



ChangeLab Solutions

Model Ordinance on Proactive Rental Inspection

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Introduction

ChangeLab Solutions developed the *Model Ordinance on Proactive Rental Inspection* to assist localities interested in establishing a local proactive rental inspection (PRI) program. Communities across the country have adopted PRI programs to increase compliance with laws governing housing standards, improving housing quality, and protecting residents' health and well-being. This 2023 edition of the model ordinance provides localities with guidance and optional language to help them tailor their program to local conditions as well as identify and navigate issues related to equitable enforcement.

PRI programs allow localities to inspect covered units on a regular basis to ensure that they are safe and habitable and that property values are maintained. PRI programs bring a preventive approach to code enforcement, helping to address challenges related to substandard housing quality, which can contribute to a wide array of physical and mental health problems, including childhood lead poisoning and resulting behavioral and developmental issues; asthma and respiratory conditions resulting from exposure to mold, pests, and other household allergens; and increased rates of injury and mortality among older people. Proactively inspecting rental housing also promotes housing stability for tenants by helping to ensure that they aren't forced to relocate due to health harms they are experiencing. PRI programs can also help preserve a locality's existing stock of affordable housing by preventing affordable rental buildings from deteriorating to the point where they can no longer be inhabited. These programs can also help preserve community stability and property values by incentivizing owners to proactively maintain rental properties and prevent them from becoming unsafe or undesirable to live in.

By identifying exterior and interior code violations before they become severe and by providing landlords with assistance and resources to help bring their properties into compliance, PRI programs benefit tenants, property owners, and the entire community. For more information on the components of a successful PRI program, see ChangeLab Solutions' [*A Guide to Proactive Rental Inspections*](#).

Using This Model

There is no standard PRI program. Programs vary according to the types of rental housing in a city or county, the needs of a particular locality, the availability of resources, and (to an extent) state law.

This model ordinance provides the key components of a PRI program and offers options for tailoring the ordinance to meet the needs of your locality. In some instances, blanks (e.g., [____]) prompt you to customize the language to fit your community's needs. In other cases, the model ordinance offers you a choice of options (e.g., [choice one / choice two]). Optional language is *italicized*. Comment boxes provide additional information and

explanation, and they should be deleted before the policy is adopted. This model resolution can and should be tailored to fit the specific needs of a jurisdiction or a particular community and to ensure that the ordinance is consistent with a community's existing laws. Your city attorney or county counsel will likely be the best person to check these details for you.

Questions?

If you have questions about this model ordinance, please [contact ChangeLab Solutions](#).

Model Ordinance on Proactive Rental Inspection

ORDINANCE OF THE [CITY / COUNTY] OF [____] ESTABLISHING A PROACTIVE RENTAL HOUSING INSPECTION PROGRAM AND ADDING CHAPTER [____] TO THE [CITY / COUNTY] CODE

The [City Council / (Local Legislative Body)] of the [City / County of ____] does ordain as follows:

SECTION ONE. Findings. The [City / County] hereby finds and declares as follows:

COMMENT: The findings section is part of the ordinance and legislative record, but it usually does not become codified in the municipal code. An ordinance based on this model ordinance should include findings of fact – data, statistics, or relevant epidemiological information, for instance – that support the purposes of this ordinance, as well as any legal precedent that directly supports the ordinance. In addition to serving an educational purpose and building support for the ordinance, the findings can also serve a legal purpose. If the ordinance is challenged in court, the findings are an admissible record of the factual determinations made by the legislative body when considering the ordinance. Courts will generally defer to legislative determinations of factual issues, which often influence legal conclusions. A city or county may select findings from this list to include in their legislation and may draft and include additional findings that address specific conditions in their particular community.

- (a) The [City Council / (Local Legislative Body)] of [City / County] recognizes that preservation of existing rental housing stock is of tremendous importance. There are more than [(insert number)] rental housing units in [City / County]. Rental housing provides needed affordable housing for many and is a valuable asset that must be preserved and maintained. [City / County] has a significant interest in ensuring that rental housing remains a safe and desirable housing option for its residents.
- (b) In [City / County], there are substandard, unhealthy, and dangerous residential buildings and rental housing units whose conditions violate state and local building, housing, and safety codes and ordinances. Property owners may be unaware of some hazardous conditions or may have chosen not to make necessary repairs due to cost.
- (c) Substandard and deficient rental housing units are unfit or unsafe for human occupancy, and their condition jeopardizes the health, safety, and welfare of their occupants and of the public. Substandard housing conditions pose a particularly acute risk to young children (e.g., lead poisoning or asthma attacks

due to mold or other airborne irritants), older people (e.g., falls), and people with chronic illnesses.¹

- (d) Black, Indigenous, other people of color, and people of low socio-economic status are more likely to live in substandard and unsafe residential housing units and bear disproportionate health burdens associated with living in those conditions.^{2,3}
- (e) Relying on a complaint-based enforcement program is inadequate to ensure that rental housing properties are safe and adequately maintained. Inspection authorities often do not receive complaints about rental housing units with the worst violations of health and safety codes.^{4,5} Tenants may fear being evicted or being subjected to other retaliatory actions, like rent increases, for reporting violations^{6,7,8,9,10,11} or may face language, technological, or information access barriers that prevent them from using complaint-based programs.¹²
- (f) Deteriorating and substandard buildings and dwelling units also threaten the physical, social, and economic stability of neighboring structures, the surrounding neighborhood, and the wider community. By ensuring that landlords are aware of poor conditions before they worsen, proactive inspections encourage preventive maintenance, which is more cost-effective than deferred maintenance, and thereby help landlords maintain their properties.¹³ Proactive rental inspection programs can help ensure that properties don't deteriorate, thereby preserving neighboring property values and the local tax base.
- (g) Proactive rental inspection programs are an important strategy for preventing childhood lead poisoning and have been credited with decreases in the rate of elevated blood lead levels in children. For example, in Rochester, New York, research indicated that children with elevated blood lead levels were more likely to live in rental housing than owner-occupied housing. After implementation of a policy that required lead inspections in order for landlords to rent their units, the rate of elevated blood lead levels in children decreased from 3.9% in 2006 to 1.4% in 2019.^{14,15} Rochester's decrease in children's elevated blood lead levels between 1997 and 2011 was 2.4 times greater than the state of New York's overall decrease over the same time period.¹⁶
- (h) Public interest demands that all rental housing properties comply with minimum standards related to public health and safety. The most effective way to seek universal compliance with minimum standards is through routine periodic inspections of all rental housing properties.

