

EEF *BWB*

City of Cincinnati

An Ordinance No. _____ - 2020

AMENDING Section 874-5, "General Obligations of Owners and Persons in Control of Residential Rental Properties," of the Cincinnati Municipal Code to modify the registration information required by owners of residential rental properties, in order to address privacy concerns of business operators of residential rental properties as the city-wide rental registration program is being implemented.

WHEREAS, there are approximately 80,000 residential rental units in the City of Cincinnati, which constitutes half of all of the City's housing stock; and

WHEREAS, the actual number of residential rental properties and rental units in the City of Cincinnati is unknown, in part, because owners of residential rental property often fail to register their rental properties; and

WHEREAS, in order to address these concerns, City Council passed Ordinance No. 406-2019 in October 2019, enacting Chapter 874 of the Cincinnati Municipal Code, "Residential Rental Registration," to enhance and update registration requirements for residential rental properties and to increase the penalties for failure to comply with such requirements, which Chapter has an effective date of September 1, 2020; and

WHEREAS, as the provisions of Chapter 874 are being implemented, the City acknowledges the privacy concerns of its residents and business operators and has established policies and procedures consistent with these concerns regarding the information gathered pursuant to this ordinance, which policies and procedures comport with applicable public records laws, which concerns are further addressed by the amendment to Chapter 874 contained herein; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 874-5, "General Obligations of Owners and Persons in Control of Residential Rental Properties," of Chapter 874, "Residential Rental Registration," of Title VIII, "Business Regulations," of the Cincinnati Municipal Code is hereby amended to read as follows:

Sec. 874-5. - General Obligations of Owners and Persons in Control of Residential Rental Properties.

- (a) The owner or person in control of a Residential Rental Property must file a Residential Rental Property registration with the director within 60 calendar days of the effective

date of this ordinance or within 60 calendar days of assuming ownership, whichever is later.

- (b) All Residential Rental Property registrations shall be made on forms and in the manner prescribed by the director, and shall include the following information:

- (1) The name, address, and telephone number of the owner;
 - (2) If the Residential Rental Property is owned by a trust, business trust, estate, partnership, limited partnership, limited liability company, association, corporation, or any other business entity, the name, address, and telephone number of the following:
 - a. A trustee, in the case of a trust or business trust;
 - b. The executor or administrator, in the case of an estate;
 - c. A general partner, in the case of a partnership or a limited partnership;
 - d. A member, manager, or officer, in the case of a limited liability company;
 - e. An associate, in the case of an association;
 - f. An officer, in the case of a corporation;
 - g. A member, manager, or officer, in the case of any other business entity.
 - (3) The name, address, and telephone number for any and all persons in control of the Residential Rental Property, including, but not limited to, a professional property management company or on-site maintenance personnel, who have been designated by the owner as the party responsible for responding to emergency or maintenance issues for the Residential Rental Property and who can be reached 24 hours a day, 7 days a week, 365 days a year. At least one person in control must reside within 100 miles of the registered Residential Rental Property.
 - (4) The street address and permanent parcel number of the residential rental property.
 - (5) ~~The monthly rent charged and the number and~~ size of each rental unit located in each residential rental property, including the number of bedrooms, bathrooms, and approximate square footage of the unit.
- (c) The owner and any designated person in control of a registered Residential Rental Property have a continuing obligation to notify the director in writing of any changes, including, but not limited to:
- (1) Any change in information on the Residential Rental Property registration form.

- (2) Any change in ownership.
- (3) Any change in use of the Residential Rental Property, including, but not limited, to the property becoming and remaining vacant for a period of sixty days or more.
- (d) All Residential Rental Registrations shall be accompanied by the applicable fee necessary to recover the cost and expense of the administering the registry, which fee shall not exceed \$1.00 per registered rental unit.

Section 2. That existing Section 875-5 is hereby repealed.

Section 3. That this ordinance shall be an emergency necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to modify the current provisions of the city-wide rental registration program, Chapter 874, "Residential Rental Registration," which has an effective date of September 1, 2020, in order to include the amended language to address privacy concerns of business operators of residential rental properties as this program is being implemented.

Passed: _____, 2020

John Cranley, Mayor

Attest: _____
Clerk

Deleted language indicated by strikethrough.