

June 15, 2017

MEMORANDUM

To: Members of the PLUZ Committee
From: Aly Pennucci, Legislative Analyst
Subject: CB 118974: Updates to the RRIO and the HBMC

On June 20, the Planning, Land Use and Zoning (PLUZ) Committee will discuss and may vote on amendments to Council Bill (CB) 118974 which would make changes to the Rental Registration and Inspection Ordinance (RRIO) and the Housing Building Maintenance Code (HBMC). CB 118974 would:

- Amend the HBMC to add requirements related to lead paint, carbon monoxide alarms, minimum fire and safety requirements for exiting, improving security standards for exterior doors and other technical corrections and updates; and
- Amend the RRIO to:
 - Require inspection reports from private inspectors
 - Modify the percentage of units selected for inspection
 - Incorporate references to the modified HBMC, such as referencing requirements related to lead paint; and
 - Other technical corrections and updates

This memorandum: (1) provides a brief background on the proposal; and (2) summarizes issues and potential amendments for consideration by the PLUZ committee.

Background

The proposed changes to the RRIO program were informed by the work Seattle Department of Construction and Inspections (SDCI) completed in response to the Statement of Legislative Intent 25-2-A-2 (SLI), that was adopted by the Council in 2016. The SLI requested that SDCI strengthen the RRIO auditing program to ensure that inspections conducted by private inspectors are on par with those completed by City inspectors, that private inspectors are not overlooking circumstances that should trigger additional follow-up by SDCI, and to provide more information to understand the overall investments in property improvements leveraged by the program. One of the key changes proposed in CB 118974 would require that private inspectors report the results of inspections they complete when there are any failures. This would provide SDCI with a more complete picture of the conditions in housing units' subject to a RRIO inspection, which would allow them to audit private inspectors work in more detail and better assess the investments in property improvements.

In preparing the SLI response, SDCI convened a stakeholder group that met six times in 2016. In addition to responding to the SLI, SDCI proposed other changes based on feedback from the stakeholder group and to address issues identified by SDCI as the program has been implemented.

Potential Amendments

Potential Council amendments to the Mayor's recommended bill have been prepared in response to comments or questions raised at the June 6 PLUZ Committee meeting, community concerns shared with Councilmembers and SDCI staff, and technical corrections or clarifications identified after the legislation was transmitted to Council. The issues identified to date are described below. A list and discussion of potential amendments is provided in Attachment 1. Specific amendment language can be found in the Attachments 2 through 6.

1. Clarify language

Several amendments have been suggested to clarify language based on feedback from stakeholders and questions raised by Committee members. (see Attachment 2 for specific amendment language, *Sponsor: Councilmember Johnson*).

2. Criteria for selecting additional units for inspection after a RRIO failure

Under the existing RRIO program, a sample of rental housing units are required to be inspected at least once every 10 years. The Mayor's proposal would modify the percentage of units required for initial inspection from 15 percent to 20 percent. If one of the units selected for inspection by the Department fails the inspection, the Department may require that up to 100 percent of the units in the building be inspected. SDCI has the discretion to make this determination and, depending on what conditions led to the failure, determine what, if any, additional units should be added to the inspection.

Today, if a property owner chooses to hire a private inspector to conduct the RRIO inspection, the City only receives the final passing Certificate of Compliance issued by the private inspector. Without the notice of any failures, SDCI cannot use its discretionary authority to address more extensive maintenance or safety issues by requiring inspection of additional units. The Mayor's proposal adds a requirement that, if any failure is found, both the results of the initial inspection and the certificate of compliance must be submitted to SDCI. With that information SDCI could use the existing authority under RRIO to select additional units for inspection as needed.

To date, approximately 6,268 properties have had a RRIO inspection completed; 2,371 properties, or 38 percent, were inspected by City Inspectors. Of the inspections completed by City inspectors, 691 properties (29 percent) failed the first inspection and 72 (3 percent) properties failed the second inspection. SDCI has not used the authority granted under RRIO to require inspection of additional units following a standard RRIO inspection. This is, at least in part, due to the type of failures encountered during a RRIO inspection conducted by City Inspectors. Most failures were due to: missing, not functional or improperly located smoke detectors (29 percent of failures) or exposed unprotected wiring (10 percent of failures) (see Attachment 7 for details that SDCI prepared at the Committee's request). However, SDCI has used the authority granted under RRIO to require inspection of additional units in three properties after a City inspector identified RRIO failures during a code compliance inspection. SDCI has also used authority outside of RRIO to require inspection of multiple units in other circumstances that are not included in the RRIO numbers provided in Attachment 7.

To increase transparency in the process and ensure that this discretion is applied consistently, SDCI intends to prepare a Director's Rule outlining the criteria they will use to determine when inspection of additional units will be required. Section 22.214.070 of the Seattle Municipal Code grants the SDCI Director rulemaking authority. SDCI, at the PLUZ Committee's request, prepared draft criteria that they would refine after working with stakeholders to adopt by rule (see Attachment 8). Councilmembers

could consider an amendment that would specify that a rule outlining the criteria is required or add specific criteria to the ordinance, modifying SDCI's discretionary authority. Attachment 3 contains specific amendment language that would add the criteria drafted by SDCI to the ordinance, modifying SDCI's discretionary authority while increasing transparency around when this requirement will be applied (*Sponsor: Councilmember Herbold*).