- (i) Accordingly, it is the intent of the [City Council / (Local Legislative Body)] to enact the provisions of this Chapter in order to establish a rental housing inspection program to secure [citywide / countywide] compliance of rental housing properties with minimum standards. [Citywide / Countywide] compliance will improve the physical, social, and economic stability of neighborhoods and help ensure that all persons who live in rental housing units are provided with decent, safe, and sanitary housing.

SECTION TWO. [Chapter] [____] of the [City / County] Code is hereby added,
reading as follows:

Article I. General

- ___ -1. Title
- ___ -2. Purpose
- ___ -3. Definitions
- ___ -4. Exemptions
- ___ -5. Applicability

Article II. Registration and Fees

- ___ -6. Fees Established
- ___ -7. Registration and Fee Required
- ___ -8. Local Representative

Article III. Inspections

- ___ -9. Inspections Required
- ___ -10. Self-Certification Program
- ___ -11. Notice of Inspection
- ___ -12. Re-Scheduling an Inspection
- ___ -13. Entry
- ___ -14. Results of Inspection

Article IV. Enforcement

- ___ -15. Penalties
- ___ -16. Tenant Protections

Article V. Program Review

- ___ -17. Program Review

Article I. General.

___-1. Title.

This Chapter shall be known as the “Proactive Rental Housing Inspections Code” and will be referred to herein as “this Chapter.”

___-2. Purpose.

The purpose of this Chapter is to establish periodic, systematic inspection of rental housing within the [City / County] to protect the health and safety of the public; improve the physical, social, and economic stability of neighborhoods; ensure an adequate supply of affordable housing; and preserve property values.

___-3. Definitions.

- (a) “Code Enforcement Officer” means a sworn or non-sworn inspector, officer, or investigator who is employed by the [City / County] and who has specialized training related to their primary duties of prevention, detection, investigation, and pursuit of enforcement actions against violations of laws regulating (i) public nuisance; (ii) public health, safety, and welfare; (iii) public works; (iv) business activities and consumer protection; (v) building standards and land use; or (vi) municipal affairs.

COMMENT: Many, if not most proactive rental inspection programs, such as those in Los Angeles and Sacramento, use publicly employed code enforcement officers.¹⁷ These code enforcement officers are trained in environmental health and nuisance laws as well as building and construction laws, so they have the skills to ensure that inspections address health as well as building safety concerns. Other localities, including Boulder, Colorado, and Baltimore County, Maryland, require owners to contract with municipally authorized or independently certified private inspectors.¹⁸ In Boston and Seattle, owners may use either public code enforcement officers or authorized private inspectors.¹⁹ Differences in practices stem from state law, historical practice, or a political or economic decision by a locality not to hire additional municipal employees.

The following language provides an additional or alternative definition for localities that opt to allow or mandate the use of private inspectors:

() “Inspector” means a private inspector registered with the [City / County] as a qualified rental housing inspector who currently maintains and possesses the following credentials: [(list qualifications)].

- (b) “Common Areas” means the areas in a rental housing building that are accessible to all occupants of the property – including but not limited to lobbies, laundry rooms, recreation areas, common kitchens, hallways, stairs, courtyards, light wells, garbage areas, boiler rooms, storage rooms, basements, roof areas, parking garages, or parking areas.
- (c) “Director” means the director of the [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)] or their designee.
- (d) “Owner” means an individual or a for-profit or nonprofit corporation; an agent of an individual or a for-profit or nonprofit corporation; or any person having legal charge of or authority over a rental housing unit.
- (e) “Rental Housing Property” means any building(s), structure(s), or accessory dwelling unit that is rented or offered for rent as a residence.
- (f) “Rental Housing Unit” means a single unit providing living facilities for one or more persons that has permanent provisions for living, sleeping, and sanitation and is rented or available for rent to tenants.
- (g) “Tenant” means a person or entity that rents real property from the Owner as defined in [(insert state landlord-tenant law)].

COMMENT: The term “Tenant” is typically a defined term in state landlord-tenant laws.²⁰ Localities should insert the appropriate reference above.

COMMENT: Phasing in New Programs

When a city or county adopts a new proactive inspection program, it is unlikely that it will have the resources to inspect all units citywide (or countywide) at the outset. Most communities implement registration requirements on all covered rental housing units and phase in systematic inspections over time. Localities must determine which properties should be prioritized for initial inspections, how properties will be grouped together for subsequent inspections, and the appropriate pace of inspections. Sacramento, for example, initiated a pilot rental housing inspection program by focusing on two neighborhoods, each of which contained a large number of rental properties with a high incidence of dangerous building cases, code enforcement cases, and police and fire calls for service.²¹ Santa Cruz, California, instituted a registration requirement on all covered rental housing but limited the first phase of inspections to buildings with a record of violations or whose owners requested inspections.²² Other strategies include conducting drive-by exterior inspections to identify housing in greatest need of repair, inspecting the oldest properties first, or

inspecting in neighborhoods with the greatest proportion of rental housing. A PRI ordinance may need additional definitions that explain what these areas or types of properties are. For example, a PRI program may start inspections in “high-risk areas,” which a locality could define as neighborhoods with the greatest incidences of prior housing code complaints, neighborhoods with older housing, areas with high environmental exposures, or however the locality wishes to define the term.

-4. Exemptions.

All Rental Housing Units shall be subject to the requirements of this Chapter, except the following:

COMMENT: Cities and counties decide on the types of rental housing to include in their proactive inspection programs. Although the most comprehensive proactive code enforcement program is one that covers all rental housing, some jurisdictions may lack the resources to administer such a broad program, particularly at the outset. For this reason, some jurisdictions consider restricting the types of housing that are subject to the program and/or phasing the program in over time, as mentioned in the preceding comment. Below are examples of types of rental housing that some cities have excluded from their programs. Based on its needs and resources, a locality should determine which of the following types of housing to exempt from its program.

(a) Rental Housing Units for transient lodging, including hotels, motels, inns, and tourist homes. This exception does not apply to residential hotels.

COMMENT: Non-residential hotels, motels, and other transient housing are commonly exempted from rental housing inspection ordinances.²³ However, vulnerable tenants often live in residential hotels (also known as single-room occupancy hotels) on a long-term basis, so it is important to include them in proactive rental inspection programs. Localities that have worked to convert hotels, motels, inns, and other forms of short-term housing into more permanent housing should ensure that such housing is added to and included in their PRI program.

(b) Rental Housing Units in a state-licensed hospital, hospice, community care facility, or nursing home; a convent, monastery, or other facility occupied exclusively by members of a religious order; an on-campus fraternity or sorority house; or on-campus housing accommodations owned, operated, or managed by an institution of higher education or secondary school for occupancy by its students.

