

HF 184 - Occupancy bill talking points

EXPLANATION: this bill relates to the authority of cities to regulate and restrict the occupancy of residential rental property. The bill provides that a city shall not adopt or enforce any regulation or restriction related to the occupancy of residential rental property based upon the familial or nonfamilial relationships of occupants.

The bill will:

1. remove the criteria of arbitrarily limiting the number of unrelated people that can share a rental unit
2. **NOT** take away Home rule or local control from cities
3. **NOT** take away Landlord control of who you rent to

Considerations:

4. Cities may adopt occupancy guidelines from the **International Property Maintenance Code (IPMC)**. The 2012 version, section 404 spells out square footage guidelines for bedroom size per occupant, living room and dining room sizing, etc... **“ANIMAL HOUSE” TYPE OF HOUSING WILL NOT BECOME PREVALANT AND CAN BE EASILY PREVENTED.**
5. Current ordinances using familial status **DISCRIMINATE** against the young, the elderly, the low income, the unmarried, and divorced/ widowed who choose not to remarry & wish to share housing costs.
6. Restricting occupancy on marital status has the effect of leaving some properties with unusable bedrooms potentially driving up the shared housing costs per tenant.
7. Cities will continue to have police power to regulate bad behavior and use existing nuisance ordinances to regulate noise, control litter, parking of cars, crime, etc.
8. The 2010 US Census shows a change in nationwide demographics. Over 50% of United States households are headed by unmarried adults and that number is steadily climbing. Creating a demand for housing that does not discriminate against unrelated adults.
9. Federal programs do not allow discrimination based on marital status
10. For families sending their kids, grandkids, nieces and nephews to college find a shortage of suitable housing, competition rises for resulting rooms, the overall cost of education rises and ultimately may prevent young adults from achieving a higher education. Housing costs are a large portion of the cost of an education.
11. Property owners can still regulate how many people they allow in their property. For example: One bedroom property w/one parking spot – you can restrict it to one person w/one car or you may choose to allow a couple, etc.. You decide how many live there, as long as how you regulate is not against one of the protected classes in the Federal Housing Act: Race, color, religion, national origin, sex, disability, and familial status (parent and child).