3. Reduce the amount of notice to property owners of units selected for inspection

Landlords are given 60 days' notice when an inspection of the property must be completed; this notice specifies that an inspection is required within 60 days and identifies the specific units that have been selected for inspection. In some cases, landlords may make repairs only to the selected units to pass the inspection. If that occurs, the inspector will not see an accurate representation of the conditions of units throughout the building. The amount of notice for the specific units selected that is provided to landlords is determined by SDCI and is not specified in the code. SDCI intends to modify their business practice to reduce the amount of notice provided to landlords about which specific units will be inspected. With this business practice change, property owners would continue to receive 60 days' notice that an inspection of the property must be completed. However, the specific units selected to be inspected would be provided at a time closer to the inspection. Councilmembers could consider an amendment to specify the amount of notice provided to landlords (see Attachment 4 for specific amendment language, *Sponsor: Councilmember Herbold*).

4. Notification to tenants after a RRIO inspection is completed

As described above, property owners are provided 60 days' notice that an inspection of the property is required. As specified in Section 22.214.050.H of the RRIO, property owners must provide at least two days advance written notice to all tenants residing at the property that the property will be inspected and, if a sample of units has been selected, identify the specific units to be inspected. In some cases, if a tenant is not present during the inspection, the tenant may not be certain that an inspection of their unit was completed. As a business practice, if the inspection was conducted by a private inspector, SDCI sends a follow-up survey to the tenant following the inspection. Inspectors sometimes leave a business card in the unit following an inspection so the tenant can contact them if they have questions.

The proposed amendment requests that SDCI adjust their business practices to ensure that tenants are aware that an inspection was completed and are provided SDCI's contact information (see Attachment 5 for specific amendment language, *Sponsor: Councilmember Herbold*).

5. RRIO Program Fees

SDCI will prepare recommendations to adjust the RRIO program fees closer to when landlords are scheduled to renew their registration in 2019. There has been some concern that the fees are overly burdensome for smaller landlords. Conversely, there is also concern that the fees will not fully cover the costs of administering the RRIO program. The potential amendment would request that SDCI evaluate the impact to smaller landlords as they develop recommendations to modify fees in the future (see Attachment 6 for specific amendment language, *Sponsor: Councilmember Herbold*).

Attachments:

1. Table 1: Potential Amendments
2. Amendment 1: Clarifying / technical amendments (CM Johnson)
3. Amendment 2: Criteria for inspection of additional units after a RRIO failure
4. Amendment 3: Timing for providing notice to property owners of units selected for inspection
5. Amendment 4: Information for tenants after a RRIO inspection has been completed in their unit
6. Amendment 5: RRIO program fees
7. SDCI Data on RRIO Inspections
8. SDCI's proposed criteria for selecting additional units for inspection and a draft of future revisions to the RRIO Checklist (draft)

cc: Kirstan Arestad, Central Staff Director
Ketil Freeman, Supervising Analyst

Attachment 1: Table of proposed amendments for Council Bill 118974

Amendment Options	Discussion	Specific Amendment
<p>Amendment 1: Clarifying Amendments</p>		
<p><i>Sponsor: CM Johnson</i></p>		
Section 22.206.050.D	This section adds a requirement that kitchen sinks must have at least 30 inches of working space in front. The amendment would replace the word “working” with “floor” to clarify what is meant by this provision.	See Attachment 2
Section 22.206.080.D	This section adds a requirement for handling lead painted surfaces in accordance with best practices and state law provisions. The amendment would repeat the phrase “In any structure built before 1978” to clarify when this provision applies and add language that clarifies when a property owner is required to use a certified individual to make the repairs.	
Section 22.206.110.A	This section adds a requirement that each dwelling unit has direct access to its electrical panel. The amendment would <i>remove the word “direct” from the requirement to clarify that the intent is that tenants must be able to access electrical panel in case of emergency or for needed repairs, whether accessed “directly” in their own units or by a common area that tenants have access to.</i>	
Section 22.206.110.D	This section adds a requirement that (1) receptacle outlets within 3 feet of a water source are grounded; and (2) that an emergency power system is provided to illuminate the path of exit in the event of a power failure. The amendment clarifies that the requirement for an emergency power system to illuminate the path of exit applies only in multi-family properties.	
Section 22.206.130.A.3	This section adds the term “graspable” to the requirement for handrails, and requires the ends of the handrails to have returns or newel posts as a standard safety feature. The amendment clarifies what is meant by the term “graspable”	
<p>Amendment 2: Criteria for selecting additional units for inspection</p>		
<p><i>Sponsor: CM Herbold</i></p>		
Modify SDCI’s discretion in determining when additional units will be selected for inspection.	<p>SDCI has indicated that they intend to develop a rule following adoption of CB 118974 and have developed draft criteria, at the Committee’s request (see Attachment 8), describing what conditions would trigger a requirement for the inspection of additional units. This amendment would adopt that criteria in the code, removing much of SDCI’s discretionary authority to determine when additional units would be inspected.</p> <p>One benefit of adopting criteria by rule (rather than through legislation) is it simplifies the process for modifying the criteria in the future that may be desired as the Department begins collecting failure information from private inspectors that could inform future changes. On the other hand, the Department already has the authority for rulemaking under RRIO but up until now has not developed a rule on the specific topic of when additional units will be selected for inspection if failures are found during the initial inspection.</p>	See Attachment 3

Attachment 1: Table of proposed amendments for Council Bill 118974

Amendment Options	Discussion	Specific Amendment
<p>Amendment 3: Timing for providing notice to property owners of units selected for inspection <i>Sponsor: CM Herbold</i></p>		
<p>Specify in the RRIO the amount of notice SDCI shall provide to property owners of units selected for inspection.</p>	<p>Providing a shorter notice period should avoid situations where repairs are made only to those units identified in the notice to pass the inspection. This, combined with requiring private inspectors to submit results of failed inspections, would provide a better picture of the conditions of the building and avoid situations where more extensive maintenance or safety issues that may be present in other units are missed. The proposed amendment would specify that a notification of the specific units selected for inspection would be provided to a property owner not more than ten days prior to the date of the inspection.</p>	<p><i>See Attachment 4</i></p>
<p>Amendment 4: Request that RRIO Inspectors leave information in the unit after completing an inspection <i>Sponsor: CM Herbold</i></p>		
<p>Add a noncodified section to CB 118974 about information for tenants.</p>	<p>This amendment would require that SDCI implements a process to notify tenants, following a RRIO inspection, that the inspection was completed, whether the unit passed or failed, contact information for SDCI and a survey.</p>	<p><i>See Attachment 5</i></p>
<p>Amendment 5: RRIO program fees <i>Sponsor: CM Herbold</i></p>		
<p>Add a noncodified section about adjusting RRIO program fees.</p>	<p>This amendment requests that SDCI, when considering adjustments to the program fees in 2018/2019, evaluate and address any imbalances in the fee structure for small landlords while continuing to set fees to cover the cost of administering the RRIO program.</p>	<p><i>See Attachment 6</i></p>

