

Lynchburg Residential Rental Inspection Program



Owners and
Tenants
Maintaining
Lynchburg
Rentals
as
Habitable
and
"Good To Go"

Purpose and intent of Residential dwelling and building standards provide protection for citizens and neighborhoods by ensuring sub-standard living conditions are reduced.

In 1993 the City of Lynchburg City Council first adopted the minimum building maintenance and residential rental dwelling standards for properties within the city limits in order to produce thriving, attractive, safe neighborhoods and enhance citizen's quality of life.

The City's Rental Inspection Program began its enforcement process in 2005 based on the designated rental inspection districts (see district list and map).

Once a rental unit has received a 1 year or 4 year rental certificate of compliance, the responsible parties - owner/landlord/occupant/tenant/managing/registered agents shall be required to insure the maintenance of the unit. Anyone of the responsible parties may report or make a complaint that the maintenance is being negatively altered, and an inspector can revisit the unit and require abatement or face court action.

**PURPOSE
AND
INTENT
OF THE
RESIDENTIAL
RENTAL
INSPECTION
PROGRAM**

Residential rental dwelling units can often be prone to unsafe conditions, which can lead to dwelling units being classified as unfit for human habitation, overcrowding, and structural deterioration from overall neglect.

The Residential Rental Inspection Program was adopted:

- ❑ To Prevent: Property deterioration, unsafe living conditions, neighborhood decline and neighborhood blight.

- ❑ To Promote: Safe, decent, habitable and sanitary residential rental dwelling units for citizens.

- ❑ To Improve: Neighborhoods real estate values, and neighborhood appearance.

RESIDENTIAL RENTAL INSPECTION PROGRAM ADOPTED



**SPECIFIED
CITY
DISTRICTS
REQUIRED
TO
REGISTER
RENTAL
PROPERTY**

Based on Code of Virginia §36-105.1:1. The rental inspections districts are outlined based on the residential areas which have a significant amount of *older housing stock* built in the late 1800's and early 1900's, receive CDBG/HOME funds and or areas with congested density of dwelling structures.

Rentals are added to the Rental Inspection Program upon observed discovery, complaints, new ownership, Legal Aid, and or city data.

Noteworthy: Residential dwelling units outside the designated inspection district are *subject* to the ordinance based on separate findings.

**REGISTER
SCHEDULE
A RENTAL
PROPERTY**

REGISTER rental property online at
<https://seam.ly/yIsg8Kxx>

SCHEDULE a rental inspection
<https://RentalInspection.as.me/>

**OWNER TO
NOTIFY
PARTIES
OF
INSPECTION**

It is the responsibility of the owner to notify hired rental management agencies and or occupant of the scheduled inspection date and time.

The residential rental inspection districts consist of:

Daniels Hill Census Tract #4

Rivermont Census Tract #4

Down Town Census Tract #5

College Hill Census Tract #6

Dearington Census Tract #6

Garland Hill Census Tract #6

Tinbridge Hill Census Tract #6

Miller Park Census Tract #7

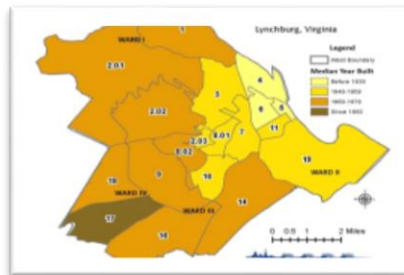
Diamond Hill Census Tract #11

White Rock Hill Census Tract #19 (formally 12&13)

Fairview Heights Census Tract #19 (formally 12&13)

Seminary Hill Census Tract #19 (formally 12&13)

Tyreeanna Census Tract #19 (formally 12&13)



RENTAL DISTRICT

"Good to Go" Rental Registration and or 1 and 4 Year Certifications are listed online at

www.lynchburgva.gov

- Click the "SERVICES" tab > [My City Services -GIS Application link](#) > type in an address >
- Locate Parcel box at bottom of page > click link *View property details in Parcel Viewer*
- go to *Planning Data at bottom/middle* > *View Parcel in e-TRAKiT*
- Type in address again > Review Sub-Cases) link (Rentals are REN - Housing cases are HOU)*
- Click on link REN or HOU each case has a different number (click Violations tab on top to view other/current/previous violations)*
- Under a REN case RENTAL INSPECTION C.O.C. 1 Year or C.O.C 4 Year will be listed (some C.O.C 's cases are expired and will be scheduled for inspection in the near future).*

