



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 07/20/04

AGENDA ITEM \_\_\_\_\_

WORK SESSION ITEM WS#2

**TO:** Mayor and City Council  
**FROM:** Director of Community and Economic Development  
**SUBJECT:** Report on Residential Rental Inspection Program for Fiscal Year 2003-04

**RECOMMENDATION:**

It is recommended that the City Council review and comment on this report.

**DISCUSSION:**

In 1989 the Council adopted the Residential Rental Inspection Program for buildings with three or more units, hotels and motels. The intent of the program is to ensure that housing used for commercial purposes meets minimum health and safety standards, and that Hayward residents are not subjected to substandard housing conditions. In 1993 the Council expanded program coverage to include units receiving Section 8 rent subsidy and single-family homes, duplexes and condominiums that are rented.

In 2002, the City Council authorized the creation of an Ad Hoc Rental Housing Work Group to focus on issues regarding rental housing and provide recommendations to City Council on solving problems related to appearance, health and safety and escalating rents. The Work Group was composed of two representatives of the Rental Housing Owners Association; two representatives of groups working with Hayward tenants; a representative of the Alameda County Housing Authority (which operates the Section 8 Program); and a representative of Eden Housing Inc, a local nonprofit affordable housing developer. The program changes that were adopted by Council and became effective July 1, 2003 were developed pursuant to monthly meetings of this group, and the information in this report was reviewed with the group on May 17, 2004.

The central concept for the revised program was to concentrate resources in areas of the City with the largest number and greatest density of units. In many instances these are also some of the oldest rental units in the city. Historically, these areas have accounted for the largest number of violations encountered.

There are approximately 7,700 units within the six areas selected for initial concentrated effort (see Attachment A). It was estimated that this number of units could be inspected and cleared in a 3.5-year cycle, given the assignment of the full complement of 3.5 FTE Housing Inspectors. This was approximately half of the previous cycle time, and would allow the staff to also continue the existing level of decontrol and complaint inspections.

Other program changes included random sampling of units outside of the six areas of concentration and notice to tenants in Spanish and English of the availability of the complaint procedure and the prohibition on retaliation. An annual per unit fee was instituted for all rental units and the fee for the first progress check was waived if the violation had been corrected. In general, the fees continue to be structured to charge for violations found at the initial site visit (survey) and for each subsequent site visit (progress check) until the violation has been corrected, on the premise that it is the legal responsibility of the owner to assure that residential rental property available in the open market is decent, safe and sanitary at all times. Some landlords had suggested that the fee structure should be similar to that used for the Community Preservation Program, wherein no fee is charged for the initial site visit or survey to determine if violations exist, or for the first progress check to determine if the violation has been abated. If this were the case, a large majority of rental properties inspected during the past year would have paid no fees and the cost of the required inspections would have been borne by the general public through the General Fund.

### Fiscal Year 2003-04 Accomplishments

Several administrative and system modifications were required in order to implement the revised program beginning July 1, 2003. Letters briefly describing the program changes were drafted and mailed to all owners of rental property (Attachment A) to familiarize them with the new requirements. Enclosed with the letter was a form of the Notice to Tenants in English and Spanish (Attachment B), and an invoice for the coming year's annual fee. The packet of materials normally sent to the owner prior to a mandatory inspection (Attachment C) was also revised to reflect the program changes. It included an updated program brochure, appointment letter, list of violations frequently observed, and the new fee schedule.

In addition to the general information that was distributed to all rental property owners, significant changes were made to the manner in which the list of continuing violations is provided to the property owner. A listing of all possible violations was created for the computer system from which Inspectors could develop a list of violations specific to each unit surveyed. Using this template, Housing Inspectors are now able to revise the list of corrections after each progress check to reflect only the remaining outstanding items. This revised list is sent to the owner in advance of each progress check to allow the owner to focus correction efforts on the outstanding violations.

System improvements also included the ability to statistically track the categories of violations found during inspections. This feature allows staff to identify the types of code violations that are common for various types of properties, and provides information that can be used to better educate property owners about how to recognize code deficiencies and patterns on their property. It also allows better tracking of the number of units inspected, the number of progress checks required prior to case closure, the type of code violations found, and the revenue generated by the program. This information is reflected in the attached charts (Attachment D) covering July 1, 2003 through May 31, 2004.

### Focus Area Mandatory Inspections

Chart D-1 shows that 460 cases came under the purview of the mandatory inspection program in the Council adopted Focus Areas between July 1, 2003 and May 31, 2004. Each "case" represents one parcel of land, may contain one or more buildings and may represent multiple

dwelling units. Of the 460 cases opened, 300 cases were closed during this period, with 99 cases (33%) closed subsequent to the first survey, indicating they had no code violations and that no fees were charged. An additional forty percent (41%) of the cases were closed after the first progress check, for a total of seventy-four percent (74%) of cases. Another fifteen percent (15%) were able to be closed after the second progress check, for a total of eighty-nine percent (89%) of the cases, indicating that in the vast majority of properties where code violations are found, they can be corrected within one to three months.

Unfortunately, the remaining eleven percent (11%) required three or more progress checks before all of the violations had been corrected. Of the other 160 cases that were opened during this period, seventy-four were in the process of background research or attempting to gain entry for the initial survey and the remaining 86 cases were in progress, with seventeen percent (17%) of these 86 cases already in their third, fourth, fifth or greater progress check. These figures indicate that a small, but significant percentage of cases (11% - 17%) take many months (3-10 months) to reach closure and absorb an undue proportion of the staff time available for this program. It is extensive delays experienced with these cases that the penalty fees are designed to discourage.

