

Alachua County Labor Coalition (ACLC) Position on Renters' Rights

Renters in this community are due basic rights and protections such as a safe place to live, freedom from discrimination and predatory landlords, affordable utility bills, and disclosure of their rights and responsibilities as tenants. The ACLC believes that these aims can be best achieved through a comprehensive renters' rights ordinance. The proposal that we are putting forward, in consultation with City and County Commissioners and Florida Legal Services as well as landlords, renters, neighborhood associations, faith communities, civic organizations, and other stakeholders throughout our community, is revenue-neutral, based upon existing programs with a demonstrated track record of success, and builds upon already existing services. It poses a threat to no one except landlords with a pattern of misconduct, and in fact levels the playing field for the majority of landlords throughout our community who are already providing a valuable service to their tenants.

- **Universal, low-cost landlord licensing**

Licensing is not an undue burden for any business that is entrusted with people's health and safety. Nearly all businesses and some classes of landlords in our community are already required to be permitted. The ACLC proposes that licensing include all landlord classes, including short-term rentals, and that maintaining a landlord license be contingent upon participation in the other programs described in this proposal. The licensing fees should not support general government expenditures, but should only cover the costs associated with monitoring and enforcement of rental housing code. By expanding licensing to all rental properties and committing to keeping costs to a minimum, some already-permitted landlords may actually experience a reduction in their licensing fees.

- **Basic rental standards and inspections**

All rental properties throughout our community should be subject to periodic inspections to ensure compliance with basic safety and energy/water efficiency standards. Efficiency standards for rental properties are a necessary contribution towards the recently adopted Ready for 100 goal of emission neutrality by 2045. These standards should be developed by first responders and utility experts in our community, with their primary criteria being ease of compliance, effectiveness, and return on investment. Such standards could not only save lives, but they could also help reduce total housing costs by addressing the dramatic inequities in efficiency investments between owner-occupied and rental properties in this community. While the safety standards must be prescriptive, the efficiency standards could be assigned a point value and arranged in a

matrix, allowing landlords a range of options to choose from to achieve the required efficiency level. Safety standards would thereby be established while differences in building types and age would be acknowledged by multiple pathways to improve efficiency. Greater emphasis should be placed on upgrading older housing stock since most rental housing built after 1997 will likely already be in compliance with any efficiency standards that are developed. Inspections should be carried out periodically and on an as-needed basis. The inspections could be carried out by City-approved contractors and the cost of inspections paid for by the landlords. In acknowledgment of this added workload and expense, landlords should be given a generous window of compliance and public funds should be made available, as grants or low-interest loans, to support investments in safety and efficiency for rental properties.

- **Arbitration to resolve rental deposit disputes**

While the majority of landlords in this community are ethical business people, an unfortunate few have made it a practice to routinely deny the return of rental deposits to their tenants, regardless of cause. This practice leaves students and low-income tenants with little recourse for redress and creates a tremendous financial burden, all while cultivating an antagonistic relationship between landlords and tenants. The ACLC supports an arbitration program modeled on the County's highly-successful Wage Recovery Ordinance. This arbitration process would be free to tenants and landlords and available upon either party's request, and its outcomes would be binding on both parties. At the County, the Wage Recovery Ordinance has helped put tens of thousands of dollars of stolen wages back into the pockets of vulnerable workers and has exposed employers who engage in unlawful wage theft, all while avoiding cost prohibitive legal action. Further, the very existence of this ordinance has had a ripple effect, such that many instances of wage theft are resolved prior to arbitration once employees and employers have been made aware of the program.

- **Protection from discrimination**

People deserve protection from discrimination, and discrimination in housing is particularly insidious. The ACLC proposes that protections against discrimination based upon citizenship status and source of income be added to City code. These protections are sorely needed according to local legal services agencies and have been successfully implemented in other communities.

- **Greater disclosure of renters' rights and responsibilities**

Both landlords and tenants would benefit from increased education, and this education can be easily provided during initial discussions for a rental agreement. Licensed landlords can provide tenants with basic information about their dwelling units, including compliance with local codes and occupancy limits, the previous 12 months utility consumption, and other educational materials that describe renters' responsibilities as tenants and spell out the most productive, legal course of action in cases of dispute. Such material could go a long way in preempting disputes, unnecessary evictions, and damage to dwelling units.

The proposals put forward here are not meant to be exclusive of other initiatives, nor are they a definitive solution for solving our community's affordable housing challenges. But they are a solid start and a good faith measure on the part of our elected officials in a community dominated by rental housing. The ACLC supports an ongoing and wide-ranging dialogue about housing and believes that this is one of the most significant issues facing our community at this time. Clearly the supply of affordable housing needs to be increased, and there are a variety of options for accomplishing that goal. However, we believe that even as the supply of affordable housing increases, all renters in our community deserve the basic rights and protections described here. Just as employment law establishes a clear set of rules for employer-employee relations in the workplace, both landlords and tenants would benefit from a clearer definition of their rights and responsibilities and a process for addressing negligence by either party.