(c) Rental Housing Units that are owned, operated by, or receive funding or subsidies from federal, state, or local government entities and are inspected by the governmental entity at least once every five years.

COMMENT: Many cities exempt government-subsidized housing from their programs when it is subject to inspection by another agency. First, an inspection may duplicate the efforts of other agencies, wasting valuable time and resources that can be better used on housing that is not routinely inspected. Second, in the case of federally owned public housing, local housing codes and inspections may be overridden by federal ones. At least one federal court has held that property owned by the US Department of Housing and Urban Development (HUD) is “not subject to . . . local housing codes” and that any portion of a locality’s housing code requiring HUD to repair property is preempted by the National Housing Act.²⁴

(d) *Rental Housing Units located within a Rental Housing Property of [_____] or fewer units.*

COMMENT: Most programs cover multi-unit rental properties, but some programs restrict that coverage to properties with a certain number of units. Los Angeles’s Systematic Code Enforcement Program applies to residential properties with two or more units, as long as at least one of those units is rented or offered for rent.²⁵ San Francisco conducts inspections of properties containing three or more units.²⁶ Grand Rapids, Michigan, expanded its registration and inspection program to include single-family rental housing and abandoned and vacant residential properties in response to the increasing conversion of single-family homes to rental housing.²⁷

(e) *Rental Housing Units located within a Rental Housing Property of no more than [_____] units, one of which is occupied by the Owner.*

COMMENT: Several localities exempt buildings where the property owner lives in one of the units.²⁸ Boston, for example, exempts buildings of six or fewer units from registration fees and proactive inspections if the owner occupies one of the units.²⁹ The rationale for these exemptions is that buildings where the owner resides may be more likely to be adequately maintained.

(f) *Rental Housing Units located within a Rental Housing Property that has been newly constructed, for a period of [five] years from the issuance of [(certificate of occupancy or other similar authorization)].*

COMMENT: Some localities exempt newly built housing, given that most cities require inspections before new housing may be occupied. In Santa Cruz, California, housing built within the preceding five years is exempt from the inspection program.³⁰

___-5. **Applicability.**

Nothing in this Chapter shall limit or prohibit the authority of [City / County] officers or employees to enforce any other provision of this Code or any state or federal law under their jurisdiction. None of the inspection provisions shall prohibit, condition, or otherwise limit any inspection conducted under any other provision of this Code or other applicable law.

Article II. Registration and Fees.

___-6. **Fees Established.**

COMMENT: The laws of many states prescribe the way a city or county may assess regulatory fees. The structure and legality of these collected fees are important because localities frequently use fees to subsidize the cost of implementing and administering the program. In many states, there must be a nexus between the activity or the industry burdened with the fee and the purpose for which the fee proceeds will be expended. In addition, the fee must not exceed the cost of providing the service. Some localities, such as Grand Rapids, Michigan, do not charge a fee, but assess a significant penalty if an owner fails to register a rental housing unit.³¹ This section should be altered to conform to state and local laws and practices.

(a) **Registration and Inspection Fee.** An Owner of any Rental Housing Property subject to this Chapter shall pay a registration fee of \$ [___] per Rental Housing Unit, with a maximum cumulative fee of \$ [___] per property, to finance the costs of inspection and enforcement by the [City / County]. This fee shall be paid [annually] by [January 31].

(b) **Performance-Based Registration and Inspection Fee.** *An Owner of any Rental Housing Property subject to this Chapter previously registered under Section ___-6(a) may pay a reduced registration fee, depending on the number of previous violations. The fee schedule is as follows:*

(1) *If no housing code violations were found in the preceding [___ year(s)] under Section ___-14(b), the Owner of any Rental Housing Property shall pay a registration fee of \$ [___] per Rental Housing Unit, with a maximum cumulative fee of \$ [___] per property, to finance the costs of inspection and enforcement by the [City / County]. This fee shall be paid [biennially] by [January 31].*

(2) *If [___] or fewer housing code violations were found in the preceding [___ year(s)] under Section ___-14(b) and the violations were corrected within the time limit specified in Section ___-14(d), the Owner of any Rental*

Housing Property shall pay a registration fee of \$ [___] per Rental Housing Unit, with a maximum cumulative fee of \$ [___] per property, to finance the costs of inspection and enforcement by the [City / County]. This fee shall be paid [annually] by [January 31]. This reduced registration fee does not apply to any Rental Housing Unit contained within any property in violation under Section ___-14(c) in the preceding [___ year(s)].

COMMENT: Localities can choose to include language that sets alternative fee schedules for certain owners or types of rental housing properties. Under a performance-based registration system, for example, owners are assessed fees based on how well the owner has complied with the locality's housing code. The optional language above includes two additional categories: owners with no violations in the previous year and owners with minimal and less serious violations who correct those violations within the prescribed time. Other provisions that a performance-based system might include, among others, are registration categories that set higher fees for repeat or egregious housing code violators as well as registration categories that set lower fees for owners with multiple years of no violations.

- (c) **Re-scheduling Fee.** An Owner of a Rental Housing Unit shall pay a fee of [\$ _____] per unit for re-scheduling an inspection, as required under Section ___-12.
- (d) **Re-inspection Fee.** An Owner of a Rental Housing Unit shall pay a fee of [\$ _____] per unit for the re-inspection of any Rental Housing Property or Rental Housing Unit as required under Section ___-14(d).
- (e) **Self-Certification Fee.** An Owner of a Rental Housing Unit that has been placed in the Self-Certification Program as provided in Section ___-10 shall pay a fee of [\$ _____] per unit in the Self-Certification Program in lieu of the Registration & Inspection fee described in Section ___-6(a).

-7. Registration and Fee Required.