Chart D-2 recasts these cases in terms of numbers of units involved. The mandatory inspection program in the Focus Areas actually surveyed 3,303 units between July 1, 2003 and May 31, 2004. This indicates that the program can easily meet, and possibly exceed, the projected three and one-half year turnaround time to inspect all 7,700 units in the focus areas.

Of the units surveyed, approximately one half (1644) were found to have violations. Individual violations cited totaled 6,913. As the chart indicates, 1894 (45%) were violations of the Uniform Building Code; 1,033 (25%) were violations of the Uniform Plumbing Code; 413 (10%) were violations of the Mechanical Code, and 874 (20%) were violations of the Electrical Code.

In the single-family rental category, the violations most commonly found included illegal additions through patio enclosures, garage conversions and sheds that compromise required light, ventilation and egress; windows that are not operational, incorrectly sized for egress in case of fire or lacking safety latches; unsafe electrical panels and excessive use of temporary electrical cords; water heaters that are not properly strapped or missing drain lines; and dry rot on roof eaves. In multifamily developments, violations most commonly observed included deteriorated decking and balconies; dry rot in bathroom floors; missing or inoperable smoke detectors; windows that are inoperable and restrict ventilation or are incorrectly sized for egress in case of fire; conversion of garages and carports to habitable space; and lack of adequate exterior lighting in carports, hallways, and walkways. In addition there were 13 violations in common areas and 2,686 miscellaneous violations that included, but were not limited to, items such as deteriorated paint or fencing, broken or cracked walkways, and malfunctioning window locks.

#### Focus Area Complaint Inspections

An additional forty one cases were investigated as the result of complaints received by the Program staff. As a result of these complaints, sixty-one (61) units were found to have violations. Of these, fifty-three (53) or 87% we found to be units with violations at the time of survey. Of the 201 violations found, 38% were violations of the Uniform Building Code, 32% were violations of the Uniform Plumbing Code, 7% were violations of the Mechanical Code, and 23% were violations of the Electrical Code. Complaints resulted in the need for three or more progress checks and longer timeframes to case closure in a higher proportion of cases (15% - 32%) than that indicated for mandatory inspection cases.

Although more specific data on the program in the Non-Focus areas will not be available until next annual report, at this time it appears that these areas will also be able to meet the projected three and one-half year turnaround time.

Summary

In summary, the first year's progress suggests that the goals set forth for the reconfiguration of the Residential Rental Housing Inspection Program will be met within the three and one half year timeframe. Program revenues have totaled approximately \$370,000 for the fiscal year to date, with about \$138,000 derived from the Annual Fee, a little more than \$200,000 derived from fees and penalties assessed for violations, and about \$26,000 in rental decontrol fees. The additional revenue has allowed the hiring of one additional Inspector and improved program cost recovery to about 90 percent. This cost recovery rate is likely to be reduced over the next few years because the shorter time span between inspections should cause a reduction in the number of violations encountered.

Prepared by:

  
Sylvja Ehrental, Director of Community  
and Economic Development

Approved by:

  
Jesus Armas, City Manager

- Exhibits: Attachment A: Program Fee Information Letter  
Attachment B: Program Complaint Letter (English and Spanish)  
Attachment C: RRIP Initial Correspondence Packet  
Attachment D: Program Statistical Data  
D-1: Open and Closed Cases by Progress Checks – Mandatory  
D-2: Violations in Units Inspected – Mandatory & Complaint  
D-3: Open and Closed Cases by Progress Checks - Complaint

ATTACHMENT A

Re: Residential Rental Inspection Program

Dear Property Owner

In April of 2003, the City of Hayward adopted new regulations and fees regarding the Residential Rental Inspection Program (RRIP).

The following is a brief description of the new regulations:

- Property inspections will focus on areas with the greatest concentration of rental housing.
- Rental properties in the focus areas will be inspected approximately every 3.5 years.
- Rental properties outside the focus area will be inspected through a random sampling of 10% of the units in a given census tract.
- An annual per unit fee has been instituted for all rental property within the City. This fee is \$5.00 per unit for complexes with five or more units. For single-family units, triplexes and four-plexes, there is a flat \$20.00 fee.
- Owners of rental units covered under the provisions of this code shall be required to provide notice of the availability of the Residential Rental Inspection Program and its complaint procedures to each tenant upon execution of a lease or rental agreement.

A copy of the Notice, in both English and Spanish is enclosed for your convenience. Please feel free to make copies for your files.

The enclosed invoice represents the annual fee assessed against the rental property at the Assessor's Parcel Number noted above. The fee is due and payable upon receipt. If you have documentation that the number of units is incorrect or that you no longer own the property, please contact the Building Division at (510) 583-4140.

Sincerely,

Hilary R. Herman  
City Building Official

Enclosure: Invoice  
Notice to Tenant



# NOTICE

This Notice is provided as a courtesy. Please feel free to make copies at will.

The City of Hayward has maintained a Residential Rental Inspection Program (RRIP) since 1989. The purpose of the program is to insure dwelling units are safe and sanitary, comply with Housing Code standards, prevent deterioration of the City's housing stock and help to maintain stable and attractive neighborhoods.

Approximately 2,500 units are inspected Citywide annually through the Residential Rental Inspection Program.

