

**From:** [Kirsten Buscher](#)  
**To:** [Brian Hagen](#); [Stephanie Hanson](#); [Todd Larson](#)  
**Subject:** Recommendations for Rental Inspections Policy Updates  
**Date:** Friday, February 7, 2025 9:27:12 PM

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All,

After reviewing both the original and edited versions of the Rental Inspections Procedures Policy, I've outlined my thoughts below, along with drafted language for potential inclusion if you find them appropriate. If any of these additions seem overly burdensome, lack precedence from other city's codes we utilized as examples, or lead to concerns about overreaching government authority, I am open to discussion and adjustments.

However, one aspect I strongly advocate for is reinstating language regarding **protection against retaliation and ensuring tenant comfort** during inspections. I believe these provisions are essential to fostering trust and compliance within the rental community.

Additionally, this may be a niche concern, but should we consider addressing potential language barriers in the policy? Ensuring that tenants fully understand their rights and responsibilities could be crucial in maintaining clear communication and compliance.

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Questions for Clarity

1. Tenant Privacy Protections

- The policy mentions that inspectors should avoid capturing personal belongings in photos and will only take photos of violations. However:
  - How will this be enforced in practice? Training?
  - Will tenants be able to request copies of photos taken inside their unit?
  - Will there be a process to challenge photos that they believe were taken inappropriately?

2. Advance Notice & Tenant Participation

- The policy requires 30-day advance notice to property managers and mailed notice to tenants if the inspection is scheduled at least a week in advance.
  - What happens if a tenant does not receive the mailed notice due to postal delays?
  - Is there a procedure for rescheduling if a tenant cannot be present and would like to be present during the inspection?

3. Follow-Up Inspection Timelines

- The policy clarifies follow-up deadlines for different violations (e.g., 60 days for

most, 7 days for smoke/CO detectors, 1 day for critical issues).

- What happens if repairs require more time due to supply chain issues or contractor availability?
- Is there an appeal or extension process if a property manager or tenant cannot meet the deadline?

## Suggested Edits

### 1. Privacy and Photography Policy

- Add a specific policy section on tenant privacy and photos, stating:
  - Photos must be relevant to the violation.
  - Tenants **may** be informed if photos are taken. **Need to find language that fits when tenant is not present.**
  - Tenants may request copies of inspection photos.

### 2. Clarify No-Show Policy for Tenants

- The revised policy requires property managers to accompany the inspector.
  - If a tenant is unavailable, allow for a request to reschedule
  - Will property managers be required to give tenants a specific time window for inspections?
  - Consider adding a "reasonable accommodation" clause for tenants with disabilities, work conflicts, or other barriers (language, etc.).

### 3. Reintroduce Language on Retaliation Concerns

- The original policy acknowledged that tenants might fear retaliation for reporting maintenance issues.
- This was removed in the edits—consider reintroducing it to address concerns without assuming renters don't report issues.

### 4. Handling Complaints or Disputes

- Add a clear process for tenants or property managers to dispute findings, challenge inspection photos, or appeal citations.

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## Suggested Language Based Off of Suggestions:

### 1. Tenant Privacy and Inspection Photography Policy (Section G. 10.)

#### A. Photography Guidelines

## 1. Limited Scope of Photos

- Inspectors must only take photographs of documented code violations.
- Photos **should** not include personal belongings, tenant documents, or areas unrelated to the violation. **Allows for some leeway or discretion rather than creating a binding obligation.**
- If a violation exists but a photo is unnecessary to document the issue, the inspector should not take a photo.

## 2. Tenant Notification of Photography

- Inspectors **may** verbally inform tenants before taking any photos inside their unit. **Need to find language that fits when tenant is not present.**
- If a tenant objects to a photo, the inspector should attempt to document the violation through written notes instead.

## 3. Tenant Access to Photos

- Tenants may request copies of any photos taken inside their unit by submitting a request to the housing authority within 10 business days after the inspection.

## 4. Privacy Complaint Procedure

- If a tenant believes an inspector took unnecessary or intrusive photos, they may file a privacy complaint with the housing authority.
- Complaints must be reviewed within 15 business days, and if a violation is found, **the photo must be deleted.** (Not sure what other duty owed beyond this)

# 2. Tenant Notification and Rescheduling Policy (Section G.)

## 1. Advance Notice Requirements

- Inspectors must provide:
  - 30 days' notice to property managers.
  - 7 days' mailed notice to tenants.
- If an inspection is scheduled less than 7 days in advance, tenants must receive written or electronic notice within 24 hours.

## 2. Rescheduling Requests

- If a tenant cannot be present during an inspection due to work, disability, or other conflicts, they may request a rescheduled time by contacting the property manager or inspector at least 48 hours before the inspection.

## 3. Reasonable Accommodations for Tenants

- Tenants with disabilities may request additional accommodations, such as:
  - A specific inspection time slot.
  - A designated representative to be present on their behalf.

# 3. Protection Against Retaliation (To be reintegrated into Section A. 1.)

- Tenant Protection:
  - Tenants must not be penalized, threatened, or evicted for:
    - Reporting housing code violations.
    - Allowing inspectors into their unit.
    - Requesting repairs or inspections.
- Anonymous Complaints:
  - Tenants may submit complaints anonymously to the housing authority to reduce fear of retaliation.
- Enforcement:
  - If retaliation is suspected, tenants may report it to the (appropriate authority as city sees fit) or tenant advocacy organizations.

## 4. Dispute Resolution and Appeals Process (Section H. (3.))

1. Disputing an Inspection Finding
  - If a tenant or property owner disagrees with an inspection finding, they may submit a written appeal within 10 business days of receiving the inspection report.
2. Review Process
  - The housing authority must:
    - Review the appeal within 15 business days.
    - Provide a written response stating whether the violation stands or is dismissed.
3. Final Appeal Option
  - If the dispute is unresolved, the tenant or property owner may request a secondary review by (appropriate authority as city sees fit).

Please review the suggested updates, and I welcome any feedback or discussion. (Thanks for bearing with me as I organize the many thoughts running through my head!)

Thank you all for your hard work on this task, I know it has not come easy.

Kirsten