- (a) It shall be unlawful for any Owner to rent a Rental Housing Unit within a Rental Housing Property . . .
 - (1) That is not registered with the [City / County];
 - (2) For which the Proactive Rental Housing Inspection Program fee has not been paid; or

- (3) That does not have current Notice of Compliance as described in Section ___-14(a).
- (b) A Rental Housing Property is registered with the [City / County] when the Owner of the property completes and submits a registration form made available by the [City / County], signed under penalty of perjury, to [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)]. The registration form must contain the following information:
- (1) Description of the Rental Housing Property, including but not limited to the street address and assessor's parcel number;
 - (2) Number and address or other description of all Rental Housing Units on the Rental Housing Property;
 - (3) Name and current contact information of the Owner of the Rental Housing Property;
 - (4) Name and current contact information of the Local Representative, described in Section ___-8;
 - (5) Name, address, and telephone number of the person or entity that a Tenant is to contact in order to request that repairs be made to their Rental Housing Unit, and the contact's business relationship to the Owner;
 - (6) The date, location, and type of violation(s) for all Rental Housing Units on the Rental Housing Property for which the Owner has been cited in the past [three] years; and
 - (7) Any other information reasonably required by the Director to carry out this Chapter.
- (c) The registration requirement established by this section shall go into effect on January 1, [____]. Initial registration of Rental Housing Units is due within [30] days of January 1, [____]. After the initial registration, the Owner shall register each Rental Housing Unit [annually] within [30] days of January 1 *or a change of ownership*.

COMMENT: Jurisdictions vary in how frequently they require registration renewal. For example, Kansas City, Missouri, requires annual registration.³² Some localities require registration to be updated when there is a change in ownership, in addition to or in place of renewal on a fixed-term basis. The italicized language above provides optional wording to address a change in ownership of a rental property.

-8. Local Representative.

- (a) Each Owner of a Rental Housing Property shall designate a Local Representative with full authority to act on behalf of the Owner for all purposes under this Chapter, including the acceptance of service of all notices from the [City / County]. The Owner of the Rental Housing Property may act as the Local Representative.
- (b) A Local Representative shall establish and maintain a local telephone number and a residence or business address within the jurisdiction of the [City / County]. All official notices served on the Local Representative shall be deemed to have been served on the Owner.

COMMENT: By requiring owners to list a local representative, localities can avoid issues related to identifying and contacting owners. Many localities face these challenges when dealing with rental properties owned by legal entities (e.g., LLCs). By requiring a local representative, localities can quickly contact owners or their agents about routine inspections and emergent situations.

- (c) Each Owner of a Rental Housing Property shall notify the [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)] of any changes to the Local Representative or their contact information within [7] days of any such change. Failure to designate a Local Representative or to provide notice of the designation of a new Local Representative shall constitute a violation of this Ordinance.

Article III. Inspections.

-9. Inspections Required.

- (a) All Rental Housing Properties and Rental Housing Units are subject to routine, periodic inspections, as provided by this Chapter, to ensure that rental housing complies with [all applicable building, housing, and sanitation codes and ordinances and lead laws (or specify provisions of the applicable state or local code enforcement laws)].

- (b) If there are more than [____] Rental Housing Units within a single Rental Housing Property, the Code Enforcement Officer shall inspect the exterior of the property, all Common Areas, and a random sampling, selected by the Code Enforcement Officer, of no fewer than [10 percent] of Rental Housing Units but at least [two] units. If the Code Enforcement Officer determines that [____] or more violations exist on the property, the Code Enforcement Officer may conduct an inspection of additional units up to 100 percent of the units.

COMMENT: Sampling

Often, cities and counties cannot devote the resources necessary to inspect every unit in large multi-unit buildings. Instead, these localities use sampling formulas. In Sacramento, inspection of a multi-unit building includes all common areas and a random sampling of no less than 10 percent of rental housing units. If the inspector determines that a property is in violation of any standard, the inspector is authorized to inspect additional or all units of that property.³³ Seattle uses a different formula: for buildings containing 20 or fewer units, a minimum of two units must be inspected. For buildings containing more than 20 units, 15 percent of the rental units must be inspected, up to 50 rental units in each building.³⁴ As described more fully in Section 11, the inspector must provide advance notice to the tenants in each unit that will have its interior inspected. Therefore, when the code enforcement officer selects the units to be inspected, notices should be sent to all tenants residing in the selected units.

Inspections of Only Exterior and Common Areas

In some cities, the proactive rental housing inspection program inspects only building exteriors, yards, and, sometimes, common areas.³⁵ Other cities, such as Kansas City, Missouri, allow interior inspections only of vacant units.³⁶ Exterior inspections can help to identify nuisances and blighted property and prevent crime and fires. Analysis of data from the American Housing Survey, conducted by the US Census Bureau for the Department of Housing and Urban Development, found that exterior and interior conditions are related: the greater the number of certain exterior problems, the more likely it is that housing has associated interior problems. For example, a sagging roof might indicate interior problems with pests and/or moisture.³⁷ An exterior inspection alone, however, can't identify unsafe and substandard conditions, such as lead paint and electrical, plumbing, and structural hazards, that lie within the rental unit. A study of Dallas housing complexes, for example, identified multiple cases of serious health and safety issues in the interior units of apartment complexes that had passed the exterior-only inspections required by the city's proactive program.³⁸ If a community faces obstacles to systematic interior inspections, beginning a program with exterior inspections and vacant-unit inspections may be one strategy for starting a program.

- (c) **Frequency of Inspections.** All Rental Housing Properties shall be inspected initially, within [60] days of registration, once every [three] years thereafter, or more frequently if the Director determines that the property poses a risk of harm to its Tenants based on the following factors:

- (1) The current condition of the premises, including the number, nature, and severity of violations found;
- (2) Whether, within the [three] prior years, any of the following circumstances has occurred:
 - (A) A Code Enforcement Officer has found violations on the property;
 - (B) The Owner or manager of the property has other properties found in violation of [City / County housing code];
 - (C) Delinquent fees have been assessed on the property; or
 - (D) The Owner is delinquent in paying property taxes or utility bills;
- (3) Other criteria determined by the Director that indicate the presence of health or safety violations.

COMMENT: Proactive rental inspection programs rely on systematic inspections to ensure that owners adequately maintain rental housing. Jurisdictions vary in how frequently they require rental housing properties to be inspected. Baltimore County, Maryland, and Dallas, Texas, for example, require an inspection every three years.³⁹ Boulder, Colorado, requires an inspection at registration, upon renewal of a rental license – generally every four years – or upon transfer of ownership.⁴⁰ The frequency with which localities elect to conduct these inspections often depends heavily on the extent of a locality’s resources.

A number of localities set a baseline standard for the frequency of inspections and then allow deviation from that standard based on a property’s record of compliance. Some cities require less frequent inspections once an owner establishes a record of compliance. Grand Rapids, Michigan, for example, conducts inspections when owners apply for a certificate of compliance, which is a prerequisite for occupancy.⁴¹ The certificate is valid for two, four, or six years, depending on the record of compliance, the presence or absence of violations, and the degree of compliance with the program’s registration and fee requirements.⁴² Boston sets a baseline inspection schedule of every five years but requires more frequent inspections for problem properties.⁴³ The language above can be tailored to set baseline standards and more or less frequent inspections based on the property’s record of compliance.