Additionally, if a tenant believes their residential unit has Housing Code violations and has not been inspected, they should:

- Contact their landlord regarding the possible violations and give them adequate time to repair (usually 30 days).
- If unable to receive compliance in a reasonable time, a tenant may request an inspection from the City of Hayward Housing Division at 583-4142.
- If there is an imminent hazard, call 911, or PG & E for gas or electrical hazards at 1-800-743-5000 and notify the landlord.

Note: The Hayward Municipal Code (HMC), Section 9-5.305 includes protection from retaliation for tenants who exercise their rights to file a complaint regarding a code violation.

If you are unsure if the problem is a Housing Code violation, please call (510) 583-4142.

Two copies of this form must be signed simultaneously with the execution of any lease or rental agreement for residential rental property within the City of Hayward (HMC Section 9-5.304).

\_\_\_\_\_  
Tenant

\_\_\_\_\_  
Landlord/Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

One copy shall be kept by the landlord and one by the tenant.



# AVISO

Este Aviso se provee como una cortesía. Por favor siéntase libre de hacer todas las copias que desea.

La Ciudad de Hayward ha mantenido un programa de Inspecciones de Propiedades Alquiladas (RRIP) desde 1989. El propósito de este programa es para asegurar que las viviendas de alquiler sean seguras, higiénicas, y que cumplan con los códigos establecidos de vivienda, para prevenir el deterioro en el número de viviendas de alquiler disponible y para mantener vecindarios atractivos y estables.

Aproximadamente 2,500 unidades son inspeccionadas anualmente en toda la ciudad a través del programa de Inspecciones de Propiedades Alquiladas.

Adicionalmente, si el inquilino cree que su apartamento tiene violaciones del código de vivienda y que no ha sido inspeccionado, el inquilino debe de:

- Contactar al gerente de los apartamentos dejándole saber de las violaciones y darle un tiempo adecuado para hacer las reparaciones (aproximadamente 30 días).
- Si no recibe solución de las violaciones en un tiempo razonable, el inquilino podría pedir una inspección a la ciudad de Hayward División de Casas (Housing Division) al número 583-4142.
- Si algo corre peligro inminente, llame al 911, o para peligros de gas o electricidad, llame a P G & E al número 1-800-743-5000, y notifique al gerente de los apartamentos inmediatamente.

**NOTA: El Código Municipal de la Ciudad de Hayward (HMC), Sección 9-5.305 incluye protección a retribución contra inquilinos quienes ejercen sus derechos al llenar una forma de queja contra una violación del código.**

Si usted no esta seguro de que el problema sea una violación del código de vivienda, por favor llame al (510) 583-4142.

Dos copias de esta forma deben ser llenadas simultáneamente con la ejecución de un contrato de cualquier alquiler dentro de los limites de la ciudad de Hayward (HMC Sección 9-5.304).

\_\_\_\_\_  
Inquilino

\_\_\_\_\_  
Gerente/Dueño

\_\_\_\_\_  
Fecha

\_\_\_\_\_  
Fecha

Una copia deberá ser guardada por el gerente y una copia será para el arrendatario.

## Examples of items that are not code violations

Below are items that are not code violations:

- ♦ Missing or defective light bulbs, **except** where located in exterior common areas, corridors or areas controlled by house meters
- ♦ Worn carpets or other floor coverings, **except** when there is a tripping hazard
- ♦ Deteriorated tub, lavatory or kitchen caulking or grout, **except** when water damage is evident
- ♦ Items stored or left on landings, exit balconies or in stairwells, e.g., toys, plants (recommend owner or manager establish and enforce rule prohibiting this practice)
- ♦ Storage of possessions (not permitted in water heater room)
- ♦ Deteriorated interior painting
- ♦ Noisy bathroom or kitchen vent fan
- ♦ Dirty range hood or vent fan
- ♦ Cracking of interior wall joint, **except** when integrity of wall is compromised
- ♦ Deteriorated interior cabinetry or wood trim
- ♦ Mold or mildew in tub or shower areas or on window areas, **except** if window or fan is inoperable or wall is damp
- ♦ Missing window screen or hole in screen

### City of Hayward

#### Residential Rental Inspection Program

777 B Street

Hayward, CA 94541

(510) 583-4142

Hours: Monday - Friday

8:00 am - 5:00 pm

Please note: Permit Center closed  
Friday 12:00 pm - 5:00 pm

777 B STREET, HAYWARD, CA 94541-5007

CITY OF  
HAYWARD



ATTACHMENT C

# Residential Rental Inspection Program

DEPARTMENT OF COMMUNITY  
AND ECONOMIC DEVELOPMENT



CITY OF  
HAYWARD

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

## Residential Rental Inspection Program

In 1989, the City Council adopted an ordinance establishing a mandatory Residential Rental Inspection Program (RRIP). The purpose of this Program is to safeguard the stock of safe, sanitary rental housing units within the City and to protect persons entering or residing in them, by providing for systematic inspection of rental housing throughout the City. In April 2003, the City of Hayward revised the Program in an effort to focus attention on rental housing in higher density areas. It is the goal of the RRIP to inspect units within these Focus Areas once every 3.5 years.

## Complaints

Properties outside of the Focus Areas are inspected less often unless the City receives a complaint on the property. Complaints regarding possible code violations not addressed by the property owner will result in a mandatory inspection. For more specific information regarding complaint policies and procedures, please call us at 510-583-4142.

## What is covered by the Residential Rental Inspection Program?

All rental units--single family homes, duplexes, apartments, condominiums, motels and hotels are covered. Section 8 units are also subject to inspection.

