

M E M O R A N D U M

TO: Mayor Satterthwaite and City Council Members

FROM: Esther Patt

DATE: February 24, 2005

RE: **REVISED RENTAL REGISTRATION PROGRAM DESCRIPTION**

Attached is a revised description of the proposed Rental Registration Program for further discussion at the February 28th meeting of the Committee of the Whole. With a great deal of help from Glenn Berman, this version includes suggestions made by council members at the February 14th Committee meeting and changes to address the concerns that you raised.

Thank you in advance for your consideration of this proposal and for your input to improve the program description.

Attachment

**RENTAL REGISTRATION PROGRAM
FOR SINGLE FAMILY HOMES IN THE CAMPUS AREA**

PURPOSE

Whereas, the City recognizes that the residential area in immediate proximity to the University of Illinois is subject to over-occupancy issues that threaten the vitality and livability of the area, the Rental Registration Program, with its accompanying affidavit, is designed to monitor and enforce occupancy standards for single family rental houses in this area.

PROGRAM DESIGN

1. This ordinance shall apply to all single-family homes in the area between University and Florida Avenues and west of Vine Street that are rented for occupancy by persons other than the owner of the property. This area will be identified as the Rental Registration Zone. The zone borders shall be the south side of University Avenue, the north side of Florida Avenue, the west side of Vine Street and the east side of Wright Street. Owner-occupied homes that are rented for a period of less than twelve continuous months, such as sabbatical homes, shall be exempt. Owner-occupied homes renting out two or fewer rooms are additionally exempt.
2. Every owner of a single-family residential rental property within the Rental Registration Zone 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 single-family rental property may be occupied for residency unless the property is registered with the city in accordance with this ordinance. A fee of \$10 shall be charged for the initial registration. If reasonably possible, the City will provide for online registration.
3. Every rental property owner shall be required to update his or her registration, at no additional fee, if:
 - a. any new property is acquired;
 - b. the address or telephone number of the owner changes;
 - c. a new manager assumes responsibility for management of a property;
 - d. the address or telephone number of the manager changes.
4. Each time a house is leased, the owner shall file with the city:
 - 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 have been informed by the landlord of the occupancy limits for the house and that the tenants will not allow the house to be occupied by more than 4 unrelated persons. Any person who uses the address of the house for any purpose shall be considered an occupant unless he or she can prove residence at

another location. Tenant relationships only need to be identified on the affidavit form if the number of tenants other than children exceeds four in which case relationships need to be identified to the extent necessary to establish that not more than four tenants are unrelated.

- c. A fee of \$3.00 shall be charged for each affidavit that is filed.
5. The City shall maintain a database of registered properties that identifies the location, registered property owner and/or property manager and the filing date of the most recent affidavit. This database shall be available to the public and available online. In the interest of reasonable privacy for tenants, the affidavits themselves shall be exempt from any Freedom Of Information Act requests and no tenant affidavit information shall be disclosed by the City unless by court order or in order to prosecute violators.
6. Any advertisement, sign, or other form of written representation about the availability of a single-family house for lease in the Rental Registration Zone shall state the maximum number of unrelated persons allowed by law to occupy the dwelling.
7. Penalties for violation of the provisions of this ordinance. The fines set forth below shall apply to each person/company who violates the provisions of this ordinance. On the first offense of Category A, a person/company shall not be liable for fines in both Categories A and B. If a person/company commits the same violation a second time, such violation shall be considered a second offense, even if a different property owned by that person/company is the property at which the second violation occurs. The fine for a third offense will be imposed if the same person/company commits the same violation three times, even if at a different property owned by that person/company.
 - a. Failure of property owner to register a property:

1st offense:	Fine of \$100
2nd offense:	Fine of \$250
3rd offense:	Fine of \$1,000
 - b. Failure of property owner to file an affidavit:

1st offense:	Fine of \$100
2nd offense:	Fine of \$250
3rd offense:	Fine of \$1,000
 - c. For affidavit perjury by property owner:

1st offense:	Fine of \$500
2nd offense:	Fine of \$1,000
3rd offense:	Fine of \$2,500 and suspension of registration for a period of 1 year during which the house may not be leased.
 - d. For affidavit perjury by tenant (applies to each tenant individually):

1st offense:	Fine of \$250
2nd offense:	Fine of \$500
3rd offense:	Fine of \$1,000

RENTAL HOUSING OCCUPANCY AFFIDAVIT

Dwelling Address: _____

Dates of Occupancy:

Lease Start Date: ____/____/____ **Lease Stop Date:** ____/____/____

I have made personal and diligent inquiry and make this affidavit based upon personal knowledge that the dwelling unit listed above has been leased to a household containing no more than four unrelated persons. Prior to offering the dwelling unit for rent, I informed the prospective tenants that Urbana law prohibits more than 4 unrelated persons from occupying the dwelling unit.

Initial one of the following:

___ I am the owner of the property ___ I am the manager of the property

If this dwelling is leased to more than four persons, excluding children, I have listed below the names of lessees who are related, and their relationship, as necessary to demonstrate that the house has been leased to no more than four unrelated adults:

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

I affirm under the penalties for perjury that the foregoing representations are true. Submission of a perjured affidavit is a violation of Urbana City Code punishable by a fine of between \$500 and \$2,500 and may result in the suspension of the rental registration.

Print Name

Signature

Date

***** TENANTS MUST COMPLETE REVERSE SIDE OF THIS FORM *****

**OCCUPANT CONFIRMATION OF NO MORE THAN FOUR (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 and that the owner or manager has informed me that the City of
Urbana prohibits more than 4 unrelated persons from occupying this house.

**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. Submission of a perjured affidavit is a violation of Urbana City Code
punishable by a fine of between \$250 and \$500.

Print Name

Print Name

Signature

Signature

Date

Date

Print Name

Print Name

Signature

Signature

Date

Date