___-10. Self-Certification Program.

COMMENT: A number of cities allow owners to graduate into self-certification programs if they have established a record of passing inspections with no violations. Self-certification allows cities to allocate their limited resources to properties most in need of inspections. It can also provide an incentive for owners to ensure that their property complies with all applicable codes. Cities may wish to impose lower fees on properties in the self-certification program as a further incentive for owners to maintain their rental properties. In Sacramento, rental housing properties are initially subject to routine periodic inspection by the city.⁴⁴ A rental housing property may be placed in the self-certification program if (1) the inspector has found no violations, or all violations identified in the initial inspection were abated within 30 days; (2) the owner and the local representative are in compliance with all of the provisions in the housing code; and (3) the owner is not delinquent on any payments of city or county fees, penalties, or taxes.⁴⁵

(a) **Qualification.** A Rental Housing Property shall be placed in the Self-Certification Program if all of the following circumstances exist:

- (1) After the last inspection conducted pursuant to this Chapter, the Code Enforcement Officer determines that no violations exist on the property [*and no violations existed within the past [three] years / or violations identified were abated within the [30]-day correction period*];
- (2) The Owner and Local Representative are in compliance with all applicable provisions of this Chapter; and
- (3) The Owner is not delinquent on any payment to the [City / County] of property or other taxes, fees, or penalties, or any other monies related to the property.

COMMENT: Some jurisdictions may want to ensure that owners and local representatives have training on their safe housing obligations before allowing them to move into the self-certification program. Jurisdictions provide landlord and tenant education in a variety of ways. Sacramento County, California, requires anyone who is inspecting a rental property on behalf of the owner to attend a county-approved course.⁴⁶ The following optional language provides this requirement:

(4) *The Owner and Local Representative have completed the landlord education training provided by [City / County].*

(b) **Removal from the Program.** A Rental Housing Property may be removed from the Self-Certification Program if any of the following circumstances occurs:

- (1) Any Rental Housing Unit in the Rental Housing Property is found to be in violation of this Chapter or any other provision of law, even if the violation is abated within [30] days; or
 - (2) Any of the circumstances set forth in Section ___-10(a) cease to exist.
- (c) **Self-Certification.** Owners of Rental Housing Properties that are in the Self-Certification Program shall certify, under penalty of perjury, that each Rental Housing Unit on the property is in compliance with all [building, housing, and sanitary] codes annually [by no later than _____ and upon each change in tenancy]. Self-certification shall consist of the following:
- (1) The Owner, or their designee, shall inspect all Common Areas of the Rental Housing Property and each Rental Housing Unit for compliance with the requirements of self-certification as provided by the [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)];
 - (2) The Owner shall repair immediately any deficiencies, as needed to achieve compliance with the self-certification requirements;
 - (3) The Owner shall complete the self-certification documentation and submit the form to the [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)] and to the occupants of the corresponding Rental Housing Unit.
 - (4) In the event that any Rental Housing Unit cannot be self-certified due to conditions of the property or an inability to repair conditions, the Owner must immediately notify the [(city / county department or agency charged with overseeing the Proactive Rental Housing Inspection Program)].
- (d) **Random Inspections.** The City may inspect Rental Housing Properties and Rental Housing Units in the Self-Certification Program on a random basis, but not more frequently than once per year.

___-11. **Notice of Inspection.**

The Director shall serve written notice of any inspection to be conducted under this Chapter, by mailing such notice by first-class mail at least [14] calendar days prior to the date of inspection. The notice shall include the date and time of the inspection. The notice shall also state that Section ___-16 of this Chapter prohibits Owners from

engaging in retaliatory action against Tenants. The Director shall mail the notice to the occupants of each Rental Housing Unit, the Owner, and the Local Representative at the addresses provided on the registration form described in Section ____-7. The Director shall also post official notice of the inspection in a Common Area of the Rental Housing Property. In the case of multiple Owners of the same property, notice to any one of the Owners shall comply with the notice requirement under this section.

COMMENT: Notice to tenants is essential, to inform them about the purpose and process of inspections, allay fears, and encourage them to permit entry. Giving a tenant notice of the scheduled date and time of an inspection can also increase the likelihood that a tenant will be home and available to permit the code enforcement officer to enter. Notice can also alleviate some privacy concerns that residents may have by giving them the opportunity to, in advance of inspections, store personal items that are unrelated to code enforcement. Notices should be clearly worded and provided in a manner that considers language and other possible communication barriers. In developing notices and other materials to support a periodic rental inspection program, it is important to review local government policies for guidance on language access. Depending on applicable federal, state, and local laws, translation of the notice into commonly spoken languages may be not only a best practice but a requirement.

____-12. Re-Scheduling an Inspection.

An Owner or Local Representative may reschedule an inspection once by [contacting the Director's office] at least [five] calendar days prior to the scheduled inspection date. A rescheduled inspection must occur within [14] calendar days of the original inspection date. Violations of this section shall result in the imposition of a re-scheduling fee.

____-13. Entry.

- (a) The Owner or Local Representative shall provide the Code Enforcement Officer with access to all Common Areas and vacant units on the Rental Housing Property.

COMMENT: Proactive rental housing inspection programs, in contrast to complaint-based programs, bring code enforcement officers into contact with a broader cross-section of residents, including many who have not affirmatively sought out housing inspections. To help educate tenants and landlords about rental housing inspections, allay residents' concerns, and ensure effective implementation of inspections, successful programs use community education and involve community members and nonprofit organizations in implementation of their programs. San Francisco's [Code Enforcement Outreach Program](#) is one example. See [A Guide to Proactive Rental Inspections](#) for more information.

- (b) The Owner or Local Representative is responsible for obtaining the consent of the Tenant of the Rental Housing Unit for the Code Enforcement Officer's entry to inspect the unit. If the Tenant does not consent to entry for the inspection, the Director is authorized to seek an inspection warrant from a court of competent jurisdiction. If a Tenant or occupant of a Rental Housing Unit refuses to allow the inspection, the Owner is not in violation of this section.
- (c) If the Code Enforcement Officer has reasonable cause to believe that a Rental Housing Unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard public health or safety, the Code Enforcement Officer shall have the right to immediately enter and inspect the premises and may use any reasonable means required to effect the entry and make an inspection.

