

RESOLUTION ADOPTING THE MULTI-FAMILY RISK REDUCTION PROGRAM

WHEREAS, the Alpine Fire highlighted the risks of fire and casualty that exist in buildings that were built under previous building codes and lacking basic fire prevention and safety measures; and

WHEREAS, since January 1, 2015, the City of Las Vegas has lost sixteen citizens in multi-family dwelling fires, all of which occurred in buildings constructed under previous building and fire codes that did not contain safety provisions found in currently adopted codes; and

WHEREAS, these buildings and their rental units have a higher incidence of falling into various stages of disrepair; and

WHEREAS, the Multi-Family Risk Reduction Program is necessary to protect the health, safety, and welfare of the public; and

WHEREAS, additional inspection and enforcement of building and fire codes in residential rental buildings will help prevent deterioration that leads to blight conditions that adversely impact property values and the quality of life in the city; and

WHEREAS, tenants oftentimes are unaware of their right to a safe and habitable dwelling unit, lack technical expertise to identify many types of dangerous code violations or the process to report the same, and are often hesitant to file complaints for fear of eviction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS TO:

1. Adopt and implement the Multi-Family Risk Reduction Program described in detail in the attached document.

2. Provide ongoing awareness and education to property owners, inspectors, and renters about safety and minimum housing standards to encourage proper maintenance and use of rental housing.

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Multi-Family Risk Reduction Program

I. About the Program

The Multi-Family Risk Reduction Program is established to implement a routine inspection program for residential rental properties to verify compliance with all adopted codes and regulations specific to fire, life safety and housing and habitability standards adopted within the State of Nevada, Clark County and the City of Las Vegas.

The goals are:

- Protect the health, safety, and welfare of the public, and prevent deterioration that leads to blight conditions that adversely impact property values and the quality of life in the city;
- Increase awareness by educating property owners, inspectors, and renters about safety and minimum housing standards to encourage proper maintenance of rental housing; and
- Promote affordable housing that is safe and well maintained.

II. REQUIRED BUSINESS LICENSES

Properties containing four units or more per building will be required to be licensed by the City of Las Vegas. Should the property consist of multiple parcels, a separate license form is required for each parcel.

III. Inspection Programs

A. Multi-family Inspection Program

Since January 1, 2015, the City of Las Vegas has lost sixteen citizens in multi-family dwelling fires, all of which occurred in areas of town that have older buildings. To combat this, the Fire Prevention Division created the multi-family inspection program, which combines education, enforcement and engineering options to create a safer environment for our residents.

The goal of this program is to inspect all multi-family dwellings in targeted areas with older buildings to verify compliance with minimum standards. We will also provide suggestions to owners and tenants on ways they can prevent and mitigate future fires and other life-safety incidents.

The multi-family inspection program contains important safety messages developed by the National Fallen Firefighter's Foundation, the National Fire Protection Association (NFPA) and "Fire is Everyone's Fight" from the U.S. Fire Administration (USFA).

LVFR began implementation of this program in August 2017. Two Fire inspectors were dedicated to achieve the program goals.

The objectives for the program are:

- Complete initial inspections of approximately 4,706 multi-family buildings identified in targeted areas within 24 months, and gain compliance with applicable code standards (2,694 inspections have been completed since program inception in 2017).
 - Achieve compliance for 90% of all violations within thirty days or next scheduled inspection
 - Provide semi-annual owner/manager training as outlined below, with input from Metro, SNHD, and others as appropriate.
- Reduce number of fire injuries and fatalities in multi-family dwellings by at least 25% over the next five years.
- All properties will be placed initially on five-year inspection cycle.

B. Residential Housing Audit Program

A yearly audit will be conducted of all cases involving properties that received a complaint about living conditions. The audit will include information about calls for service from Code Enforcement, Fire Prevention and Metropolitan Police. Additional criteria will include properties that have been issued a notice and order for substandard housing issues. Depending on the severity of issues identified during the audit process, properties might be subject annual or bi-annual inspections.

Residential rental properties identified through this process as needing additional inspections will be contacted and notified in writing as to the scope of the inspection and the scheduled inspection date, which will occur a minimum of fourteen calendar days from the date of the letter unless there are priority violation concerns or owner/tenant objections to entry requiring the applicable legal process.

Initial RHAP inspections will be conducted by City of Las Vegas Code Enforcement and Fire Prevention Officers on properties that have been identified.

