



# CALIFORNIA APARTMENT ASSOCIATION Industry Insights

## Sacramento County Rental Housing Inspection Program Components

The components described here are part of the Rental Housing Inspection Program. Each rental owner and manager is responsible for compliance with the ordinance.

### Registration

A property owner may not offer a rental property in unincorporated Sacramento County for rent unless it has been registered with the Sacramento County Rental Housing Inspection Program. The county registration form must be completed online at the Sacramento County website at <http://www.code-enforcement.saccounty.net/Programs/Pages/RHIP.aspx>. For those without internet access, a kiosk is available at Sacramento County Code Enforcement, 9700 Goethe Road, Suite A, Sacramento, CA 95827.

For each property, the following information must be provided: (1) Assessor's parcel number; (2) Property address; (3) Number of rental units; (4) Name and contact information for the owner; (5) Name and contact information for additional contact such as an employee or property manager. A property must only be registered once, unless this information changes. Any change of information must be reported at the link above, within sixty days. This information is not available to the general public.

To exercise the self-certification option, an owner or manager must select the self-certification option on the registration form.

Note: Payment of the annual program fee (see below) does not mean the rental property has been properly registered. Utility billing is done based on the Assessor's property records. This process has nothing to do with Code Enforcement. Unless the owner or manager of a rental property has registered online or in person at the Sacramento County Code Enforcement office, the rental property is not registered and may not be rented to anyone.

### Fees

There are several types of fees associated with Sacramento County Rental Housing Inspection Program:

- **Program fee:** annual per-unit assessment due under the ordinance, currently \$16.00 per year. This fee is currently billed annually through the county's Utility Billing System. The County has an FAQ available that provides additional information about this fee. <http://www.sacutilities.org/Pages/CountyFAQs.aspx>
- **Inspection fee:** cost assessed for inspection by Code Enforcement staff. When Rental Housing Audit inspections are done by a self-certifying rental owner or agent, no inspection fees will be billed. For rental properties deemed to be "problem properties", only Code Enforcement staff is allowed to perform inspection. There is no inspection fee for initial Audit inspection of such properties, but there will be a fee of \$335 for the first follow-up inspection. The assumption for



“problem properties” is that there will be problems found, and therefore a follow-up inspection will be required.

- **Late fee:** any unpaid fees are subject to a 25% late charge.
- **Re-inspection fee:** cost assessed for follow-up inspection by Code Enforcement staff to verify compliance.
- **Additional unit fee:** cost assessed for inspection of units chosen by Code Enforcement staff based on violations found during inspection of unit originally designated for inspection.

## Exemption from Initial and Annual Inspection Requirements

There is no exemption from the requirement to register the rental property or to pay the annual program fee. The following types of properties are exempt from inspection requirements under the ordinance.

- (1) the construction is new – defined as under five years old;
- (2) public housing owned/operated by the Sacramento Housing and Redevelopment Agency
- (3) The rental unit is subject to the federal Section 8 Housing Choice Voucher Program
- (4) Another type of affordable housing unit or property, pursuant to Chapter 22.35, that is already subject to inspection by a local, state or federal government agency.

If you are unsure if your property falls into one of these categories – please review the county ordinance with your attorney. Users will only be able to submit an Exemption Waiver online at <https://actonline.saccounty.net/CitizenAccess/Default.aspx> and click on “Rental Housing Registration/Exemption”.

If complaints are received about these exempt rental properties, code enforcement will still respond.

## Inspection Options

An inspection under the Sacramento County RHIP may be performed by

- Self-certification inspection done by rental owner
- Self-certification inspection by certified third party (i.e., property manager)
- Sacramento County Code Enforcement staff

For “problem properties” only Code Enforcement staff may inspect. Owners of such properties are not eligible for self-certification until they have passed several consecutive inspections and paid all outstanding fees and fines. Once this has been accomplished, the property is no longer deemed to be a problem. The owner can perform inspections under the self-certification option.

## Frequency of inspections:

Sacramento County Rental Housing Inspection Program requires the following inspections:

- Move-in inspection at or prior to move-in
- Annual inspection of each unit
- Annual inspection of exterior and common areas not associated with a particular unit.

The pre-move out inspection required by California law is not required by the county. The final walkthrough and inspection of the vacant unit after move-out is done as a good business practice by owners and managers. It is not required by either the county or the state.