Attachment 2, Amendment 1: Technical Corrections & Clarifications
RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

Amendment 1

Sponsor: Councilmember Johnson

Amend CB 118974 to make corrections and clarify language.

Note:

- Single underlines indicate new language proposed by the Executive in the Council Bill. ~~Single strikeouts~~ indicate language that is proposed by the Executive to be removed from the Council Bill.
- Double underlines indicate proposed new language to the Council Bill. ~~Double strikeouts~~ indicate language that is proposed to be removed from the Council Bill.

Section 4. Section 22.206.050 of the Seattle Municipal Code, last amended by Ordinance 115671, is amended as follows:

22.206.050 Sanitation

* * *

D. Kitchens. Every dwelling unit shall have a kitchen. Every kitchen shall have an approved kitchen sink with at least 30 inches of ~~((working)) floor~~ space in front, hot and cold running water, counter work-space, and cabinets for storage of cooking utensils and dishes. A kitchen shall also have approved cooking appliances and refrigeration facilities or adequate space and approved gas or electric hookups for their installation. All cooking appliances and refrigeration facilities shall be maintained in a safe and good working condition by the owner or furnisher of the appliance. Unapproved cooking appliances shall be prohibited. Splash backs and countertops shall have an impervious surface.

* * *

Section 6. Section 22.206.080 of the Seattle Municipal Code, last amended by Ordinance 115671, is amended as follows:

22.206.080 Maintenance

* * *

D. Painted interior surfaces must be maintained free from peeling and chipping and other deterioration. In any structure built before 1978, removal, repair, or other disturbance of painted surfaces must comply with the lead-based paint provisions of Revised Code of Washington, Chapter 70.103 RCW, and associated regulations in the Washington Administrative Code, Chapter 365-230 WAC, including appropriate management and disposal of dust and debris and use of a certified individual qualified to paint, renovate, and repair areas containing lead-based paint. ~~((#))~~ In any structure built before 1978, if a damaged surface is more than 2 square feet in area per room or equivalent or more than 10 percent of the total surface area of a component such as a windowsill or window frame, the Director may require documentation that any work was done by a certified individual. Use of a certified individual for repairs to a surface with deteriorated paint is not required if a report from a laboratory accredited under the National Lead Laboratory Accreditation Program certifies that lead levels do not exceed maximum allowable levels under state and federal law. The report must specify the specific location or locations at the site that correlate to the test results.

* * *

Section 8. Section 22.206.110 of the Seattle Municipal Code, last amended by Ordinance 115671, is amended as follows:

22.206.110 Electrical equipment ((:))

A. All electrical equipment, wiring, and appliances shall be of an approved type, installed in accordance with applicable provisions of the Seattle Electrical Code in effect at the time of installation, unless otherwise specified in this Code,¹ and safely maintained. Every dwelling unit must have ~~((direct))~~ access to its electrical panel.

* * *

D. Every toilet room, bathroom, laundry room, furnace room, public hallway, porch, and flight of stairs between stories shall contain at least one ~~((1))~~ supplied electric light fixture. Where an interior stairway or public hallway changes direction, more than one ~~((1))~~ supplied electric light fixture may be required to provide sufficient lighting for safe exit. Such required light fixture or fixtures shall be located so as to provide sufficient lighting for safe exit. All receptacle outlets within 3 feet of any water source must be of a ground fault interrupter style of receptacle installed in accordance with manufacturer's standards. In buildings with more than two dwelling units, in the event of power supply failure, an emergency power system must illuminate the path of exit. ~~((All receptacle outlets within 3 feet of any water source must be of a ground fault interrupter style of receptacle installed in accordance with manufacturer's standards.))~~

* * *

Section 9. Section 22.206.130 of the Seattle Municipal Code, last amended by Ordinance 123546, is amended as follows:

22.206.130 Requirements

A. Stairs and ~~((Stairway Construction.))~~ stairways

* * *

3. Every stairway having more than three risers, except stairs to inaccessible service areas, shall have at least one ~~((graspable))~~ handrail of an easily grasped size and shape mounted not less than 34 inches or more than 38 inches above the tread nose. The ends of the handrail must either be returned or end in newel posts or safety terminals.

Attachment 3, Amendment 2:Criteria for selecting additional units for inspection after a RRIO failure

RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

Amendment 2

Sponsor: Councilmember Herbold

Amend CB 118974 to modify SDCI’s discretionary authority in determining if additional units should be inspected if the representative unit fails the initial RRIO inspection.

Sponsor: Councilmember Herbold

Note: Double underlines indicate proposed new language to the Council Bill. ~~Double strikeouts~~ indicate language that is proposed to be removed from the Council Bill.