COMMENT: Under the Fourth Amendment to the US Constitution, tenants have the right to be secure in their home against unreasonable searches. At the same time, state and local police power may authorize laws that are reasonably related to the public health, safety, and welfare of residents. The US Supreme Court has recognized that local inspection powers are of "indispensable importance to the maintenance of community health."⁴⁷ A government agent's entry into a private home without the tenant's consent is presumed to be unreasonable unless there are emergency circumstances or a warrant to justify the intrusion.⁴⁸ Therefore, a code enforcement officer must have affirmative consent from the resident prior to or at the time of the inspection. Programs may allow a code enforcement officer to obtain tenant consent for entry at the time of the inspection⁴⁹ or through a pre-inspection consent form.⁵⁰

This model ordinance allows the locality to seek an administrative inspection warrant from a court, if necessary. State laws vary on the procedures that an agency must follow, so jurisdictions considering use of such administrative proceedings should review state law before including this provision.⁵¹

-14. Results of Inspection.

- (a) If the Code Enforcement Officer finds no code violations, the Code Enforcement Officer shall issue a Notice of Compliance that shall state in plain language that the property is in compliance with all applicable laws. The Code Enforcement Officer shall mail the notice to the occupants of each Rental Housing Unit, the Owner, and the Local Representative at the addresses provided on the registration form described in Section -7.

- (b) If upon inspection, the Code Enforcement Officer discovers one or more violations of this Code or any other applicable law, the Director shall cause to be issued a notice and order to the Owner and Local Representative to correct the violations. The order shall state in plain language the violations of law found and the sections of law with which the property is not in compliance. The order shall further state that failure to correct the violations within the specified time period under Section ___-14(d) may result in additional inspection fees under Section ___-6 and other enforcement actions under Section ___-15. The order shall also state that Section ___-16 of this Chapter prohibits Owners from engaging in retaliatory action against Tenants. The Director shall mail the notice and order to the occupants of each Rental Housing Unit, the Owner, and the Local Representative at the addresses provided on the registration form described in Section ___-7.

COMMENT: To promote necessary repairs and rehabilitation, an order or notice of violation can also include materials to connect the owner with resources and programs to help bring the property into compliance. Providing resources to support compliance is one aspect of a cooperative compliance approach to inspections. For example, a code enforcement officer may educate an owner about how to make repairs safely and properly and include written materials, suggest or offer classes, or provide information on sources of low-interest loans or grant funding. Cooperative compliance allows owners and officers to work together to improve housing conditions even beyond what is minimally required. Orders and educational materials should be provided in multiple languages as needed for accessibility.

- (c) If the Director determines that the condition of a Rental Housing Property or a Rental Housing Unit poses a present, imminent, extreme, and immediate hazard to health or safety, they shall order abatement of the conditions within 48 hours. Within 24 hours after the time to abate, the Director shall conduct a re-inspection of the Rental Housing Property or Rental Housing Unit to determine compliance with the order. If the condition has not been abated, the Director is authorized to make the necessary repairs to ensure immediate correction of dangerous, life-threatening conditions and recover the cost of those repairs from the Owner.
- (d) Except as provided in Section ___-14(c), the Director shall specify a reasonable time period for correction of any violations – depending on the severity of the condition, between [48] hours and [30] days from receipt of the order – and also schedule a re-inspection of the property. The order shall specify the date by which re-inspection must occur. The [City / County] shall impose a fee for any additional inspection required under this section. The [City / County] may also

commence any enforcement action as provided in this Chapter, including but not limited to those in Article IV.

- (e) Except for conditions specified in Section ___-14(c), if the violation has not been corrected by the compliance date, but the Owner has made significant progress in correcting the violation since the prior inspection, the Director may grant a single extension of time not to exceed [30] days. In determining whether to grant an extension of time, the Director shall consider the factors listed in Section ___-9(c).

COMMENT: Cities and counties vary in the length of time given to owners to correct housing violations. Sacramento gives owners 30 days to correct violations, except in cases where "there is an immediate danger to health or safety."⁵² Los Angeles allows inspectors to give owners up to 30 days to correct violations, unless the condition "poses a serious risk to the health or safety of the occupants or the public," in which case the inspector may give the owner up to 14 days to correct the violation.⁵³ Los Angeles also permits inspectors to grant extensions under a limited set of circumstances.⁵⁴ Jurisdictions seeking to employ an equitable enforcement model may wish to vary the timeline for compliance depending on the severity of the violation, the landlord's past conduct and record of violations, or the landlord's demonstrated progress toward making repairs.

Article IV. Enforcement.

COMMENT: State and local laws dictate the type and means of enforcement that local governments are permitted to use. The major forms of enforcement are administrative enforcement by the city or county that results in fines or revocation of licenses or permits; civil enforcement through lawsuits to obtain injunctive relief or civil monetary penalties; and criminal enforcement. In many cities or counties, the penalties or procedures for enforcement may not be separately stated in the new law. Instead, the penalty provision is contained in state law or in another chapter or section of the local government's municipal code.

Having a variety of enforcement mechanisms is the most effective way to ensure compliance with the law. Most cities and counties already have a complaint-based code enforcement program with enforcement mechanisms and will integrate those enforcement methods into their proactive rental inspection program. Section 15 provides standard language for administrative enforcement clauses and optional language for civil and criminal enforcement. A local attorney should draft the enforcement clauses to ensure that they conform to state and local law and procedures.

Equitable Enforcement Note! The purpose of bringing enforcement actions is to protect tenant health by incentivizing compliance with housing code, not to punish owners. Overly punitive enforcement actions against owners may mean that owners are unable to pay fines or afford the cost of repairs to bring a property into compliance. Owners might lose rental income and go into

foreclosure, which might ultimately lead to a loss of affordable housing in the community. Overly punitive enforcement might also lead owners to retaliate against tenants or otherwise pass the costs of compliance to tenants in the form of higher rents, making housing unaffordable and resulting in displacement.

To address these risks, localities should take steps to make sure that their PRI programs are equitably enforced, to minimize harms to communities that face housing challenges resulting from structural inequities. Using an equitable enforcement approach to housing inspections involves six key strategies: involving affected communities and groups, changing the culture of code enforcement, promoting cooperation with landlords, developing interagency coordination, mitigating the harms of enforcement, and adopting complementary healthy housing policies. For more on what these strategies are and how to implement them in your jurisdiction, see ChangeLab Solutions' [A Guide to Proactive Rental Inspections](#).

-15. Penalties.