ONLINE VIEW OF PARCEL

RENTAL CERTIFICATION

HOUSING/ RENTAL VIOLATIONS ACTIVITY

RESIDENTIAL RENTAL CERTIFICATE OF COMPLIANCE

A certificate of compliance is a written document issued by the inspections division confirming that a residential rental dwelling unit has been inspected.

A certificate of compliance will be issued after a residential rental dwelling unit has been inspected by the inspections division and has no violations outstanding. Once a certificate of compliance has been issued the residential rental unit may be rented.

City Code Sec. 11-170. Violations.

(a) It shall be **unlawful** for any owner or managing agent to fail to comply with the requirements contained in this article and to fail to comply with the provisions of the Uniform Statewide Building Code.

Failure to comply or abate violations cited under Virginia Uniform Statewide Building Code Residential Rental Inspection Program in a reasonable time may receive court action resulting in a misdemeanor charge and or fines.

Tenant complaints or visible violations can result in the citation of new violations and or revocation of an existing rental certificate of compliance.

RESIDENTIAL RENTAL INSPECTION FEES

There is a charge of \$50.00 for the initial rental inspection check payable to the City of Lynchburg or pay at Billings and Collections with cash or credit card (online pay not yet available).

First follow-up/re-inspection \$0.00

Additional Fees Applied

Second/other follow-up \$50.00

No Show inspection \$50.00

Pre Court Inspection \$50.00

Court \$50.00

Rental fees must be paid no later than 30 days after the initial inspection. Payment after 30 days will result in a one year certificate of compliance being issued.

4-YEAR RENTAL CERTIFICATE

If no violations are cited or minor violations are abated within a reasonable time from date of mailed notice, a four **(4)-year** rental certificate of compliance is issued (\$50.00= *\$1.04 per month*).

1-YEAR RENTAL CERTIFICATE

If more than minor violations are cited during the rental inspection process; violations are not abated within a reasonable period of time, and or poor repair work is performed a one **(1)-year** certificate of compliance is issued (\$50.00= *\$4.17 per month*).

RESIDENTIAL RENTAL CERTIFICATE OF COMPLIANCE 1 AND 4 YEAR

Based on data from the city assessors office, a Periodic Annual Residential Rental Inspection Notice indicating date and time of the scheduled inspection and any fees associated with the inspection, will be mailed or emailed to the owner of record. Owner(s) of multiple dwellings are not exempt from inspections. All rentals should be "Good to Go" at time of occupancy.

RENTAL INSPECTION NOTICE

Units annually exempt from the rental program are units/dwellings with an active Section 8 voucher, occupied and inhabited by a VA court recorded owner of record. Non-owner occupied units (including family members) and rent-to-own type contracts units, are considered as a rental; not unless, the residing purchaser or family member, is recorded as a co-owner documented with the city assessors office.

EXEMPTIONS

Please be advised: The owner of record must provide the city assessors office with the proper documentation to make the required change. Once the change has been documented it is the owners responsibility to contact the Rental Program Administrator of the change.

City Assessors Office: 434-455-3830.

Verifications are subject to an annual review and must be resubmitted each year to remain exempt from the Residential Rental Inspection Program.

VERIFICATION RENEWED ANNUALLY

Rental units within Lynchburg City's designated rental inspection districts which are not registered with the city, are not eligible for a non-exempt rental certificate of compliance.

Tenant Complaints can be made by:

- Calling the Rental Hotline at 856-City
- Completing a 14 Day Repair Request Complaint Form at <http://www.lynchburgva.gov/tenant-complaints>

TENANT COMPLAINT

Any owner or any other person, firm or corporation, or agent who shall retaliate against a tenant by increasing rent or decreasing services or by terminating a rental agreement because the tenant reported a violation of the provisions of this chapter to the building maintenance official or because the tenant cooperated with the building maintenance official in an investigation shall be guilty of a violation of this chapter and shall be punished as provided in section 11-9 of this chapter. Sec. 11-6. - Retaliation against tenants prohibited.