Section 13. Section 22.214.050 of the Seattle Municipal Code, last amended by Ordinance 124312, is amended as follows:

22.214.050 Inspection and certificate of compliance required

* * *

G. Inspection of rental housing units for a certificate of compliance according to subsections 22.214.050.A and 22.214.050.B shall be accomplished as follows:

* * *

3. If a rental housing unit selected by the Department fails the inspection, the Department may require that up to 100 percent of the rental housing units in the building where the unit that failed inspection is located be inspected for a certificate of compliance according to this Section 22.214.050. The Department shall use the following criteria to determine when additional units shall be inspected:

a. If two or more rental housing units selected for inspection, or twenty percent or more of the inspected units, whichever is greater, fail the inspection due to not meeting the same checklist item(s) required by subsection 22.214.050.L, an additional 20 percent of the units on the property, rounded up to the nearest whole number, shall be inspected. If any of the additional rental housing units selected for inspection fail the inspection due to the same condition(s), 100 percent of the units in the building shall be inspected.

b. If any single rental housing unit selected for inspection has five or more failures of different checklist items required by subsection 22.214.050.L, an additional 20 percent of units on the property, rounded up to the nearest whole number, shall be inspected. If any of the additional rental housing units selected for inspection also contain five or more failures, 100 percent of the units in the building shall be inspected.

c. If the Director determines that an inspection failure in any rental housing unit selected for inspection indicates potential maintenance or safety issues in other units in the building, the Director may require that up to 100 percent of units be inspected. The Director may by rule determine additional criteria and methods for selecting additional units for inspection.

* * *

Attachment 4, Amendment 3: Criteria for inspection of additional units

RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

Amendment 3

Sponsor: Councilmember Herbold

Amend CB 118974 to:

- (1) clarify that the Department must provide 60 days' notice to a property owner when their property has been selected for an RRIO inspection;
- (2) require that property owners, when electing to use a private inspector, provide notice to SDCI of the date the inspection is scheduled; and
- (3) codify that the property owner will be notified of the specific units selected for inspection not more than 10 days in advance of the scheduled inspection.

Single underlines indicate new language proposed by the Executive in the Council Bill. ~~Single strikeouts~~ indicate language that is proposed by the Executive to be removed from the Council Bill.

Double underlines indicate proposed new language to the Council Bill. ~~Double strikeouts~~ indicate language that is proposed to be removed from the Council Bill.

Section 13. Section 22.214.050 of the Seattle Municipal Code, last amended by Ordinance 124312, is amended as follows:

22.214.050 Inspection and certificate of compliance required

A. The Department shall periodically select, from registered properties containing rental housing units, the properties that shall be inspected by a qualified rental housing inspector for certification of compliance. The property selection process shall be based on a random methodology adopted by rule, and shall include at least ten percent of all registered rental properties per year. Newly ((-)) constructed or substantially ((-)) altered properties that receive final inspections or a first certificate of occupancy and register after January 1, 2014, shall be included in the random property selection process after the date the property registration is required to be renewed for the first time. After a property is selected for inspection, the Department shall provide at least 60 days' advance written notice to the owner or owner's agent to notify them that an inspection of the property is required. If a rental property owner chooses to hire a private qualified rental housing inspector, the property owner or owner's agent shall notify

Attachment 4, Amendment 3: Criteria for inspection of additional units

RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

the Department a minimum of five and a maximum of ten calendar days prior to the scheduled inspection, at which time the Department shall inform the property owner or owner's agent of the units selected for inspection. If the rental property owner chooses to hire a Department inspector, the Department shall inform the property owner or owner's agent of the units selected for inspection no earlier than ten calendar days prior to the inspection.

Attachment 5, Amendment 4: Information for tenants after a RRIO inspection

RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

Amendment 4

Sponsor: Councilmember Herbold

Amend CB 118974 to add a noncodified section requesting that SDCI implement a process to notify tenants after an RRIO inspection was completed in their unit.

Note:

- *Double underlines indicate proposed new language to the Council Bill.*
- *If this amendment passes, Sections 17 and 18 in the proposed bill will be renumbered to Sections 18 and 19.*
- *If this amendment and Amendment 5 are both adopted, this Section 17 will be renumbered to Section 18, and Sections 17 and 18 in the proposed bill will be renumbered to Sections 19 and 20.*

Section 17. Tenants shall receive (1) an RRIO inspection completion notice stating whether their unit passed or failed the inspection; (2) contact information for SDCI's Code Compliance Division if the tenant(s) have questions or concerns; and (3) a tenant survey.

Attachment 6, Amendment 5: Program Fees

RRIO & HBMC Legislation Potential Amendments: Council Bill 118974

Amendment 5

Sponsor: Councilmember Herbold

Amend CB 118974 to request that SDCI, when considering adjustments to the program fees in 2018/2019, evaluates and addresses any imbalances in the fee structure for small landlords while continuing to set fees to cover the cost of administering the RRIO program.

Note:

- *Double underlines indicate proposed new language to the Council Bill.*
- *If this amendment passes, Sections 17 and 18 in the proposed bill will be renumbered to Sections 18 and 19.*
- *If this amendment and amendment 4 are both adopted, Sections 17 and 18 in the proposed bill will be renumbered to Sections 19 and 20.*

Section 17. The City Council requests that the Seattle Department of Construction and Inspections (SDCI) prepare recommendations to adjust the RRIO registration and inspection fees before the first RRIO registration renewals begin in 2019. When considering adjustments to the program fees, SDCI shall evaluate if any imbalances in the current or proposed fee structure exist for small landlords, and make adjustments to address any identified inequalities. Any adjustments should ensure that the fees cover the cost of administering the RRIO program.

Attachment 7: SDCI Data on RRIO Inspections (CB118974)

Inspection Data	Number	Percent
Total properties with completed inspections	6,268	
Properties inspected by City inspectors	2,371	38% of total inspections
Properties that failed the first inspection (done by City inspectors only)	691	29% of total done by City
Properties that failed the second inspection (done by City inspectors)	72	3% of total done by City

Note: properties inspected by City inspectors includes properties that may have also been partially inspected by a private inspector or partially meeting the inspection requirement through an alternate inspection.