## Information for Tenants

- **Resident Rights form:** required to be given to the tenant at or before move-in. This is a form that has been approved by the county for this purpose and has been produced by the California Apartment Association-Sacramento Valley. This form is attached to this paper and can also be obtained from the Sacramento County website at [http://www.code-enforcement.saccounty.net/Documents/Residents\\_Rights\\_Form\\_Sac\\_Cn.pdf](http://www.code-enforcement.saccounty.net/Documents/Residents_Rights_Form_Sac_Cn.pdf)
- A copy of the completed **Sacramento County inspection checklist:** required to be given to the tenant within ten days of the inspection. Samples of the interior and exterior checklist are attached at the end of this paper. Copies are also available online at <http://www.code-enforcement.saccounty.net/Documents/InspectionCkls-Interior.pdf> and <http://www.code-enforcement.saccounty.net/Documents/InspectionCkls-Exterior.pdf>

## Inspection report

Depending on who is performing the inspection, the written records may include:

- Code Enforcement staff inspection checklist
- Self-certification inspection checklists designed by Sacramento County
- Proprietary inspection forms which match or exceed the detail of the County checklists

When owners or managers inspect rental property under the self-certification option, they can make use of the one-page inspection checklists designed by Sacramento County Code Enforcement. One inspection form covers the exterior of the rental, and the second form covers the interior. These one-page documents are normally completed at the end of the inspection based on the inspector's more detailed inspection form. The original checklist is held on file by the owner for three years and these need to be signed by the tenant and a copy is given to the tenant within ten days of the inspection.

Beginning in 2018, Sacramento County Code Enforcement will also allow the use of other proprietary inspection documents, as long as they cover all the areas for inspection that are included on the county checklists.

## Correction of Violations

Violations found by the property owner should be corrected as quickly as possible. Complaints received by the county will result in a courtesy letter to the owner, giving 30 days to correct the violation. A follow-up inspection will be done to be sure corrections have been made. If all corrections have been made, there will be no charge for the follow-up inspection.

If corrections have not been made within the time allotted, there will be a charge of \$470 for the follow up inspection. If a second complaint is received within six months, no courtesy letter will be sent. Instead an inspection will be scheduled and the owner may be charged up to \$335 for the inspection, plus administrative costs.

Continuing violations will result in \$335 inspection charge plus administrative fees plus half-hour rates for inspection of units that remain in violation. A half-hour rate is \$60 per unit. All of these charges are considered to be fees, not fines.

## Non-Compliance - Fines

Whether noncompliance is based on program paperwork or on the property's physical condition, it can result in fines. For continuing non-compliance on code violations, Code Enforcement has the ability to



issue administrative citations after the second inspection. These fines can range from \$100 to \$1,000 per day until compliance is achieved.

Failure to register a rental property will also result in a fine. The first step is a letter from Code Enforcement notifying the owner that the property is unregistered and giving the owner 30 days in which to register.

If the property is not registered within 30 days, county staff will post a notice of administrative penalty at the property. This gives the owner another 30 days in which to register. The owner will be charged \$120 for the posting of the notice. If the property remains unregistered, county Code Enforcement will assess a \$500 fine. This fine can be repeated if the property continues to be unregistered.

## **Record Retention**

Rental owners must keep copies of all program documents, including inspection reports, for three years from the date of the tenant's last day of occupancy. Documents related to annual inspections of exterior and common areas not associated with a particular unit must be retained for at least three years after the date of the inspection. Original inspection reports should be retained in a manner that makes them accessible to county auditors, who will need to see them to confirm compliance with the inspection ordinance.

## **Training Requirements**

Sacramento County does not require mandatory training for a rental owner who is inspecting his or her own property, unless it is a problem property. The owner of such a property can be ordered into mandatory training when the condition of their property remains unacceptable.

Any third-party agent such as an employee, property manager or professional inspector who performs inspections for a rental owner is required to complete a certification class approved by the county. The certification is good for five years, and then must be renewed with additional training.

Sacramento County does not require owners/managers to produce a training certificate during audits. A master list of all certified persons is maintained on the website of the California Apartment Association, to allow county auditors to confirm certification status of specific persons.

## **Compliance audits**

Compliance auditing began in 2011. It is based on several factors:

- Random selection of properties
- Random selection of self-certifying rental owners
- Deliberate selection of a specific owner entity

Code enforcement staff acting as auditors will ask to review program documents to ensure the property is in compliance. Such documents include proof that copies of Resident Rights forms were provided to tenants, as well as inspection checklists from move-in and annual inspections.

The auditor will inspect the property on both the exterior and interior. If multiple violations are found, the property will fail the inspection. If a minor violation is found, the owner will have 30 days in which to correct the issue. As long as that is done, the owner can continue in the self-certification portion of the program.





OWNER/PROPERTY MANAGER

COMPANY

ADDRESS

CITY, STATE, ZIP

(      )  
PHONE

EMAIL

# RESIDENT'S RIGHTS FORM

Welcome to your new rental home. We hope your stay is enjoyable, so we encourage you to talk to us if you have any questions about your home or about our rental policies. This information sheet provides you with general information about your rights and responsibilities. Please read it carefully and let us know if you have any questions. Our contact information is listed above.

