



Greater Harrisburg Association of REALTORS[®]

POLICY STATEMENT ON RENTAL PROPERTY ORDINANCES

Policy

The Greater Harrisburg Association of REALTORS[®] (GHAR) supports municipalities enforcing existing ordinances to ensure the quality and safety of the municipalities' housing stock. Many municipalities have existing codes that can assist them to ensure all residents live in safe conditions.

GHAR is opposed to licensing and inspection ordinances specifically targeted at renter-occupied units because:

- (1) rental licensing and inspection ordinances are an infringement on the private property rights of property investors;
- (2) these ordinances violate the privacy rights of tenants and essentially discriminate against tenants and property investors; and
- (3) rental licensing and inspection ordinances discourage investment in communities and hinder affordable housing opportunities.

REALTORS[®] believe that rental property owners offer a much needed service by providing housing to citizens who, either by choice or other circumstances, may not want or be able to purchase a home. GHAR believes that the overwhelming majority of investment property owners provide safe, quality, and affordable housing options, and maintain their properties in a responsible manner. GHAR believes rental property owners who do not maintain their property in accordance with existing regulations should be held accountable and prosecuted to the fullest extent of the law, just as owner-occupied homeowners should be held accountable to existing regulations. However, subjecting a select segment of property owners – investment property owners – to onerous and costly governmental inspection and registration is unfair and discourages investment in communities.

GHAR believes that municipalities can promote a quality housing stock by enforcing existing ordinances and by creating a positive environment for residents, tenants, and property investors.

Recommendation to Municipalities

Codes exist which give municipalities the tools to ensure a quality housing stock. Zoning, building, and property maintenance codes, among others, are part of the laws of most localities. Municipalities can enforce these codes through a combination of codes officers' presence in the community and through addressing complaints.

By enforcing existing laws, rather than implementing a new program that unfairly targets a select group of properties, municipalities can ensure a quality housing stock while encouraging quality investment in their communities.

Commentary on Proposed Ordinances

In the event that a municipality is committed to adopting a new law or program, GHAR strongly encourages municipalities to include the following components in any approved ordinance:

- Clear data to support the need for a new law/program
- Reasonable fees that are used only to offset the actual cost of the new program
- Clear due process of law protections
- No radius requirements
- Clearly defined checklist for property inspections
- In addition, such municipalities should make sure the ordinance does not create a problem with compliance (i.e. set up requirements that are impossible to meet because of the Pennsylvania Landlord Tenant Act)

Approved by the Government Affairs Committee (3/11/2011)
Approved by the GHAR Board of Directors (4/21/11)