RETALIATION AGAINST TENANTS PROHIBITED

Dwellings which become vacant in attempt to avoid the rental inspections program will be referred to the City Vacant Property Program with a potential lien fee of \$100. per year.

Structures are Unfit for Human Occupancy when they are in significant disrepair, structurally unsound, unsanitary, vermin/pest infested, lack ventilation, or do not have working utilities.

Structures are considered an Unlawful Structure if: they were erected or altered illegally (without trades permits or inspections) or are overcrowded with more occupants than permitted by law.

VACANT PROPERTY AND UNFIT STRUCTURES

Once a rental unit has received a 1 year or 4 year rental certificate of compliance, the responsible parties - owner/landlord/occupant/tenant/managing/registered agents shall be required to insure the maintenance of the unit. Any one of the responsible parties may report or make a complaint that the maintenance is being negatively altered, and an inspector can revisit the unit and require abatement or face court action.

Occupants of a dwelling unit, or rooming unit are responsible for keeping that part of the premises which they occupy clean, sanitary and in safe condition.

"It was like this when I rented it, so the owner should clean/fix it" (If you take the rental in an unsanitary state the tenant is responsible for the current inspection sanitation standards)

"The owner is a slumlord and knew it was like this, and rented this dump to me" (to avoid civil issues, do not rent property that is not up to par)

"I pay rent; changing light bulbs, smoke detector batteries, ventilation to prevent mold, removing dead insects/rodents is up to the owner to do" (rentals are not hotels, general maintenance and sanitation is the occupants responsibility and should be outlined in rent agreement talk to your landlord/owner/management agency if you need help)

OCCUPANT RESPONSIBILITY

PHRASES AND COMMENTS WHICH DOES NOT EXCUSE OCCUPANTS FROM MINIMUM RENTAL HABITATION REQUIREMENTS

To minimize violations, review the inspection check list **PRIOR** to your inspection date and make any repairs. It is the owner's responsibility to correct any known or observed property maintenance violations during an onsite inspection and or prior to renting to occupants. The cost of property neglect and or deferred maintenance may result in higher repair cost to the owner.

General Responsibility: The owner of the premises shall maintain the interior and exterior of the rental structure. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of the state/city code. *Occupants* of a dwelling unit are responsible for keeping that part of the premises which they occupy clean, sanitary, free from damage and in safe condition.

Failure to comply or abate violations cited or observed under Virginia Uniform Statewide Building Code Residential Rental Inspection Program in a reasonable time may receive court action resulting in a misdemeanor charge and or fines. **Note:** Verbal and observed violations are active on the date of onsite inspection. Do not wait for a Notice of Violation letter to begin making repairs.

Tenant complaints or visible violations can result in the citation of new violations and or revocation of an existing rental certificate of compliance.

INSPECTION CHECKLIST

EXTERIOR



INTERIOR

- ❑ *The building exterior shall be in good repair, structurally sound, and sanitary, including fascia/soffits, columns, porches, rails, decks. All wood /metal surfaces shall be free from, holes, deterioration, rot, peeling paint or missing components.*
- ❑ *Grading and drainage* - No erosion or standing water in the yard or driveway.
- ❑ *Gutters and downspouts* are in good condition and water from downspouts discharges away from the structure.
- ❑ *Sidewalks and driveways* are in proper repair and free of hazardous conditions.
- ❑ *Exterior walls* are weatherproof and coated with a protective treatment (paint, stain, intact siding), with no peeling or chipped paint, and metal surfaces are not rusted. Joints in building material, including mortar joints, are watertight. Exterior walls are free of holes, breaks, and loose or rotting material.

- ❑ *House numbers* are legible from the street, with a minimum 4-inch letter height and ½-inch stroke width.
- ❑ *Foundation walls* are plumb and free from cracks and breaks, without holes to allow entry of rodents or water.
- ❑ *Exterior stairs, decks, porches, and balconies* are structurally sound, properly anchored, free from tripping hazards, and able to support the required load.
- ❑ *Handrails and guardrails (interior and exterior)* are required with steps that have more than 4 risers/steps. Guardrails are required when the distance from standing surfaces/porches/decks or landings are more than 30 inches from ground level (No more than a 4" spacing between rails/balusters).
- ❑ *Electrical Service Entrance Cable sheathing* should be intact with no exposed wires or hazards.