## What are the costs to the property owner?

The fee for the initial inspection and for a progress check of a duplex and multi-family unit is \$150, plus \$60 for each unit in which a violation is found. The cost for the initial inspection and each progress check of single-family houses, condominiums or townhouses is \$150 per site visit.

However, if no violations are noted, or if violations are found during the initial inspection and are corrected by the first scheduled progress check (typically 30 days), no fee will be charged for the progress check. To minimize undue delays in compliance, penalty fees ranging from \$200-\$1,000 will be assessed if the property owner does not correct the violations in a timely manner, or if access to the unit is not granted.

## What is inspected?

Rental units, common areas and accessory structures are inspected for compliance with Building, Plumbing, Mechanical, Electrical and Housing Codes, including but not limited to such items as:

### Building Code Items

- ◆ Balcony, deck, roof, or stairway defects
- ◆ Significant dry rot
- ◆ Deteriorated or damaged shower wall or subfloor
- ◆ Improperly modified or damaged fire safety walls, doors or windows
- ◆ Illegal construction or use of premises

### Plumbing and Mechanical Code Items

- ◆ Improperly installed or missing water heater drain line
- ◆ Inadequate combustion air supply to water or wall heater
- ◆ Gas leak
- ◆ Use of plastic drain, waste or vent lines
- ◆ Defective wall heater or water heater valve handle

### Electrical Code Items

- ◆ Unsafe wiring
- ◆ Ungrounded or defective receptacles or switches
- ◆ Circuit breaker or sub-panel defects
- ◆ Missing or improper fuses or spacers
- ◆ Defective range top, burner or oven

### Housing Code Items

- ◆ Illegal storage of hazardous materials or liquids
- ◆ Inoperable exhaust fan
- ◆ Severely deteriorated exterior paint or siding
- ◆ Missing or defective smoke detector
- ◆ Insect or rodent infestation
- ◆ Broken window or door

## What is the timeframe for correcting violations?

Time for correction of violations ranges from 30-45 days, depending on the number and nature of the violations. Extensions may be allowed for significant progress; however, penalty charges could be assessed for not correcting the violations within the initial 30-45 days. Imminent hazards must be corrected within seven days or less. Citations may be issued, fees assessed or abatement procedures initiated in cases of uninhabitable homes and/or lack of good faith compliance. All enforcement costs will be billed to the owner.



CITY OF HAYWARD  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
RENTAL INSPECTION PROGRAM

9/30/03

**INSPECTION DATE: 11/05/03 @ 9:00 AM**

**INSPECTOR: JB Juarez**

**PHONE #: 510-583-4162**

Re: Code Compliance Inspection @

Dear

In 1989, the City adopted regulations establishing a mandatory code compliance inspection program for multi-family housing. The purpose of the program is to insure that dwelling units are safe and sanitary and comply with Housing Code Standards; to prevent the deterioration of the City's housing stock; and to help maintain stable and attractive neighborhoods. This program was modified in 1993 to also require inspection of all non-owner occupied rental single-family homes, condominiums, townhouses and duplexes.

Recently, the City revised the Residential Rental Inspection Program (RRIP) to focus on areas with the greatest concentration of rental housing. The six areas selected for concentrated effort include: South Garden; Harder-Tennyson (Census Tract 4377); Harder-Tennyson (Census Tract 4375); South Hayward BART/Dixon Street; Burbank; and the Jackson Triangle (see attached map). All rental units within these areas will be inspected approximately every three and one-half (3.5) years.

Rental properties outside of the focus area will be inspected through a random sampling of 10% of the units in a given census tract. Properties selected in these areas that passed inspection by the first progress check in the previous cycle will be subject only to a common area inspection unless violations are apparent, in which case all units will be inspected. Properties that do not meet the above criteria will receive a full inspection.

**The fees and penalties for the RRIP have also been revised to reflect cost increases since the fees were last adjusted in 1993 and to encourage more speedy compliance with the codes. The new fee and penalty schedule is:**

- Fees for surveys and progress checks are \$150 per parcel and \$60 per unit. If no violations are identified, no fee is charged.

- The fee for the first progress check will be waived if the violation has been corrected.
- Penalties for lack of timely compliance have been increased to provide greater incentive for maintenance of the housing stock. They are \$200 if compliance is not achieved by the second progress check; \$400 by the third progress check, \$800 by the fourth progress check and \$1000 by the fifth and each subsequent progress check.

A complete fee schedule is included with this letter for your convenience.

You will typically be given 30 days to correct code violations identified as a result of the initial inspection. However, where dangerous conditions are found to exist (such as hazardous electrical wiring or lack of adequate sanitation), corrections may have to be completed within 48 hours. In rare cases, compliance procedures may result in requiring the premises to be vacated and utility services disconnected.

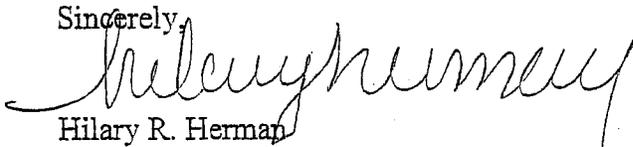
The Hayward Municipal Code requires **that ... "owners and managers ... allow for the inspection of these units"** (Section 9-5.306). While it is preferable that you be present at the inspection, it is not required. However, you must notify your tenant(s) of the inspection date and time and grant the inspector access to the unit(s) and grounds. Pursuant to State law, and as a courtesy to your tenant, they must be notified at least 24 hours in advance of this or any subsequent inspection. Conversely, the tenant need not be present, as long as you or your representative are present.