- Owners of properties not meeting the minimum health and safety code requirements during this initial inspection will be given thirty days to complete corrective action and a date for re-inspection by Code Enforcement to verify compliance.
- Exceptions to this corrective timeline will be imposed for code violations that create *dangerous conditions* such as hazardous electrical wiring, lack of heat, lack of adequate sanitation or utilities, or concerns with fire safety. In these instances, corrective action must be completed within 24 to 48 hours. If the property owner(s) fail(s) to respond accordingly, rental units will be vacated, relocation assistance will be provided to the tenant, and a lien will be placed against the property for applicable costs.
- In the event a property fails re-inspection(s), non-compliant owners may have repairs completed by the City, and a lien will be placed against the property for applicable costs and civil penalties.

RHAP failed inspections by City of Las Vegas Code Enforcement and Fire Prevention Officers are subject to the fees in Section IV (Fees).

C. Residential Hotel/Motel Inspection Program

City staff have identified 26 properties within the City that fall under this inspection program. These businesses are typically small downtown hotels that have been converted from transient housing to long term stay. Many of these units offer affordable rental housing options for low income city residents. The inspection program will enforce compliance with all laws, rules and ordinances in the Las Vegas Municipal Code for Housing, Residential, Building and Fire Codes. Additional code requirements will be presented to Council for consideration.

Property owner(s) and/or manager(s) (as applicable) will be notified in writing, advising the scope of the inspection and the scheduled inspection date, which will occur a minimum of 14 calendar days from the date of the letter, unless there are priority violations concerns.

Initial RHIP inspections will be conducted by City of Las Vegas Code Enforcement and Fire Prevention Officers on properties that have been identified.

- Owners of properties not meeting the minimum health and safety code requirements during this initial inspection will be given thirty days to complete corrective action and a date for re-inspection by Code Enforcement to verify compliance.

- Exceptions to this corrective timeline will be imposed for code violations that create dangerous conditions such as hazardous electrical wiring, lack of heat, lack of adequate sanitation or utilities, or concerns with fire safety. In these instances, corrective action must be completed within 24 to 48 hours. If the property owner(s) fail to respond accordingly, rental units will be vacated, relocation assistance will be provided to the tenant, and a lien will be placed against the property for applicable costs.
- In the event a property fails re-inspection(s), non-compliant owners may have repairs completed by the City, and a lien will be placed against the property for applicable costs and civil penalties.
- Properties that pass the annual inspection will continue to be inspected annually.
- Properties that fail the annual inspection may be placed on quarterly inspections.
- Residential Hotel/Motel properties may be subject to an annual inspection fee as noted in Section IV (Fees).

RHIP failed inspections by City of Las Vegas Code Enforcement and Fire Prevention Officers are subject to the fees in Section IV (Fees).

IV. Fees

City currently has the following adopted fees and penalties in the enforcement of the Las Vegas Municipal Code:

- **Inspection Fee**- second failed inspection- \$120
- **Re-inspection Fee**- third and sub sequential failed inspections- \$180
- **Civil Penalties** for Non-Compliance
 - \$150 – 3rd Failed Inspection
 - \$300- 4th Failed Inspection
 - \$500- 5th & sub sequential failed inspections- \$500
 - \$500- Daily Civil Penalty- If owner fails to bring property into compliance, daily civil penalties can be assessed. Additionally if the city takes action to have repairs made to remediate issues, daily civil penalties should be assessed for each day from 11th day after Notice and Order has been issued to the date remediated. If property is zoned commercially, penalty is \$1,000 per day.
- **Multi-Family Annual Inspection fee**- \$100 per unit. (Current Adopted Language in 1994 Housing Code)

V. Training Program - Fire and Housing Code Requirements¹

A training program for owners and managers of rental property will be provided by City of Las Vegas Code Enforcement and Fire Prevention semi-annually. The purpose of the training is to increase awareness of all applicable legal responsibilities and obligations necessary to provide for the safety and general welfare of tenants living and staying within rental housing. This program will also increase awareness about common violations, changes in the rental housing code, and allows for feedback from attendees.

A separate training program will be provided by City of Las Vegas Code Enforcement and Fire Prevention for tenants focused on increasing awareness of all requirements and regulations for safe living within rental housing. A portion of the program will be provided to Nevada Legal Services to discuss tenant rights in Nevada.