- (a) If, after re-inspection of the Rental Housing Property pursuant to Section -14(d), the Owner has failed to correct the conditions that violate the law, the [City / County] may revoke the Owner's Notice of Compliance described in Section -14(a) or seek compliance through any other remedy allowed under this Code or state law.
- (b) Any person who violates any of the provisions of this Chapter shall be subject to an administrative penalty not to exceed [\$100.00] for each day that the violation is committed or permitted to continue. Administrative penalties authorized by this section shall be assessed, enforced, and collected in accordance with Section [] of this Municipal Code.
- (c) *Any person or entity that violates a provision of this Chapter shall be liable for a civil penalty of up to [\$1,000.00] for each day that the violation is committed or permitted to continue. The penalty shall be assessed and recovered in a civil action brought by the [City / County] attorney in a court of competent jurisdiction. The [City / County] shall be entitled to the costs of enforcing this Chapter pursuant to a court order.*

COMMENT: In addition to using administrative enforcement proceedings, localities may also file a civil lawsuit to enforce a law, remedy a wrong, or protect a right. If someone is violating an ordinance, a city or county can sue for an injunction and impose civil penalties, including fines. Because filing a lawsuit and litigating a matter in court are expensive and time-consuming and because cities have limited resources, cities generally pursue civil remedies only in extreme cases when housing is in a dangerous condition or a landlord has evaded other forms of enforcement.

(d) *Any person who violates a provision of this Chapter shall be guilty of a misdemeanor.*

COMMENT: Policymakers should exercise care when drafting criminal enforcement provisions. Over-reliance on criminal enforcement can exacerbate inequities and prompt unnecessary interactions with law enforcement in underserved communities, which may already mistrust police and other institutional actors due to historical mistreatment and persistent disparities in the criminal justice system. If criminal enforcement provisions are included, they might be best used to address the most egregious and repeat violators.

(e) The [City / County] may collect any judgment, fee, cost, or charge – including any fees, late charges, or interest – incurred under this Chapter that has not been paid within [45] days of notice thereof, as provided under [(cite to the applicable provisions in the City/County municipal code)]. Any Owner who fails to pay any judgment, fee, cost, or charge will be subject to the placement of a lien against the Rental Housing Property that is the subject of the judgment, fee, cost, or charge.

(f) The remedies provided in this Chapter shall be cumulative and not exclusive of any other remedies available under federal, state, or local laws.

(g) The Owner may appeal a decision by the Code Enforcement Officer or other [City / County] official that a Rental Housing Unit is in violation of housing code pursuant to the procedures set forth in [] of the Municipal Code. The appeal must be in writing and filed within [] calendar days from the date of the decision, with the appeal fee established by resolution of the [City Council / (Local Legislative Body)].

COMMENT: As noted earlier, cities and counties will integrate their existing enforcement mechanisms into their proactive inspection ordinance. Included in enforcement, of course, is the owner’s right to an administrative and/or judicial appeal of any decisions made by the agency.

-16. Tenant Protections.

(a) **Retaliatory Eviction.** It shall be unlawful for an Owner to recover possession of a Rental Housing Unit in retaliation for a Tenant’s exercise of their right to . . .

- (1) Consent to entry of a Code Enforcement Officer for inspection of the Rental Housing Unit, or
- (2) File a complaint with the [City / County] advising that a violation of a building, housing, or sanitation code, or a permit violation may exist on the property.

COMMENT: Retaliation and Eviction Protections

State law may protect tenants from retaliatory action by landlords, but it is important to ensure that those protections are in place in a local ordinance. The provisions included in this model ordinance protect tenants only against retaliatory actions for the reasons detailed above in Section 16(a).

In addition to providing anti-retaliation protections specifically related to PRI programs, many jurisdictions have adopted a broader set of provisions that help to protect against retaliation and eviction. For example, just-cause eviction policies establish specific grounds for eviction that landlords must use to evict tenants (e.g., nonpayment of rent, damage to the unit, landlord's intent to convert the unit to personal or family use). Just-cause eviction policies lift the burden on tenants to prove that a landlord retaliated and shift the burden of proof to landlords, who must prove that their intent isn't retaliatory and meets the necessary eviction criteria. For more on just-cause eviction, refer to the following:

- The National Low Income Housing Coalition, [*Promoting Housing Stability Through Just Cause Eviction Legislation*](#)
- Local Housing Solutions, [*Just Cause Eviction Policies*](#)

Eviction protections may be determined by state law; jurisdictions considering adoption of local eviction protections should consult with a local attorney to ensure that such protections are not preempted.

- (b) **Rent Increase or Other Retaliatory Actions.** If an order is made under Section ___ -14(b), the Owner shall not take any of the following actions:
- (1) Increase the rent for the existing Tenants of any Rental Housing Unit that is the subject of the order from the date of the order to [one year] after the Director determines that the Owner has complied with the order; or
 - (2) Engage in other types of retaliatory conduct, including but not limited to depriving Tenants of use of the premises, decreasing services, or otherwise interfering with Tenants' rights under their lease.

COMMENT: State or other local laws (such as rent control laws) may also address rent increases, particularly how the cost of property improvements may be passed to tenants. Some states prohibit local governments from imposing rent control laws, which may affect localities' ability to limit rent increases. It is important to ensure that the provisions of a PRI program are consistent with such other laws.

- (c) **Relocation Costs.** If the Director finds it is necessary for Tenant(s) to vacate any Rental Housing Unit due to an unsafe or unsanitary condition or to correct any violations, the costs and expenses of any Tenant related to relocation shall be the responsibility of the Owner.

COMMENT: Funded programs to assist with the costs of relocating tenants help ensure that displacement resulting from code enforcement efforts doesn't result in housing instability and homelessness, which have significant negative health impacts.⁵⁵ Los Angeles, for example, has a tenant relocation assistance program that entitles a tenant to financial assistance from the property owner to help them find new housing.⁵⁶

- (d) **Rent Escrow.** It shall be unlawful for an Owner to allow any unoccupied Rental Housing Property to be occupied or to collect rent from a Tenant for occupancy of a Rental Housing Property during or for any time in which there is not a valid Notice of Compliance for the property. Tenants of an occupied Rental Housing Property that lacks a Notice of Compliance as described in Section ___-14(a) shall be entitled to pay the rent that would otherwise have been due to the Owner into an escrow account, which shall be established by the [City / County] with a third-party financial institution. If the Owner of the Rental Housing Property obtains a Notice of Compliance within the first 90 days in which payments are made into the escrow account, the rent in the escrow account shall be paid to the Owner, less the actual administrative fee charged by the third-party financial institution. If the Owner fails to obtain a Notice of Compliance within those first 90 days, the rent in the escrow account shall be paid, at the end of those 90 days, to the Tenant, less the actual administrative fee charged by the third-party financial institution. Thereafter, the Tenant shall continue paying rent into the escrow account until the Owner obtains a Notice of Compliance. At the end of every 60 days in which the Owner fails to obtain a Notice of Compliance, the rent in the escrow account shall be paid to the Tenant, less the actual administrative fee charged by the third-party financial institution. If the Owner of the Rental Housing Property obtains a Notice of Compliance, all rent accrued in the escrow account shall be paid to the Owner, less the actual administrative fee charged by the third-party financial institution. Nothing in this article shall be construed to permit eviction of an existing Tenant

from a Rental Housing Property or to deprive existing Tenants of their rights to possession of a Rental Housing Property under the laws of this state, and such existing Tenants shall have a right under this Code to retain possession of a Rental Housing Property notwithstanding an Owner's inability to collect rent from such Tenants pursuant to this subsection.