To assist you in maintaining and bringing the property up to code prior to inspection, attached is a list of violations that are most frequently observed. By correcting any deficiencies in advance, not only will you provide a better living environment for your tenant, you will minimize inspection fees.

**For questions about code requirements or fees, please call your inspector. To confirm your appointment, please call (510) 583-4142; and in case we need to contact you (e.g., inspector is ill), please leave your phone number or include it on any correspondence you send.**

Your understanding and cooperation in this matter is greatly appreciated. In turn, staff will make all reasonable efforts to minimize disruption to you and your tenant.

Sincerely,



Hilary R. Herman  
Building Official

Attachments: Map  
Rental Inspection Fee Schedule  
List of Common Code Violations

CITY OF HAYWARD  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
RENTAL INSPECTION PROGRAM

ATTACHMENT C

INSPECTION LIST/CORRECTIVE MEASURES

- A. *Inspection for code compliance is based on the Building, Housing, Electrical, Plumbing and Mechanical Code in effect at the time of original construction or subsequent additions or repairs. The following standard list of items will be cited if uncorrected. However, if the inspection reveals the existence of other serious code violations they must also be corrected.*
- B. *Pursuant to City regulations, the owner of a rental unit is only allowed to pull a building permit. Electrical, plumbing or mechanical permits must be pulled by a State licensed contractor*
- C. *The 1998 California Building Code (Section 310.9) requires owners of residential dwellings to install smoke detectors whenever a building permit is issued for additions, alterations or repairs and the valuation of the work exceeds \$1,000. Therefore, smoke detectors (where not existing) must be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each sleeping area.*
- D. *For questions about this list, the inspection process, or fees, please contact your housing inspector (see page 1 of letter).*

**BUILDING CODE ITEMS**

- Replace damaged areas of roof rafter tails, eaves or soffit that contain significant dryrot and paint new construction. **Building permit required.**
- Repair or replace substantially deteriorated wall or siding. **Building permit may be required depending on extent of damage.**
- Replace missing or defective underfloor or roof eave vents and screens.
- Repair or replace defective stairways or railings.
- Repair or replace defective, loose or deteriorated balcony support posts, railings or deck.
- Replace substantially deteriorated roof. **Building permit required.**
- Repair or replace deteriorated fence or fence post(s).
- Replace damaged shower wall. **Building permit required.**
- Repair or replace damaged subfloor, underlayment or vinyl covering. **Building permit may be required depending on extent of damage.**
- Repair or replace improperly modified or damaged window to conform to code and to operate easily.
- Remove door between bedroom and garage and replace with approved wall. **Building permit is required.**
- Repair wall damage and tape all joints on one-hour firewall adjoining garage.
- Install missing self-closer on door between living area and garage.

- ❑ Remove non-solid core door between living area and garage and install solid core door (1 3/8" minimum thickness).
- ❑ Reconvert unauthorized living area back to a functioning garage. **Building permit required.**
- ❑ Remove patio cover, shed or other external or interior improvements built without permit(s), or obtain necessary permits and zoning approval.
- ❑ Replace inside keyed deadbolt lock on front exit door with thumb-operated lock.
- ❑ **HOUSING CODE ITEMS**
- ❑ Repair or replace substantially damaged front or rear exit door.
- ❑ Replace defective or missing gutter/downspouts with galvanized or aluminum replacements.
- ❑ Replace missing light cover adjacent to front and/or rear exit door.
- ❑ Replace missing unit, building or property street address number(s).
- ❑ Repaint exterior areas that are severely peeling, flaking or otherwise deteriorated so that weather protection is compromised.
- ❑ Repair significantly cracked or chipped sink or basin or replace.
- ❑ Repair or replace inoperable exhaust fan and/or missing grease screen.
- ❑ Repair or replace defective lock, handle, rollers or cracked glass in sliding door.
- ❑ Eliminate insect or rodent infestation to prevent potential health and/or safety problems.
- ❑ Tighten floor bolts and/or install new wax ring to eliminate toilet leak.
- ❑ Repair or replace leaking sink trap, water supply valve and/or missing sink, tub, shower or toilet valve handle.
- ❑ Replace missing or defective smoke detector.
- ❑ Clean track, install glides and/or repair bedroom window (emergency exit) so it easily opens.
- ❑ Repair or replace and paint substantially damaged sheetrock or ceiling.
- ❑ Remove all flammable and non-flammable materials and liquids stored in water heater room or closet.
- ❑ **ELECTRICAL CODE ITEMS**
- ❑ Replace missing circuit breaker tie bar, breaker cover or door cover.
- ❑ Correctly label circuit breakers or fuses.
- ❑ Install spacers to cover unused openings in electrical panel.