EXTERIOR

EXTERIOR

EXTERIOR

- ❑ Windows, door frames, and skylights are in good repair and weather tight. Windows may not have broken glass.
- ❑ Security - Doors, windows, and hatchways are secure and lockable.
- ❑ Exterior doors are in good sound condition; provide proper and safe egress/exits. No double keyed deadbolt locks (turn knob latch for interior egress).

INTERIOR

INTERIOR

- ❑ Utilities should be active to perform inspection of electrical, heating and plumbing systems.
- ❑ The interior of building shall be in good repair, structurally sound, and sanitary. Interior structural members are sound and can support the required loads.
- ❑ Interior surfaces walls/ceilings/floors are to be safe, clean and sanitary, with no peeling or chipping paint, cracked plaster, or decayed wood. Interior stairs and walking surfaces are in sound condition; handrails and guardrails are in good repair, well-fastened, and support the load.
- ❑ Interior doors fit reasonably well, is properly secured, opens freely, latches in frame, knobs and hardware are properly installed.
- ❑ Emergency egress/exits pathways shall be free from obstacles or tripping hazards (electrical cords, etc.). Doors and windows shall be operable without special tools, keys, double keyed dead bolt, hasps, or special knowledge.
- ❑ Working smoke alarms/detectors are to be installed: inside the room of every bedroom/sleeping area, hall outside bedrooms, including basements.
- ❑ Clothes dryer vent exhausts to exterior, not to basements, crawlspaces etc. No excessive lint buildup on floors, walls, ceilings or around dryer.

INTERIOR

- ❑ Infestations all interior areas shall be free of infestations from insects, nuisance pests and rodents . Reduce/eliminate reproduction opportunity.
- ❑ *Rubbish and garbage* are disposed of in a container with no accumulation (clothes/trash/excessive clutter) outside.
- ❑ *Ventilation* -Windows are in good condition, properly opens and able to stay in place and have screens. Bathroom with no window must provide a mechanical exhaust fan properly vented to exterior. Excessive interior moisture condensation must be eliminated.
- ❑ *Light* - Habitable rooms have natural light (windows) equal to 8 percent of the floor area.
- ❑ *Plumbing* all kitchen sinks, bathtubs/showers, laundry, shall be supplied with tempered hot/cold running water free of plumbing hazards.

INTERIOR

- ❑ *Plumbing Fixtures*- sinks, toilets, tubs, vanities, etc. are properly supplied, secured and connected to wall/floor, in working order without deterioration, loose caulk, leaks, no holes under sink, loose toilet, and have adequate clearances.
- ❑ *Electrical* 60-amp service minimum with two Receptacles per habitable space. GFCI-protected receptacle are required in each bathroom, kitchen near water source, and any area where water is a potential electrical hazard.
- ❑ All Repairs and installation of materials/items are required per code (electrical, building, mechanical, plumbing etc.) in a workmanlike manner. Owners serving as contractor are responsible to perform repair work as professional craftsmen.

The enclosed checklist does not provide every possible applicable codes required to meet the USBC/Property Maintenance minimal habitable standard. See Codes/Laws section for additional information.

**BY LAW OWNERS ARE
REQUIRED TO
MAINTAIN
RENTAL DWELLING
STANDARDS**



**OR BE SUBJECT TO
COURT ACTION,
CRIMINAL CHARGES
AND OR FINES.**

Rental property business owners/landlords by Law are required to maintain rental building standards or be subject to court action, misdemeanor criminal charges and or fines.

Rental property business owners/landlords and occupants/tenants are required to properly maintain the exterior and interior of each rental dwelling unit based on minimum habitable living standards. The provisions of the USBC prescribe compliance of building maintenance and repair regulations of existing structures and equipment.