Top 10 RRIO Checklist Failures in Multi-Unit Properties	#	%
*10.4 Smoke detectors missing, not functional, or not centrally located in hallways outside sleeping rooms.	584	29%
*6.1 Exposed unprotected wiring is evident in any room.	206	10%
*6.2 Any electrical equipment (meter bays, service panel, subpanels, shutoff) is improperly installed or connected, tampered with, or unsafe.	92	5%
*8.4 Toilet does not flush, is broken, leaks at the base, or is not secure to the floor.	90	4%
*2.1.c Bathroom and laundry room fan, if used in place of openable windows or operable passive ventilation, is not operable, pulling air, or vented to exterior.	78	4%
*3.1 Emergency escape window or door is missing, blocked, or inaccessible.	77	4%
*2.1.a Any habitable room, bathroom, or laundry room does not have an openable window or other approved ventilation.	70	3%
*2.3.e Handrails/intermediate rails on any flight with more than three risers are missing, loose, or broken.	64	3%
*3.2 Emergency escape windows do not meet size or sill height requirements.	57	3%
*5.1.a Required permanently-installed heating equipment/device is defective or missing in any habitable room or bathroom.	57	3%

Note: Properties may have more than one of these or other checklist failures

Properties where additional units were selected for inspection under RRIO because of RRIO failures observed during a code compliance inspection

Address	total # of units selected for additional inspection
430 12th Ave E	26
915 E. Harrison	43
6600 Rainier	16

Note: On the first two properties, we waived full RRIO inspections of all units because the property owner was cooperative in correcting maintenance conditions common to all units

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Working DRAFT – 6/9/17

This reflects SDCI's concepts. It has not been reviewed by private inspectors or other stakeholders.

- Checklist items are based on proposed modified checklist (6/2/17 version)

Proposed Criteria for Selecting Additional Units Under RRIO

The Rental Registration and Inspection Ordinance (RRIO) requires the periodic inspection of a representative sample of units on a multi-family property to help insure the property is safe and meets basic maintenance standards. A RRIO inspection follows the RRIO checklist, which contains several pass-fail items related to basic maintenance and safety. RRIO also allows the Director of the Seattle Department of Construction and Inspections (SDCI) to select additional units for RRIO inspection under the following two conditions.

1. If the representative sample of units fail to pass the RRIO inspection (22.214.050.G.3);
2. If SDCI, in the course or responding to a complaint about housing conditions, identifies a condition that would fail a RRIO inspection (22.214.050.C); and

To determine which additional units are selected for inspection, SDCI proposes both general criteria that apply in all situations and criteria based on specific checklist items. The criteria may be used in combination. In addition to the criteria, SDCI may also use its discretion to pick additional units for inspection. SDCI proposes to adopt these criteria in a Directors Rule.

General Criteria

Common failures – If two units, or 20% of the inspected units, whichever is greater, fail the same RRIO checklist item, an additional 20% of units, rounded up to the nearest whole number, on the property must be inspected. If the same condition is found in any of the additional units, all remaining units must be inspected. For multi-unit properties where only one unit is initially selected for inspection, a second unit will be selected if a checklist failure is observed, except for likely isolated issues such as:

- missing electrical plate covers,
- properly-located but inoperable smoke detectors and CO alarms, and
- minor leaks below sinks.

Multiple Failures – If any single unit has five or more failures of different checklist items, an additional 20% of units, rounded up to the nearest whole number, on the property must be inspected. If any additional units also contain five or more failures, then all remaining units must be inspected.

Specific Checklist Item Criteria

Criteria related to specific checklist items are in the righthand column, associated with the respective checklist item. If the column is blank, there is no specific criteria, but the general criteria above always apply.

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<h1 style="margin: 0;">1 Exterior: Structure, Shelter, and Maintenance</h1> <p style="margin: 0; font-size: small;">Roof, chimney, foundation, stairs, and decks are reasonably free of decay (e.g., severe cracks, soft spots, loose pieces, deterioration, or other indications that repair is needed); maintained in a safe, sound, and sanitary condition; and capable of withstanding normal loads and forces. The building and its components, including windows, should be reasonably weather-proof and damp-free.</p>			
	1.1	Roof must be maintained in a safe and sound condition and in good repair based on visual inspection.	
No Change	*	a.	Roof has holes and/or structural member is broken or decayed Units likely affected by observed condition
No Change	*	b.	Roof is not weather-proof or has clear evidence of leaking Units likely affected by observed condition
	1.2	Chimney is maintained in a safe and sound condition and in good repair with no major damage based on visual inspection (does not pose imminent danger).	
No Change		a.	Loose bricks at the top and/or masonry requires repointing at top
No Change		b.	Loose or missing bricks or masonry in middle or at chimney base
No Change	*	c.	Pulling away from structure, unstable, or otherwise at risk of falling
	1.3	Foundation is weather-proof, maintained, and structurally sound.	
Remove			Foundation type: <input type="checkbox"/> Post & Pier <input type="checkbox"/> Running/continuous <input type="checkbox"/> Concrete slab
No Change		a.	Standing water in crawl space
No Change	*	b.	Foundation is failing: leaning, crumbling, missing pieces, broken, or deflected All units above the failure
No Change	1.4	Exterior stairs and decks are safe, structurally sound, and in good repair.	
Amend	*	a.	Structural members are leaning, decayed, or detached <u>or are otherwise unsafe.</u>
Amend	*	b.	Exterior decks or other platforms have broken, loose, decayed, or missing pieces, <u>or are otherwise unsafe.</u> Any unit where the condition is observed from the exterior
Amend	*	c.	Exterior stairs have broken, loose, decayed, or missing pieces, <u>or are otherwise unsafe.</u>