- Rewire defective front or rear light fixture. **Electrical permit required.**
- Replace ungrounded three prong electrical receptacles with 2 prong receptacles, equipment grounding conductors or GFCI.
- Remove illegal wiring and/or unpermitted extension cords.
- Replace missing weatherproof outlet cover(s).
- Repair or replace defective range top, burner unit or oven.
- Repair or replace defective electrical switch, receptacle or missing cover.
- PLUMBING CODE ITEMS**
- Replace missing or improperly installed water heater temperature and pressure relief drainline with a 3/4" hard drawn copper or galvanized pipe extended to exterior. (Line must point down and terminate within 6" above grade.) **Plumbing permit required to install new water heater.**
- Install one strap at top and one at bottom of water heater to conform to seismic standards.
- Replace broken water heater shut-off valve.
- Install missing dishwasher air gap.
- Install missing garbage disposal cable connector and/or secure unclamped wire.
- Replace plastic drain assemblies (p-trap) with copper or metallic pipe.
- MECHANICAL CODE ITEMS**
- Secure water heater flue joint(s) to provide proper ventilation.
- Clear material blocking passage of air through water heater or furnace combustion air vent(s) or install new vents (minimum size 50 sq. in. per vent).
- Replace or secure missing or loose wall heater cover.
- Replace broken wall heater shut-off valve/handle.

### **WINDOW REGULATIONS**

**NOTE:** Use of accessory / window sill locks in place of the manufactures original window assembly lock is **NOT PERMITTED**. If the original locking mechanism or suitable after market lock is not available, the entire window must be replaced.

**CITY OF HAYWARD**  
**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**  
**RENTAL INSPECTION PROGRAM**

THE ITEMS LISTED BELOW ARE NOT CODE VIOLATIONS.

1. Missing or inoperable light bulbs **except** where located or along public or common hallways, stairways, or exitways and/or those areas controlled by house meters.
2. Worn carpets or other floor coverings **except** when City Housing Inspector determines hole(s) or loose edge(s) is a tripping hazard.
3. Deteriorated tub, lavatory or kitchen caulking or grout **except** when City Housing Inspector determines water damage is indicated or is very likely to occur.
4. Items stored or left on landings, exit balconies or in stairwells, e.g., toys, plants.  
(Recommend owner or manager establish and enforce rules prohibiting this practice.)
5. Deteriorated interior painting.
6. Noisy, dirty or slow running bathroom or kitchen vent fan or dirty range hood.
7. Cracking of interior wall joint **except** when City Housing Inspector determines integrity of wall is compromised.
8. Deteriorated interior cabinetry or wood trim.
9. Mold or mildew in bathroom **except** if window or fan is inoperable or drywall is damp or deteriorated.
10. Missing window or door screen or hole in screen.
11. Slow draining sink, basin or drain, or overflowing toilet.