COMMENT: Rent Escrow Provisions

To incentivize owner compliance, some jurisdictions, such as Los Angeles⁵⁷ and Detroit,⁵⁸ have created rent escrow account programs that provide a mechanism for tenants to withhold rent from landlords who do not address housing code violations. Tenants pay rent into a city-managed escrow account, and cities can hold this money until landlords meet necessary requirements. In Los Angeles, landlords may apply to request funds from the escrow account to cover repair costs, and funds are also available to tenants for relocation assistance if necessary.⁵⁹

- (e) **Claim of Retaliatory Action.** Any Tenant who believes that the Owner of their Rental Housing Unit is engaging in retaliation that is prohibited by this section may notify the Proactive Rental Housing Inspection Program by filing a complaint detailing the claim of retaliation with the Director.

COMMENT: It is important for a locality to collect as much information as possible about landlord retaliation in order to be able to enforce the anti-retaliation protections it has established. In general, it is recommended that a locality collect information about the landlord's specific retaliatory acts, including when the retaliation took place, the reasons for retaliation, and evidence of the retaliation. Examples of retaliation include the following:

- Threatening or starting an eviction lawsuit against the tenant
- Causing the tenant to leave involuntarily (typically by changing the locks or turning off necessary utilities or services)
- Increasing the rent
- Decreasing services available to the tenant at the rental (e.g., changing the code for access to the laundry room)
- Unlawfully or unreasonably entering the unit or harassing the tenant for entry
- Refusing to make necessary repairs to the unit
- Attempting to enforce rules or regulations that aren't listed in the lease
- Reporting the tenant to immigration officials

- (f) **Finding of Retaliatory Action.** If the Director determines that an Owner has engaged in retaliation that is prohibited by this section, the Director may order the Owner to cease and desist from such conduct and order the Owner to refrain from or remediate such conduct that has already occurred. The Director may also pursue any of the remedies provided in Section ___-15.

Article V. Program Review.

-17. Program Review.

Beginning on [_____] and annually thereafter, the Director shall report to the [City Council / (Local Legislative Body)] on the activities of the Proactive Rental Housing Inspection Program, including but not limited to (1) the number of Rental Housing Units registered (including details about any previously unidentified housing units that have been discovered); (2) the number of Rental Housing Units inspected; (3) Owners' compliance in allowing inspections to be completed within the specified timeframe; (4) the number of inspections that found violations; (5) the types of violations found; (6) the number of Rental Housing Units that were not brought into compliance within the specified timeframe; (7) the number of inspections that have resulted from complaints; (8) an evaluation of whether the program fees are adequate to cover program costs and any recommendations for changes to the fee structure; (9) a description of the number of cases that required enforcement measures and which enforcement measures were used; (10) a comparison of the year's activities to activities in prior years; (11) the number and types of referrals to other agencies (e.g., Child Protective Services or Adult Protective Services); and (12) any recommendations for modifications to the Program.

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49. *See, e.g.*, Los Angeles, Cal., Municipal Code § 161.601 (“If the building, unit or structure is occupied, the General Manager shall present proper credentials to the occupant; explain the reasons for the inspection; and request consent to conduct an inspection. . . . If consent to conduct an inspection is refused or cannot be obtained, the General Manager shall secure entry to inspect the premises by getting an inspection warrant under California Code of Civil Procedure Sections 1822.50 through 1822.57.”).
50. *See, e.g.*, Rental Housing Inspection Program, City of Sacramento. *Tenant Consent to Inspect Rental Housing Units*. Revised Feb. 7, 2012. cityofsacramento.org/-/media/Corporate/Files/CDD/Code-Compliance/Programs/Rental-Housing/RHIPTenantConsent2-7-2012.pdf?la=en.
51. The US Supreme Court, in a challenge to a San Francisco housing inspection program, clarified that administrative searches, such as routine housing inspections, do not require the same showing of particular probable cause to validate an inspection warrant as is required for a criminal search warrant. Instead, any reasonable legislative program or standards that clarify why a unit is subject to inspection will satisfy the “cause” requirement of an administrative warrant. *Camara v. Municipal Court of City & County of San Francisco*, 387 U.S. 523, 538–539 (1967) (“[I]t is obvious that ‘probable cause’ to issue a warrant to inspect must exist if reasonable legislative or administrative standards for conducting an area inspection are satisfied with respect to a particular dwelling. Such standards, which will vary with the municipal program being enforced, may be based upon the passage of time, the nature of the building (e.g., a multifamily apartment house), or the condition of the entire area, but they will not necessarily depend upon specific knowledge of the condition of the particular dwelling.”). Some states may have particular statutes addressing the requirements. *See, e.g.*, Cal. Code of Civ. Proc. § 1822.52 (California has enacted into law the standard required for administrative warrants.); N.C. Gen. Stat. Ann. § 160D-1207(a) (narrowly defining “reasonable cause” for the purpose of preemption).
52. Sacramento, Cal., Municipal Code §§ 8.120.120; 8.100.170(C); 8.96.070(C).
53. Los Angeles, Cal., Municipal Code §§ 161.704.1; 161.704.4.
54. Los Angeles, Cal., Municipal Code § 161.704.3.
55. *See, e.g.*, Sandel M, Sheward R, Ettinger de Cuba S, et al. Unstable housing and caregiver and child health in renter families. *Pediatrics*. 2018;141(2):e20172199. doi:10.1542/peds.2017-2199.
56. Los Angeles, Cal., Municipal Code § 163.00 *et. seq.*
57. Los Angeles, Cal., Municipal Code § 162.00 *et. seq.*
58. Detroit, Mich., Municipal Code § 8-15-82(d) (rent escrow account specifically for tenants living in properties lacking a certificate of compliance).
59. Los Angeles, Cal., Municipal Code § 162.07.B.