



CITY OF FLINT

Department of Planning and Development

Sheldon A. Neeley
Mayor

December 27, 2023

To: Flint City Council
From: Emily Doerr, Director - Planning and Development
CC: Ed Taylor, Chief of Staff
Mike Reiter, Chief Building Official
William Kim, City Attorney
Amanda Trujillo, City Treasurer

Re: City of Flint Rental Inspections

The City's rental inspections program protects tenants who make up almost 50% of Flint's residents. Landlords are responsible to ensure a safe environment for their tenants. This includes ensuring that electrical, mechanical, plumbing, and building systems are properly maintained as well as health and safety protections like working smoke alarms, removable bars on egress points (if there are bars present), and the absence mold, insects, or rodents.

The city's previous rental inspections program was placed on hold in 2017 due to litigation. However, in September 2020, the City of Flint enacted Ordinance 200304, which amended Section 24-4 *et seq* of the Flint Code of Ordinances with a new Comprehensive Rental Inspection Code ("Code"). That new ordinance addressed the issued identify in the 2017 litigation and created a new structure to ensure that rental properties in the City are safe for our residents. Unfortunately, implementation of that new ordinance was further delayed due to the COVID pandemic.

The current ordinance requires that all rental properties be registered with the City and certified as being in compliance with the Code's requirements, after an inspection.

In addition, section 46-48 of Flint's Ordinances requires that water service be placed in the name of the property owner, unless the City's Customer Service Department receives (1) what's commonly known as a "water affidavit," (2) a copy of a lease providing that the tenant will be responsible for payment of water bills, and (3) an application for water service. The application for water service includes a requirement that rental properties be registered and certified by the Building Safety and Inspection division. If all three of the documents above are not provided, City ordinance requires that the Customer Service Department place water service only in the name of the property owner to ensure that the water bills will be paid. The City is also prohibited from providing free water service under state law.

Recently there has been an increase in questions from landlords about how the city is handling rental inspections and water accounts. If a landlord is willing to keep the water account for an address in their name, then the rental registration and inspections are not being prioritized. However, if the landlord wants to have water service in a tenant's name, for a single family home a one-time rental registration of \$250 is required and then the rental inspection (required every 3 years) is \$225 which covers both an initial and final inspection, and this inspection must occur to verify that the property is in compliance with the 2021 International Property Maintenance Code, used by the State of Michigan and City of Flint. This makes the landlord eligible for a Certificate of Compliance under the Code. If the unit requires a 3rd inspection, the cost is \$75. For a 2-unit rental building, the inspection is \$300. For buildings above 2 units, it is considered a multi-family structure and the pay scale is detailed on the master fee schedule.

It is the preference of the City's Customer Service Department that water accounts remain in the property owner's name. In such circumstances, unpaid water bills automatically become a lien on the property and are added to the property tax bill if significantly delinquent. When water service is in the tenant's name, water service must be turned off and on each time the occupants change. In addition, if water service is in the tenant's name and 30 days past due (which technically is 60 after the bill is mailed), water service can also be disconnected.

Rental inspections are not automatically scheduled – the landlord must pay the \$200 fee and schedule the inspection. They can be performed in less than a week. Recently, a number of landlords have alleged that they have paid the fee but no inspections were conducted. After a review of City records, we have determined that the primary reason for such delays has been the landlord's failure to schedule inspections after paying the inspection fee.

In addition, water service must be on for the rental inspection to occur. The landlord must activate water in their name for the inspection, which can later be transferred to a tenant. During cold months, the furnace must also be on in order for the water to be turned on, to protect against cold pipes bursting.

If a tenant pays \$200 for a survey inspection, they are also able to get a list of issues that their landlord is required to correct.