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Amend	*	d.	Guardrails/intermediate rails on any landing, deck, or platform that are 30 inches or more above grade or other surfaces are missing, loose, or broken or are otherwise unsafe.	Any unit where the condition is observed from the exterior
Amend Add note	*	e.	Handrails/intermediate rails on any flight with more than three risers are missing, loose, or broken, <u>not graspable or otherwise unsafe.</u> Note: Graspable configurations can be found online at: www.seattle.gov/DPD/Publications/CAM/cam319.pdf	
	1.5		Door and window components and assemblies are weatherproof, safe, secure, and maintained in good condition.	
No Change		a.	Weather stripping is missing or allowing air to enter	
No Change		b.	Sills or frames have decayed wood or separated joints	
No Change	*	c.	Windows or doors have missing pieces or are cracked and allowing weather or water to get inside	Any unit where it is observed from the exterior.
New	*	d.	Any operable window within 10 feet of grade or above any deck, balcony or porch is missing latch or has defective latching device.	
	1.6		Exterior walls are reasonably weathertight and watertight, structurally sound, rodent proof, and kept in a safe and sound condition.	
No Change	*	a.	Exterior walls allow water or weather penetration (e.g., seeping, leaking, coming in through a crack or hole)	All units on the wall where weather penetration is observed
No Change	*	b.	Exterior wall is failing: leaning, crumbling, missing pieces, broken, or deflected	All units on the wall where the failure is observed

2 Interior: Structure, Shelter, and Maintenance

Walls, floors, stairs, and other structural components are reasonably free of decay, maintained in a safe and sound condition, and capable of withstanding normal loads and forces. Natural and mechanical lighting and ventilation is adequate and maintained in good working order for each habitable room in the unit.

Amend	2.1		Ventilation: all habitable rooms, and bathrooms and laundry rooms, <u>must</u> have operable windows, or passive or mechanical ventilation in good working order and vented to the exterior. <u>Laundry/Utility rooms constructed or remodeled before 1980 need not be ventilated.</u>	
Amend	*	a.	Any habitable room, bathroom, or laundry room does not have an operable window or other approved <u>required operable window</u> or passive or mechanical ventilation. <u>Passive or mechanical ventilation is required to be vented to the exterior.</u>	
No Change	*	b.	Kitchen fan, if used in place of operable windows, is not operable or pulling air.	
Amend	*	c.	Bathroom and laundry room fan or vent, if used in place of operable windows, is not operable, pulling air, or <u>vented to the exterior.</u>	

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New	*	d.	Clothes Dryer ducts are detached, leaking, damaged, not otherwise restricting airflow.	vented to the exterior or
Amend	2.2		Structural components such as walls, and floors and ceilings are maintained in a safe and sound condition and in good repair. Wall, floor, and ceiling coverings must be dry and free of moisture.	
Amend Change to major item	*	a.	Wall, floor, or ceiling coverings are <u>damaged or broken</u> such that <u>the opening creates an unsafe condition. Examples include but not limited to exposed framing members, exposed electrical components, exposed plumbing, access for rodents and insects, or other unsafe conditions.</u> framing members are visually exposed	Units adjacent to, above, or below the observed problem
No Change	*	b.	Walls, floors, or ceilings are soft, spongy, or wet to the touch	Units adjacent to, above, or below the observed problem
No Change	*	c.	Interior load-bearing walls are not maintained in a safe and sound condition	Units adjacent to the observed problem
No Change	*	d.	Floors are not maintained in a safe and sound condition	
	2.3		Interior stairs and landings must be maintained in a safe and sound condition and in good repair.	
Amend	*	a.	Joists or posts are leaning, decayed, or detached <u>or are otherwise unsafe.</u>	
Amend	*	b.	Landings or other platforms have broken, loose, decayed, or missing pieces, <u>or are otherwise unsafe.</u>	
Amend	*	c.	Interior stairs have loose, broken, decayed, or missing pieces, <u>or are otherwise unsafe.</u>	
No Change	*	d.	Floors not maintained in a safe and sound condition	
Amend	*	e.	Handrails/intermediate rails on any flight with more than three risers are missing, loose, broken, <u>not graspable or otherwise unsafe.</u> Note: Graspable configurations can be found online at: www.seattle.gov/DPD/Publications/CAM/cam319.pdf	
new	*	f.	Guardrails/intermediate rails on any landings, or platforms that are 30 inches or more above adjacent walking surfaces are missing, loose, broken, or otherwise unsafe.	<input type="checkbox"/>
New	2.4		Potential Hazardous Materials	
New	*	a.	Lead paint - any room constructed before 1978 with peeling, chipped, or otherwise deteriorated paint exceeding two square feet or 10% of any component such as a window assembly, including frame and sill, or door frame.	

DRAFT

			<i>Note: To correct this condition property owner must demonstrate that the painted repair was made by a Washington State Lead Safe Certified contractor or provide documentation that there is no lead hazard present.</i> (Amend HBMC & RRIO)	
New		b.	Potential asbestos-containing materials - damaged components, such as wrapped or insulated piping or ducts, ceiling and floor finishes, or siding that may contain asbestos.	

3 Security and Safety (new section title)

3.1 Emergency Escape Windows and Doors

Every sleeping room below the fourth floor built or permitted between August 10, 1972 must have an emergency escape window or door opening to the exterior directly from the sleeping room. After November 10, 2004 in a fully sprinklered building with a valid Certificate of Occupancy, sleeping rooms are not required to have escapement windows. Emergency escape windows, when required, must open to the exterior, have a minimum opening of 5.0 square feet when at grade, or 5.7 square feet otherwise, with a minimum dimension of at least 24 inches high and at least 20 inches wide, and must not exceed a maximum sill height of 44 inches from the floor. In order to meet the total square footage requirement, a window size of nearly 2 by 3 feet is typically required. Sleeping rooms that were built under permit prior to August 10, 1972 are exempted from this requirement but need to meet ventilation requirements.

