on a regular schedule, cities with proactive rental inspection programs will also conduct complaint-based inspections.

By relieving tenants of the burden of having to force reticent landlords to make needed repairs, systematic inspections can help ensure that a locality's rental housing stock is maintained and that residents live in healthy conditions.

In addition, by ensuring that landlords are aware of poor conditions before they worsen, systematic code enforcement encourages preventative maintenance, which is more cost effective than deferred maintenance, and thereby helps landlords to maintain their properties.

Often, the most vulnerable tenants don't complain. Some tenants are unaware that they have a right to safe and habitable housing. They may not know about existing tenant protections or code enforcement programs. Or they may have language barriers or disabilities that make it difficult to navigate the code enforcement system. Many tenants may be afraid to complain about their housing for fear of increased rent or landlord retaliation (such as eviction).

As a result of these barriers, the housing inhabited by the most vulnerable populations, which is frequently the worst housing, is often the most likely to fall through the cracks of a complaint-based code enforcement system.

When property owners make substantial repairs to a rental unit, they may pass the cost of repairs along to tenants in the form of significant rent increases. However, by identifying conditions early, periodic rental inspection programs may also help limit the cost of deferred maintenance. In addition, some states have laws that prevent landlords from collecting rents if a municipal inspection has identified violations and repairs remain outstanding after a reasonable time.

If the Council chooses to move forward with a Code, staff will bring back to Council for adoption this summer and if they move forward with the Rental Inspection Program, a staff person would be hired this summer to do outreach to both tenants and landlords to provide education materials in advance of the program that would be in place for January 1, 2022.

Budget Impact:

ATTACHMENTS:

- ▣ [International Property Maintenance Code with Commentary](#)
- ▣ [MN Tenant and Landlord Rights](#)