**EXHIBIT A**

**RENTAL HOUSING  
AND HOTEL INSPECTION FEES AND PENALTIES**

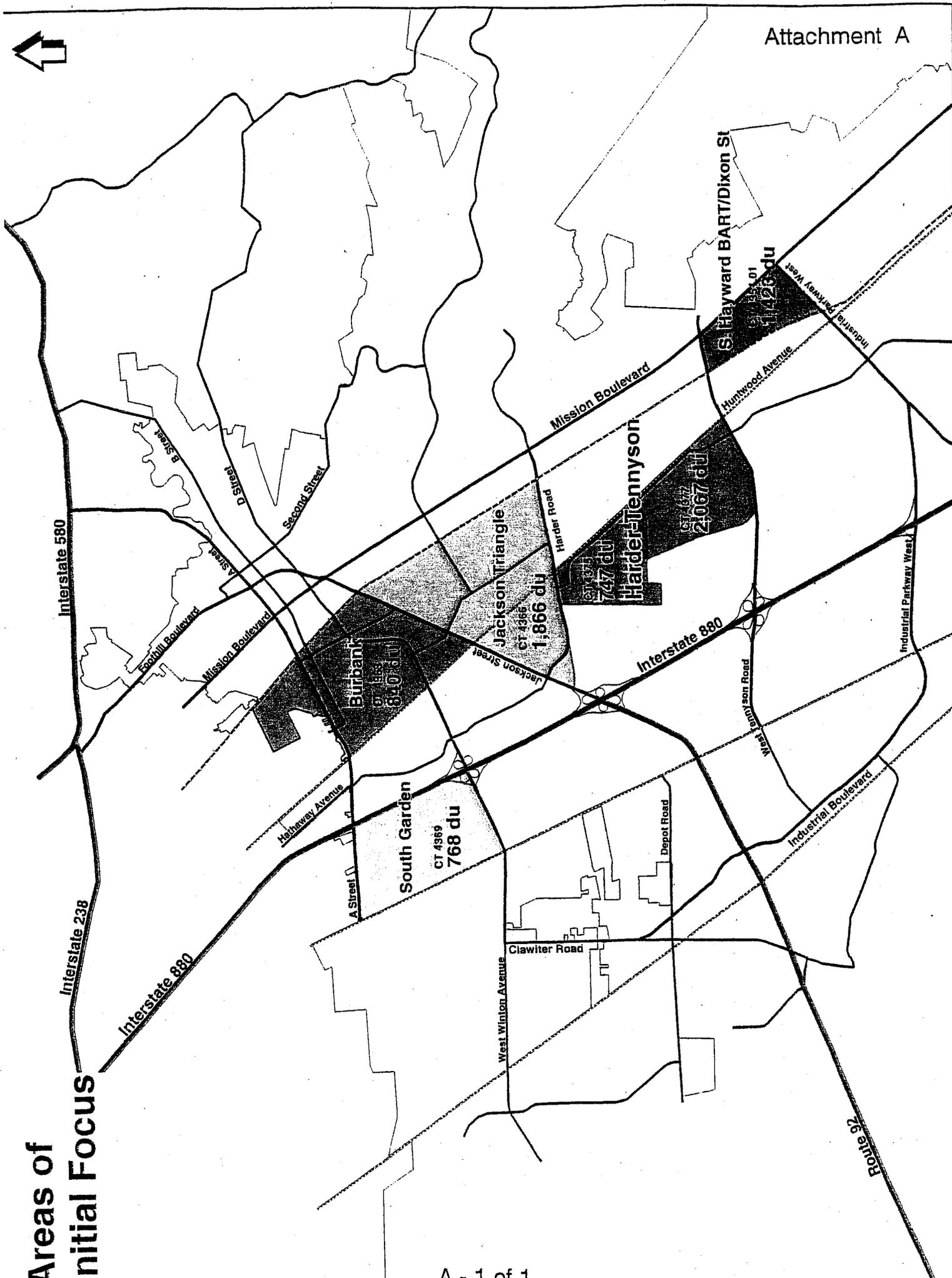
**C. RENTAL HOUSING AND HOTEL INSPECTION FEES AND PENALTIES**

1. Annual fee for rental housing, hotel or motel units.
  - a. Single family, duplex, triplex, or fourplex \$20
  - b. Five or more units \$5 per unit
  
2. Request for postponement of initial inspection or progress check
  - a. First request No charge
  - b. Second request \$200 penalty
  
3. Inspection, report and enforcement actions pursuant to HMC, Ch. 9, Art. 5
  - a. Initial inspection of parcel containing two or more rental housing units a hotel or motel
    - (1) No violations found No charge
    - (2) Violations found \$150/parcel + \$60/unit or hotel/motel room with violation
  
  - b. Progress Checks
    - (1) First Progress Check
      - (a) Violations corrected No Charge
      - (b) Violations not corrected \$150/parcel + \$60/unit or hotel/motel room with violation
    - (2) Second Progress Check \$150/parcel + \$60/unit or hotel/motel room with violation + \$200
    - (3) Third Progress Check \$150/parcel + \$60/unit or hotel/motel room with violation + \$400
    - (4) Fourth Progress Check \$150/parcel + \$60/unit or hotel/motel room with violation + \$800
    - (5) Fifth and subsequent re-inspections \$150/parcel + \$60/unit or hotel/motel room with violation + \$1000.
  
  - c. Initial inspection of parcel containing one single- family rental unit (including condominium or townhouse)
    - (1) No violations found No Charge
    - (2) Violations found \$150

d.	Progress Checks	
(1)	First Progress Check	
(a)	Violations corrected	No Charge
(b)	Violations not corrected	\$150/parcel
(2)	Second Progress Check	\$150/parcel + \$200 penalty
(3)	Third Progress Check	\$150/parcel + \$400 penalty
(4)	Fourth Progress Check	\$150/parcel + \$800 penalty
(5)	Fifth and subsequent re-inspections	\$150/parcel + \$1000 penalty
e.	Concurrent Initial Inspection of two or more single-family dwelling units/same owner	
(a)	No violations found	No Charge
(b)	Violations found	\$150/parcel + \$60/unit
f.	Progress Checks	
(1)	First Progress Check	
(a)	Violations corrected	No Charge
(b)	Violations not corrected	\$150/parcel + \$60/unit
(2)	Second Progress Check	\$150/parcel + \$60/unit + \$200 penalty
(3)	Third Progress Check	\$150/parcel + \$60/unit + \$400 penalty
(4)	Fourth Progress Check	\$150/parcel + \$60/unit + \$800 penalty
(5)	Fifth and subsequent re-inspections	\$150/parcel + \$60/unit + \$1000 penalty
4.	Initial Inspection or Progress Check - No Access	
a.	No access – First Site Visit	No charge
b.	No access – Second Site Visit	\$200
c.	No access – Third Site Visit	\$400
d.	No access – Fourth Site Visit	\$800
e.	No access – Fifth and Subsequent Site Visits	\$1000
5.	Rent Control Deregulation Inspection pursuant to Ord. No. 83-023, as amended	
a.	Initial inspection/survey and one re-inspection	\$300/unit
b.	Concurrent initial inspection/survey and one re-inspection of two or more units/same owner/same development	\$300 1 <sup>st</sup> unit + \$60 each additional unit
c.	Additional non-concurrent re-inspections	\$150/unit
6.	Lien (per parcel)	\$150



# Areas of Initial Focus



RESIDENTIAL RENTAL INSPECTION PROGRAM  
**FOCUS AREA MANDATORY INSPECTIONS**  
 OPEN AND CLOSED CASES\* BY PROGRESS CHECKS - JULY 1, 2003 - MAY 31, 2004

	Open Cases - Progress Checks												Total Open Cases
	Pending Survey	%	1st	%	2nd	%	3rd	%	4th	%	5+	%	
Single Family Residence	45	69%	11	17%	8	12%	0	0%	1	2%	0	0%	65
Multi-Family (2-4 Units)	10	22%	15	31%	15	31%	2	4%	2	4%	4	8%	48
Multi-Family (5-15 Units)	2	10%	10	47%	4	19%	2	10%	3	14%	0	0%	21
Multi Family (16+ Units)	17	65%	6	23%	2	8%	0	0%	1	4%	0	0%	26
<b>Subtotal Open Cases</b>	<b>74</b>	<b>46%</b>	<b>42</b>	<b>26%</b>	<b>29</b>	<b>18%</b>	<b>4</b>	<b>3%</b>	<b>7</b>	<b>4%</b>	<b>4</b>	<b>3%</b>	<b>160</b>