No Change New letter	*	a.	Emergency escape window or door is missing, blocked, or inaccessible.	Any unit where a non-compliant escape window or door is observed in a corridor, exterior, or common area
No Change New letter	*	b.	Emergency escape windows do not meet size or sill height requirements.	Any unit where a non-compliant escape window is observed in a corridor, exterior, or common area
New	*	c.	Security bars, grills or similar devices on emergency escape windows are not openable or have inoperable release mechanisms.	Any other unit with bars

3.2 Entry Doors (new section)

New (replaces former 10.3)	*	a.	Entry door to a housing unit or single family dwelling is not capable of resisting forcible entry or damaged to the extent that the door or the door casing is otherwise unsafe.	Any unit where a non-compliant door is observed in a corridor, exterior, or common area
New (replaces former 10.3)	*	b.	Entry door to housing unit or single-family dwelling does not have at least one operable dead bolt or deadlatch openable from the inside without a key or other approved locking device.	
New	*	c.	Entry door to housing unit or single family dwelling does not have an observation port, window in the door, or side light window.	Any unit where a window or port is missing when viewed

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				from the corridor, exterior, or common area
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3.3 Smoke and Carbon Monoxide Detectors (new section)

Moved (former 10.4) Amended. Restructured	*	a.	Smoke detectors are missing, not functional, or not <u>installed inside of all sleeping rooms.</u> centrally located in hallways outside all sleeping rooms	
Moved (former 10.4) Amended. Restructured	*	b.	Smoke detectors are missing, not functional, or not centrally located <u>installed in a central location</u> outside all sleeping rooms.	
Moved (former 10.4) Amended. Restructured	*	c.	Smoke detectors are missing, not functional, or not centrally located in hallways outside all sleeping rooms <u>installed on each floor, including basements.</u> <u>Note: note required in crawl spaces and uninhabitable attics.</u>	
New	*	d.	Carbon monoxide detectors are missing or not functional.	

3.4 Multi-Unit Properties (new section)

This section applies to properties with three or more units. Stairway enclosure doors and exit lighting and placarding are only checked as they occur in the walking path of the inspector moving between units selected for inspection.

New	*	a.	Exterior building entrance doors, except entrance doors which open directly into a single housing unit, shall be self-closing, self-locking, and equipped with a deadlatch or other approved locking device.	
New	*	b.	Stairway enclosure doors do not self-close and latch.	
New	*	c.	Exit doorway and change of direction of a corridor is missing a well-lighted exit sign or placard or has a defective illuminated exit sign.	
New	*	d.	Interior fire-resistant walls and ceilings or corridors in apartment buildings are compromised by cracks, holes, or loose or broken plaster, not maintained in a safe and sound condition, or their fire resistance has been otherwise compromised.	Units adjacent to, or above the damaged wall or ceiling

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New	*	e.	Any door to a storage, maintenance, laundry, or building service room accessible by tenants is not self-closing and self-locking or is not openable from the inside without a key.	
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4 Room Size and Condition

All rooms used as living or sleeping rooms must meet minimum requirements for square footage and must not have dirt floors.

No change		4.1	Dwelling unit does not have at least one habitable room that is 120 square feet (square footage requirements do not apply to units comprised of a single habitable room such as a Single Room Occupancy, rooming house, or micro-housing unit).	
No change	*	4.2	Any habitable room except the kitchen measures less than seven (7) feet in any floor dimension.	
No change	*	4.3	Any sleeping room measures smaller than 70 square feet in size.	
No change	*	4.4	Dirt floor is present in any room used as a living area.	

5 Heating System

Every bathroom and habitable room housing unit must have a permanently installed functioning heating system capable of maintaining the required temperature in all habitable rooms must have a functioning, and bathrooms, properly ventilated, permanently installed heating source.

Note: If heat is not permanently installed in every habitable room and bathroom, then the heating system must be capable of maintaining a temperature of at least 68°F measured 3 feet above the floor in each room when the outside temperature is 24°F or higher.

		5.1	Heat source in the unit is permanent, working, and in good repair.	
Amend	*	a.	Required permanently-installed heating equipment/device is defective or missing in any habitable room or bathroom.	
		5.2	Temperature can be maintained at a minimum of 68°F when exterior temperature is 24°F or higher.	
No change	*	a.	Permanently-installed heating system is not capable of maintaining required temperature in any habitable room or bathroom.	
		5.3	Fuel-burning appliances , where allowed, must be of an approved type, properly installed, and maintained in good working order.	
No change	*	a.	Unvented portable fuel-burning heater is present in a sleeping room or bathroom	
No change	*	b.	Any gas, wood, or fuel-burning heat source lacks proper ventilation	

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6 Electrical Standards

All electrical equipment and wiring must be approved and maintained in safe and sound condition and in good working order.

No change	*	6.1	Exposed unprotected wiring is evident in any room.	
Amend	*	6.2	Any electrical equipment (meter bays, service panels, subpanels, shutoff) is improperly installed or connected, tampered with, or unsafe, <u>including but not limited to meter bays, service panels, subpanels, or main disconnect.</u>	
Amend	*	6.3	Any habitable room, including kitchen, does not have an operable light fixture and an electrical outlet, or two electrical outlets. <u>Any kitchen does not have an operable light fixture and three operable outlets, one of which may serve an installed cooking range.</u>	
No change	*	6.4	Any bathroom, laundry room, utility room, common hallway, stairway, or porch does not have an operable light fixture.	
new	* —	6.5	Any electrical extension cord used for permanent extension of power in place of wiring installed in the wall. Improper extension cord use may include running power through doors, windows, cabinets, or concealed extension cords within walls, floors, or ceilings, or otherwise unsafe.	