## Rights and Responsibilities

Owners and residents of rental properties have specific rights and responsibilities under current state and local laws. As a resident, your rental home must be a safe place to live. In other words, it must be habitable. This means that your home must have the following:

- ♦ A structure that is weatherproof and waterproof; there must be no holes or cracks that allow rain or wind to enter;
- ♦ A plumbing system in good working condition and connected to the local water supply and sewage system or functional septic system;
- ♦ Floors, stairs and railings in good repair;
- ♦ A hot water system capable of producing water of at least 110 degrees Fahrenheit;
- ♦ An electrical system that was legal when installed and without loose or exposed wiring;
- ♦ A heating system that is in a safe, working condition.
- ♦ A lack of insect or rodent infestation;
- ♦ A home that is free from garbage or debris;
- ♦ Sufficient garbage or trash receptacles;
- ♦ A working toilet, wash basin and bathtub or shower;
- ♦ A kitchen with a sink;
- ♦ A safe fire or emergency exit;
- ♦ Deadbolt locks on each main swinging door that gives you entry to the home;
- ♦ Working smoke detectors and carbon monoxide detectors located in certain areas;
- ♦ Working telephone jack and phone wiring inside the home.

### Contact Your Rental Owner or Property Manager First

If you have any problems with your rental home, notify the rental owner or property manager first, preferably in writing. If it is an emergency such as water intrusion or water damage, contact the owner or manager immediately.

As a resident, you have a responsibility to do the following:

- ♦ Maintain a clean and sanitary rental home;
- ♦ Properly dispose of garbage or trash;
- ♦ Properly operate all electrical, gas and plumbing fixtures;
- ♦ Refrain from damaging or defacing the home or allowing anyone else to do so;
- ♦ Use the living and dining rooms, bedrooms and kitchens for their proper purposes;
- ♦ Report broken door or window locks;
- ♦ Contact the rental owner or property manager immediately to report any problems with your rental home especially any water damage or leaks;
- ♦ Comply with all rules, terms and conditions of the rental agreement.



## Retaliation is Against the Law

A rental owner or property manager may not evict or threaten to evict a resident for exercising a legal right, such as requesting habitability repairs.

## Maintenance and Repairs

Owners and managers want to know if there is an item that needs repair in your home. If you have a problem with any of the habitability items listed, you should:

- ♦ **Contact the rental owner or property manager first.** You should document your request in writing and keep a copy. If there is water intrusion, a water leak or any water damage occurring to the property, contact the owner or manager immediately by using the telephone number on the front of this page.
- ♦ **Allow a reasonable period of time for repair.** In most cases, the owner or manager will begin working on your request shortly after it is made. Some repairs may take longer than others to complete. Current law indicates that 30 days is a reasonable period of time to address a repair, but it also depends on the nature of the repair.
- ♦ **Contact your local code enforcement department.** If you have made a request for a habitability item listed and waited a reasonable period of time and the repair has not been made, you may contact your local code enforcement department to file a complaint.

## Owner's Right to Enter and Your Rights

In most cases, the owner or manager must provide you with prior written notice to enter your rental home. Written notice is considered reasonable if it is provided at least 24 hours in advance. A written notice **is required** in the following situations:

- ♦ To make necessary or agreed upon repairs;
- ♦ For inspection of the smoke detector and carbon monoxide detectors;
- ♦ To inspect waterbeds;
- ♦ If a court permits it.

However, a prior written notice **is not** required in the following situations:

- ♦ In an emergency;
- ♦ When you or another occupant consents;
- ♦ After you have abandoned or surrendered the rental home;
- ♦ Upon a verbal agreement to allow the owner to make agreed upon repairs or supply services.

## Rental Agreement and Other Obligations

The rental agreement, whether it is a month-to-month or a lease, provides the rules and policies while living at the rental home. Be sure to read the language carefully because it is considered a contract between the owner (and/or manager) and resident.

## County Code Enforcement

### COUNTY OF SACRAMENTO

24-hour complaint line: 3-1-1  
or (916) 875-4311

## City Code Enforcement

### CITY OF SACRAMENTO

24-hour complaint line (916) 808-5011

### CITY OF CITRUS HEIGHTS

24-hour complaint line (916) 725-2845

### CITY OF ELK GROVE

Mon–Fri, 8 am–5 pm (916) 687-3023

Emergencies, after hours, weekend  
(916) 714-5115

### CITY OF FOLSOM

Mon–Fri, 8 am–5 pm (916) 355-7229

Emergencies, after hours, weekend  
(916) 355-7230

### CITY OF GALT

24-hour complaint line (209) 745-1337

### CITY OF RANCHO CORDOVA

24-hour complaint line (916) 851-8770