**BUILDING
CODE
VIOLATIONS
ARE
CRIMINAL
COURT
CHARGES**

- "Look at the property next door compared to mine"
- "I'm helping people from being homeless"
- "The property looks better than it did when I bought it"
- "I already put a lot of money into fixing the place"
- "I pay my city taxes, that should be enough"
- "The tenants have not paid rent, so I'm not fixing anything"
- "The city is "nit picking" me to death"
- "The property was like this when I bought it"
- "The city is costing me money"
- "The tenants are going to tear it up anyway"
- "All the money I have put into the city, I should not have to do any more"
- "How people live is no one's business"
- "If the tenants don't complain why should I fix the place?"
- "It's the hood/ghetto, what do you expect?"
- " I have never heard of the program"

**PHRASES
AND
COMMENTS
WHICH
DOES NOT
EXCUSE
OWNERS
FROM
MINIMUM
RENTAL
HABITATION
REQUIREMENTS**

Historical Districts may have specific requirements for exterior repairs/installation. Check with Review Board for requirements 434-455-3900.

***Zoning Requirements for Rentals** -Three (3) unrelated occupants in a dwelling unit, change of use laws, etc. call 434-455-3915 or visit https://library.municode.com/va/lynchburg/codes/code_of_ordinances?nodeId=CH35.2Z0OR_ARTIVBAZODI

Building Permits - Electrical, building, plumbing and demolition call 434-455-3910

Planning and Zoning call 434-455-3900

SEE RENTAL CODE COMPLIANCE LAW REQUIREMENTS AS FOLLOWS:

LYNCHBURG CITY WEBSITE FOR CITY CODE

City Website Click on the Services Tab> Scroll to City Code> click link Or type below link in URL bar (Muni Code).

<http://www.lynchburgva.gov/chapter-11-buildings>

City Code Chapter 11 (Building) > Article III. Residential Rental Dwelling Units Inspections

LYNCHBURG CITY CODE SECTIONS AS
FOLLOWS ARE APPLICABLE BY LAW
SECTIONS: CITY CODE CHAPTER 11

11-161 (Purpose and Intent);

11-162(f) (Definitions: *Minimum habitable standards*);

11-163 (Designation of rental inspection districts);

11-165 (Notification by owners of dwelling unit to locality);

11-166 (Inspections of residential rental dwelling units);

**CODES
LAWS
CONT.**

11-167 (Inspection fees);

11-168 (Entry);

11-170 (Violations);

City Code Sec. 11-170. Violations.

(a) It shall be **unlawful** for any owner or managing agent to fail to comply with the requirements contained in this article and to fail to comply with the provisions of the Uniform Statewide Building Code

11-171 (Enforcement).

Code of Virginia §36-105.1:1.(Rental Inspections)

Rental Checklist and Program Info

www.lynchburgva.gov/rental-program

Housing Property Maintenance Checklist

www.lynchburgva.gov/property-maintenance

2012 Virginia Maintenance Code

<https://codes.iccsafe.org/public/collections/Virginia>

Virginia Residential Landlord & Tenant Act

www.dhcd.virginia.gov/images/Housing/2017%20landlord-tenanthandbook.pdf

Code of Virginia

<https://law.lis.virginia.gov/vacode/title55/>

- Chapter 13 Landlord and Tenant
- Chapter 13.2 Virginia Residential Landlord and Tenant Act
- Chapter 27 Virginia Residential Property Disclosure Act (Building/Zoning)

Vacant Property

<http://www.lynchburgva.gov/vacant-building-registration-program>

Unsafe and Unfit Property

[13VAC5-63-490. Section 105 Unsafe Structures or Structures Unfit for Human Occupancy](#)

Rental property business owners/landlords are required to properly maintain the exterior and interior of each rental dwelling unit based on minimum habitable living standards.

The provisions of the USBC prescribe compliance of building maintenance and repair regulations of existing structures and equipment.

**CODES
LAWS
CONT.**

Complaint Based Inspections

Code Compliance Property

Maintenance and

Housing Cases



COMPLAINT BASED INSPECTIONS:

CODE COMPLIANCE, PROPERTY MAINTENANCE AND HOUSING CASES

The Virginia Uniform Statewide Building Code requires the repair of existing structures and equipment.