7 Plumbing and Hot Water

Plumbing systems must be properly installed, functional, sanitary and maintained in good condition. Water temperature reaches at least 100°F after running water for two minutes. Plumbing System. Includes all potable water building supply and distribution pipes, all reclaimed water systems, all plumbing fixtures and traps, all drainage and vent pipe(s), and all building drains including their respective joints and connections, devices, receptors, and appurtenances within the property lines of the premises and shall include potable water piping and water heaters.

No change	*	7.1	Running water temperature is below 100°F.	
No change		7.2	Any individual unit water heater is set above 120°F.	
Amend	*	7.3	Evidence the plumbing system is not connected to an approved sewer or a potable water source, or is not in good working order. Evidence includes, for example: strong sewer gas smell in the basement, crawlspace or outside of unit, leaking pipes, clogged or very slow drains.	
New	*	7.4	Visual evidence that a pressure temperature relief valve on a hot water heater is missing, not installed	

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			properly, has been tampered with, or otherwise unsafe.	
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8 Sanitation Standards: Bathrooms

Every unit has at least one directly accessible bathroom (primary bathroom) that includes an operable toilet, sink, and tub or shower, all in safe and sound condition and sanitary working order. Does not apply to a legally established SRO/rooming house/micro-housing unit that does not have a bathroom, although any associated common or shared bathroom must meet these standards.

No change	*	8.1	No fully functional or properly functioning bathroom that must include sink, toilet, and tub or shower.	
No change		8.2	The only access from a bedroom to the only bathroom is through another bedroom.	
No change	*	8.3	Tight-fitting door missing if bathroom is in a food preparation area.	
No change	*	8.4	Toilet does not flush, is broken, leaks at the base, or is not secure to the floor.	If leaking at the base, unit below
		8.5	Sink:	
No change		a.	Dripping faucets, cracked or chipped porcelain, slow drain, or broken but operable handles or knobs	
No change	*	b.	Is not operable such as cracked through, faucet cannot turn on, or no hot and cold water	
No change	*	c.	Under sink plumbing pipes or connectors are leaking	Unit below depending on extent of the damage
		8.6	Shower or bathtub:	
No change		a.	Dripping faucets, cracked or chipped porcelain, slow drain, broken but operable handles or knobs	
No change	*	b.	Is not operable such as cracked through, faucet cannot turn on, or no hot and cold water	
No change	*	c.	Plumbing pipes or connectors are leaking	Unit below depending on extent of the damage
No change		8.7	Bathroom Counter is missing tile, pieces are broken, is made of a porous material, or is pulling away from the wall.	

		8.8	Wall, floor, or ceiling coverings:	
Delete Covered in 2.2		a.	Wall, floor, or ceiling coverings are broken such that floor, wall, or ceiling studs or joists are visually exposed	
Delete Covered in 2.2	*	b.	Soft, spongy, or wet to the touch	

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9 Sanitation Standards: Kitchen

Every unit has a kitchen with a sink, counter, cabinets, cooking appliance, and refrigerator maintained in safe, sound, and sanitary condition. This does not apply to units comprised of a single habitable room such as a Single Room Occupancy, rooming house, or micro-housing unit when the unit does not have a kitchen. Common kitchen must meet these standards.

No change	*	9.1	Dwelling unit does not have a kitchen that must include sink, counter, cabinets, cooking appliance, and refrigerator.	
No change		9.2	Counter is missing tile, pieces are broken, is made of a porous material, or is pulling away from the wall.	
		9.3	Refrigerator/freezer if provided by landlord:	
No change		a.	Missing a handle or seal is compromised	
No change	*	b.	Is inoperable or not in good working condition	
		9.4	Cooking appliance (if provided by landlord):	
No change		a.	One or more parts are inoperable or missing but appliance still has food cooking capability.	
No change	*	b.	Not rated for indoor use or entire appliance is inoperable	
		9.5	Sink:	
No change	*	b.	Not operable such as cracked through, faucet cannot turn on, or no hot and cold water	
No change	*	c.	Under sink plumbing assemblies including any piping, faucet risers, traps, or sink connectors are leaking	Unit below, depending on extent of damage
		9.6	Gas piping:	
amend	*	a.	Gas piping is leaking, kinked, crushed, <u>inadequately supported</u>, or pulling away from the wall or is otherwise unsafe. (NOTE: if leak detected, evacuate and call 911 immediately)	<input type="checkbox"/>
Amend		b.	Gas shutoff valve not located <u>in the same room</u> within 3 feet of appliance	<input type="checkbox"/>
		9.7	Wall, floor, or ceiling coverings:	
Delete Covered in 2.2		a.	Broken such that floor, wall, or ceiling studs or joists are visually exposed	
Delete Covered in 2.2	*	b.	Soft, spongy, or wet to the touch	

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10 Owners’ Obligations

Property owners are responsible for ensuring that the property is free of excess trash; insects and rodents have been exterminated; and working smoke detectors are centrally installed outside and within each sleeping rooms.

No change		10.1	Garbage/rubbish is accumulated outside of trash receptacles.	<input type="checkbox"/>
No change New note	*	10.2	<p>Visible evidence of rodents or insects such as bedbugs, ants, cockroaches, or silverfish.</p> <p><u>Note: documentation of a new or ongoing treatment program issued by a certified exterminator or a certified fumigator is sufficient to pass this item</u></p>	All adjacent units (including diagonals) inspected. Treatment plan for unit and all adjacent units required
Moved	*	10.3	Door locks, frames, or jambs are broken and do not allow unit or building doors to close and lock	
Moved	*	10.4	Smoke detectors missing, not functional, or not centrally located in hallways outside sleeping rooms	

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