

Date: October 18, 2023

To: Members of City Council 202302213
From: Mayor Aftab Pureval
Subject: ORDINANCE – Tenant Relocation

Attached is an ordinance captioned as follows:

MODIFYING Chapter 871 of the Cincinnati Municipal Code, “Landlord-Tenant Relationships,” by ordaining new Section 871-10, “Landlord’s Obligation to Provide Tenant Relocation Assistance,” and amending Sections 871-1, “Purpose and Construction,” 871-3, “Definitions,” and 871-15, “Court Action,”; **MODIFYING** Chapter 1117 of the Cincinnati Municipal Code, “Housing Code,” by amending Sections 1117-31, “Connection of Fixtures,” and 1117-35, “Heating Facilities”; and **MODIFYING** Title XV, “Code Compliance,” by amending Section 1501-9, “Class D Civil Offenses,” all to establish a procedure by which tenants may receive relocation assistance if ordered by the City to vacate their residences due to unsanitary living conditions that are either created, or knowingly and willfully left unabated, by the landlord.

This ordinance is to shift the cost burden of moving expenses from the City, to the housing provider who has allowed a dwelling to become so neglected, unsafe or unsanitary that it is no longer suitable for human occupancy. Upon encountering this kind of housing situation, City inspectors issue orders to promptly cause the dwelling to be made safe. When an owner fails to comply with the repair order, as a last resort, an order to vacate the dwelling must be issued. The occupants are then required to relocate from the unsafe housing and out of harm’s way. More times than not tenants will be mentally and financially unprepared to pack up and move. The City has assisted occupants in this unfortunate situation with assistance from the B&I Housing Services Coordinator to quickly find suitable decent, safe and sanitary housing in which to move, and provide financial assistance in the form of the first months, rent and/or deposit and moving expense. In many cases the struggling occupants of this housing do not have the savings to be able to pay a deposit and first month rent in advance and would otherwise have to remain in the unsafe conditions until financially able to move. The ordinance will place this cost burden on the housing provider responsible for the neglect and development of unsafe conditions.

This ordinance also clarifies the responsibility for providing water service when the lease requires the tenant to pay for water service. This is a common arrangement in detached single-family homes. Rather than include the water service costs in a fixed monthly rent amount, housing providers prefer the tenants pay for the water they use separately to encourage conservation. The code change will shift responsibility from the housing provider to the tenant when water service is shut off due to non-payment by the tenant when the lease agreement requires the tenant to pay. A house that must be vacated for lack of sanitation due to water shut off will afford the housing provider a defense to code enforcement when the tenant has agreed to pay for water service but fails to do so.

The Administration recommends passage of the attached ordinance.

cc: Art Dahlberg, Director, Buildings & Inspections