	Closed Cases - Progress Checks												Total Closed Cases
	Closed at Survey	%	1st	%	2nd	%	3rd	%	4th	%	5+	%	
Single Family Residence	43	61%	19	28%	4	6%	3	4%	1	1%	0	0%	70
Multi-Family (2-4 Units)	34	26%	59	43%	21	16%	15	11%	2	2%	2	2%	133
Multi-Family (5-15 Units)	19	27%	35	49%	12	17%	3	4%	2	3%	0	0%	71
Multi Family (16+ Units)	3	12%	11	41%	8	31%	2	8%	1	4%	1	4%	26
<b>Subtotal Closed Cases</b>	<b>99</b>	<b>33%</b>	<b>124</b>	<b>41%</b>	<b>45</b>	<b>15%</b>	<b>23</b>	<b>8%</b>	<b>6</b>	<b>2%</b>	<b>3</b>	<b>1%</b>	<b>300</b>

<b>TOTAL MANDATORY INSPECTION CASES FALLING UNDER RENTAL INSPECTION GUIDELINES</b>	<b>460</b>
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\*Cases = Parcels

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ATTACHMENT D

RESIDENTIAL RENTAL INSPECTION PROGRAM  
**FOCUS AREA MANDATORY INSPECTIONS**  
 VIOLATIONS IN UNITS INSPECTED - JULY 1, 2003 - MAY 31, 2004

	Number of Units Surveyed	Units with Violations at Survey	Building Violations	Plumbing Violations	Mechanical Violations	Electrical Violations	Common Area Violations	Misc. Violations	Total Violations
Single Family Residence	135	92	144	53	12	42	0	141	392
Multi-Family (2-4 Units)	603	362	744	346	136	269	5	794	2294
Multi-Family (5-15 Units)	674	419	502	242	115	168	7	724	1758
Multi Family (16+ Units)	1891	771	504	392	150	395	1	1027	2469
<b>Total</b>	<b>3303</b>	<b>1644</b>	<b>1894</b>	<b>1033</b>	<b>413</b>	<b>874</b>	<b>13</b>	<b>2686</b>	<b>6913</b>

RESIDENTIAL RENTAL INSPECTION PROGRAM  
**COMPLAINT INSPECTIONS**  
 VIOLATIONS IN UNITS INSPECTED - JULY 1, 2003 - MAY 31, 2004

	Number of Units Surveyed	Units with Violations at Survey	Building Violations	Plumbing Violations	Mechanical Violations	Electrical Violations	Common Area Violations	Misc. Violations	Total Violations
Single Family Residence	14	12	21	14	5	10	0	19	69
Multi-Family (2-4 Units)	28	25	27	24	4	14	0	38	107
Multi-Family (5-15 Units)	12	11	4	4	0	4	0	7	19
Multi Family (16+ Units)	7	5	0	1	0	3	1	1	6
<b>Total</b>	<b>61</b>	<b>53</b>	<b>52</b>	<b>43</b>	<b>9</b>	<b>31</b>	<b>1</b>	<b>65</b>	<b>201</b>

<b>TOTAL NUMBER OF VIOLATIONS</b>	<b>7114</b>
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Miscellaneous violations include deteriorated fencing, broken, cracked walkways, deteriorated paint, malfunctioning window locks, etc.

RESIDENTIAL RENTAL INSPECTION PROGRAM

**COMPLAINT INSPECTIONS**

OPEN AND CLOSED CASES\* BY PROGRESS CHECKS - JULY 1, 2003 - MAY 31, 2004

	Open Cases - Progress Checks												Total Open Cases
	Pending Survey	%	1st	%	2nd	%	3rd	%	4th	%	5+	%	
Single Family Residence	4	50%	1	12.5%	1	12.5%	1	12.5%	1	12.5%	0	0%	8
Multi-Family (2-4 Units)	1	17%	1	17%	1	17%	2	32%	0	0%	1	17%	6
Multi-Family (5-15 Units)	2	67%	0	0%	0	0%	0	0%	1	33%	0	0%	3
Multi Family (16+ Units)	2	100%	0	0%	0	0%	0	0%	0	0%	0	0%	2
<b>Subtotal Open Cases</b>	<b>9</b>	<b>46%</b>	<b>2</b>	<b>11%</b>	<b>2</b>	<b>11%</b>	<b>3</b>	<b>16%</b>	<b>2</b>	<b>11%</b>	<b>1</b>	<b>5%</b>	<b>19</b>

	Closed Cases - Progress Checks												Total Closed Cases
	Closed at Survey	%	1st	%	2nd	%	3rd	%	4th	%	5+	%	
Single Family Residence	2	33%	0	0%	2	33%	1	17%	1	17%	0	0%	6
Multi-Family (2-4 Units)	3	33%	2	22%	3	33%	0	0%	0	0%	1	12%	9
Multi-Family (5-15 Units)	1	50%	1	50%	0	0%	0	0%	0	0%	0	0%	2
Multi Family (16+ Units)	2	40%	3	60%	0	0%	0	0%	0	0%	0	0%	5
<b>Subtotal Closed Cases</b>	<b>8</b>	<b>36%</b>	<b>6</b>	<b>27%</b>	<b>5</b>	<b>22%</b>	<b>1</b>	<b>5%</b>	<b>1</b>	<b>5%</b>	<b>1</b>	<b>5%</b>	<b>22</b>

<b>TOTAL COMPLAINT INSPECTION CASES FALLING UNDER RENTAL INSPECTION GUIDELINES</b>	<b>41</b>
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\*Cases = Parcels

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ATTACHMENT D