



The following FAQs refer to a draft proposal being presented to the Burien City Council outlining the details of a rental housing inspection program operated by the City of Burien. As of February 26, 2019, the City does not operate a rental housing inspection program.

## Does the City of Burien have the authority to create the RHIP?

The Washington State Legislature has authorized local municipalities to establish rental inspection programs that require certificates of inspection as a business license condition. The City of Burien's Rental Housing Inspection Program (RHIP) was created in accordance with RCW 59.18.125.

## When do I have to begin registering my rental property?

Participation in the RHIP is a requirement in order to get a business license. Annual business licenses are effective from August 1 to July 31 of each year. Accordingly, the City will require a certificate of inspection and registration of all rental units subject to the RHIP in order to renew or obtain a business license for the period of August 1, 2019 to July 31, 2020. Thereafter, inspection certificates will be required only once every three years and only from a random-sampling of multi-family residential units in the City. However, annually, all multi-family rental properties must register in the RHIP and provide a declaration of compliance in order to obtain an annual business license.

## What type of housing requires inspections?

- Multi-family residential (apartments), which includes residential buildings designed for or occupied by two or more families (includes duplexes, triplexes, four-plexes and complexes with more than four units).
- Non-owner occupied single-family residences
- Non-owner occupied condominiums and townhomes

## What are the exempted residential housing units?

- Owner-occupied single family residences
- Owner-occupied condominiums and townhomes
- Units unavailable for rent
- Housing accommodations in a hotel, motel, or similar transient lodging
- Housing accommodations at an institution, whether public or private, where residence is merely incidental or detention or the provision of medical, religious, educational, recreational or similar services including but not limited to correctional facilities, licensed nursing homes, monasteries and convents, and hospitals
- Owner-occupied mobile homes or manufactured homes, both as defined in Chapter 59.20 RCW
- Shelters and transitional housing
- Rental units that a government unit, agency, or authority owns, operates, or manages, or that are specifically exempted from such a registration requirement by state or federal law or administrative regulation. This exemption does not apply once the governmental ownership, operation, or management is discontinued.
- A rental property that has received a certificate of occupancy within the last 4 years and has had no code violations reported on the property during that period.



## Is Section 8 housing exempt from inspection?

The health and safety inspection conducted by the King County Housing Authority is viewed as equivalent to a RHIP inspection. Landlords currently enrolled in Section 8 may submit proof of most recent passed KCHA inspection by October 1, in order to renew their multi-family business license by January 1.

## What is being inspected?

Health and safety components, including but not limited to: structural integrity; weather exposure; plumbing & sanitation; heat, water, and water facilities; ventilation systems; defective or hazardous electrical wiring and/or service; safe and functional exits; smoke & carbon monoxide detectors. These components are consistent with RCW 59.18 and the 2015 International Property Maintenance Code (IPMC).

## Does every unit have to be inspected?

Every unit must be inspected during the first year of the program (2019) unless the property has been issued a certificate of occupancy within the past four years and there have been no code violations on the property. Thereafter, only 20 percent of the total number of units must be inspected every three years, which is consistent with RCW 59.18.125. The specific units will be randomly selected by the City. Rental properties that fail inspection must have 100 percent of the total units inspected and pass inspection to obtain a license.

## What are the requirements of the notification to the tenants?

Prior to the initial inspection occurring on the property during the first year of the program, written notification of the upcoming inspections must be issued to all units. The notice shall advise tenants that all units at the property will be inspected and that those in need of repairs should send written notice to the landlord as provided in RCW 59.18.070. The notice must also advise tenants that if the landlord fails to adequately respond to the request for repairs the tenant may contact City of Burien officials. Three years following the initial inspection, the notice described above shall be issued to all units and shall state that 20 percent of the units will be selected at random by the City for inspection. The notice shall advise tenants that units in need of repair shall send notice to the landlord as provided in RCW 59.18.070.

48 hours prior to the inspection date, written notification of intent to allow an inspector to enter to the tenants of units selected for inspection must be issued to the selected units. The notice must indicate the date and approximate time of the inspection and the name of the company or person performing the inspection. It must also indicate that the tenant has the right to see the inspector's identification before they enter the unit, in accordance with RCW 59.18.150(6). A copy of the notices must be provided to the inspector upon request on the day of inspection. Landlords may use the City-provided template.

## What happens if a tenant denies the landlord/inspector access to the property?

Per RCW 59.18.150(1), "The tenant shall not unreasonably withhold consent to the landlord to enter into the dwelling unit in order to inspect the premises [...]" A tenant who denies access to the property after the landlord has provided the two-days' written notice as required by RCW 59.18.150(6) may be subject to a penalty of up to \$100 per violation as outlined in RCW 59.18.150(8)."



## Is new construction required to be inspected?

A rental property that has received a certificate of occupancy within the last four years and has had no code violations reported on the property during that period is exempt from inspection per BMC 5.62.070(F)(3) and RCW 59.18.125(4)(a).

## How does this program benefit tenants?

Over time, this program is expected to improve living conditions in rental apartments city-wide. While a resident can report unsafe living conditions to Burien Code Enforcement at any time by calling (206) 248- 5539 or emailing [CodeEnforcement@burienwa.gov](mailto:CodeEnforcement@burienwa.gov), some residents do not self-report for fear of landlord retaliation. The Landlord Tenant Act (RCW 59.18) protects tenants from retaliation, but creation of this program is intended to address rental property issues proactively without the need for self-reporting.

## What do tenants need to know about the inspection process?

When your rental unit is scheduled for an inspection, the property owner or manager must, in accordance with RCW 59.18.150(6) provide 48 hours' written notice. As the tenant you may ask for the inspector's ID before they enter the unit. Denying access after proper notice has been given may violate state law, and may result in a penalty of up to \$100 per violation (RCW 59.18.150(1) and (8)). Please keep in mind that the inspectors are looking out for your best interest.

## Will this program affect my rent?

The City cannot anticipate what impacts the Rental Housing Inspection Program might have on the rental market, beyond the program fees being charged by the City via business license renewals. This website will be updated over time as we learn more through program implementation.

## It might be a while before the property I am renting is inspected, but I have concerns now. What can tenants do?

For information and resources available please see the landlord and tenant issue resource (City of Burien website pending), the Landlord Tenant Act (RCW 59.18); or report unsafe living conditions to Burien Code Enforcement at any time by reporting online at [burienwa.gov/reportissue](http://burienwa.gov/reportissue), calling (206) 248-5539, or emailing [CodeEnforcement@burienwa.gov](mailto:CodeEnforcement@burienwa.gov).

## How can I find out if a rental property is complying?

If a rental property has passed inspection through the Rental Housing Inspection Program (RHIP), a Certificate of Compliance must be posted in a visible and shared location at each multifamily location: such as lobbies, mailrooms, or onsite leasing offices. Alternatively, the landlord may present a copy of the certificate to the tenant at lease signing. Do not sign a lease for a rental property that has not registered with the RHIP. If you discover a rental property is not registered, notify the City by emailing [RHIP@BurienWA.gov](mailto:RHIP@BurienWA.gov) or (206)-248-5539.



## How can tenants assist with the implementation of this program?

Tenants are essential to the success of RHIP and can assist in several ways:

- Encourage the property owner or landlord to register the property.
- Learn about maintenance standards and notify the owner or landlord when things need repair.
- Contact the City of Burien if the owner or landlord is not complying with RHIP.