Following receipt of a complaint for exterior or interior issue, a city staff inspector will perform an inspection of the structure. *Dwellings in the Rental Inspection District will be added to the Rental Program*

If violations are found, the property owner will be provided a copy of the Housing Inspection Report/Notice of Violation; the notice may also be posted on the property. The owner will be allowed reasonable time to correct the violations.

When necessary, the Property Maintenance/Housing Code Inspector will take building owners or the responsible party (managing company, occupant, registered agent), to General District Court for failing to comply with the City's building maintenance code.

Court action can result in criminal charges of a Class 4 misdemeanor, fines up to \$2,500.00 and/or jail time (Note: the courts are operated by the State of Virginia, therefore, one can be subject to: additional separate fees, fines, and DMV action).

Contact: 434-455-3910 or for full information City Codes Chapter 11
visit: www.lyynchburgva.gov/property-maintenance

Boarding of Vacant Property

The following requirements must be adhered to in the boarding up of vacant or openly accessible properties: All windows on the ground level must be boarded unless they have full glass panes; all exterior doors on the ground level must be boarded including crawl space openings unless they have secured non-damaged doors; any window's on the other levels where the glass is broken out must be boarded or re-glassed.

High Weeds or Tall Grass ,Trash on Private Property

It is against the law to have grass or weeds over twelve (12) inches high on private property (this ordinance does not apply to trees or undisturbed woodlands). After ten days, the City will schedule the property to be cut and the owner will be billed by the hour at a minimum fee of \$250.00 per lot.



Inoperative Motor Vehicles

Are defined by City Code as any motor vehicle, trailer, or semi-trailer, or part thereof which is not in operating condition, does not display valid license plates, or inspection decal which has not expired within sixty (60) days.

An inoperative motor vehicles can be allowed to remain on the property if placed in a fully enclosed building or shielded from view.

Contact: 434-455-3910 or for full information visit: www.lynchburgva.gov/neighborhood-services

Zoning Requirements for Rentals Three (3) unrelated occupants in a dwelling unit, Zoning district uses, change of use laws, etc. call 434-455-3915 or visit- City Code Chapter 35
https://library.municode.com/va/lynchburg/codes/code_of_ordinances?nodeId=CH35.2Z0OR_ARTIVBAZODI

COMPLAINT
BASED
INSPECTIONS:

CODE
COMPLIANCE,
NEIGHBORHOOD
SERVICES
PROPERTY

ZONING

Vacant Building Registration Program

On December 13, 2016, City Council approved the Vacant Building Registration Program (Article IV Section 11-191). The program is designed to protect the public's health, safety and welfare.

Vacant buildings can be a source of blight, especially when the owner or party responsible for the building fails to actively maintain and manage the building to ensure it does not become a liability to the neighborhood. The City invests approximately \$52,000 annually monitoring vacant and foreclosed properties. This ordinance shifts a portion of this cost from the taxpayer to the property owner.

On or before July 1 of each year, the owner or managing agent, or a duly authorized representative acting on behalf of the owner or managing agent, shall register with the property maintenance official on forms developed by the Inspections Division, the address of any buildings they own or manage which have been vacant for a continuous period of 12 months or more and which meet the definition of derelict building

Every person filing a registration forms with the building maintenance official shall pay an annual registration fee of \$100.00 to defray the cost of processing the registration.

For purposes of this section, derelict building shall mean a residential or nonresidential building or structure, whether or not construction has been completed, for a continuous period in excess of six months, it has been (i) vacant, (ii) boarded up or secured in accordance with the building code, and (iii) not lawfully connected to electric service from a service provider and not lawfully connected to any required water or sewer service from a utility provider.

Vacant Building Registration online form
<https://lynchburg.seamlessdocs.com/f/l7B2Bg>

Contact: 434-455-3910 or for full information visit:
<http://www.lynchburgva.gov/vacant-building-registration-program>

**VACANT
BUILDING
REGISTRATION**



For complete information about the Rental Inspection Program and Inspection Checklist please visit:

www.lynchburgva.gov/rental-program

Contact: Dana L. Horne, Eds,CZA,PMHI

Property Maintenance Official - Rental

434-455-3922 or 434-455-3910

dana.horne@lynchburgva.gov