

CHARTER TOWNSHIP OF YPSILANTI

OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement • Police Services

September 2016

To: Single Family & Duplex Landlords & Rental Agents

Update: Rental Housing Certification Program

Owners and agents of single family and duplex rental properties in Ypsilanti Township are encouraged to take a few minutes to review this information so that you will be prepared to successfully meet program requirements at minimal expense. Our staff is available to answer questions about these or any other topics of concern to you.

- **Insurance Requirement**
- **Changes in the Property Maintenance Code**
- **HVAC Clean & Check Requirement & Form**
- **Rental Violation Notices from the Washtenaw County Sheriff's Office**
- **Designating an Agent to Represent You**
- **Eviction or Move-Out "Piles" at the Curb**
- **Keeping the Grass Cut below 7" & Avoiding Unnecessary Fees**
- **New Vacant House Ordinance**
- **Medical Marijuana Caregiver Home Occupation Prohibited**

Insurance Requirement

Effective January 29, 2014, landlords are required to maintain hazard insurance on each dwelling unit for structural loss or damage, including but not limited to fire damage.

This requirement was adopted to prevent fire damaged houses from being abandoned without funds available to repair or demolish them. Ypsilanti Township participates in the State of Michigan Insurance Code provision that requires withholding a portion of insurance proceeds in cases of substantial fire loss. Funds are held in escrow until damage is abated and may be used by the Township to demolish a structure if necessary.

Proof of insurance must be submitted at the time of certification and upon request. Certificates will not be issued without proof of insurance and certificates may be suspended if proof is not presented upon request. Documents may be submitted by mail, fax (734.484.5151) or email (ordinance@ytown.org) to the Office of Community Standards. Your cooperation is greatly appreciated!

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Property Maintenance Code

Ypsilanti Township uses the International Property Maintenance Code (IPMC) which is updated periodically. When a new version of the code is published, our staff reviews it and recommends changes based on the needs of our community and feedback from our customers. We are now using the 2012 version of the IPMC with certain custom changes that were adopted in 2013.

Our web site contains details about code changes and a Housing Inspection Checklist developed to assist landlords. Both of these documents are available on our website at www.ytown.org – look for the Rental Housing Certification Program page.

HVAC Clean & Check Requirement & Form

Landlords shall have a licensed mechanical contractor perform a “clean & check” service on the HVAC system (furnace or boiler) **once every other inspection cycle, which currently equates to once every four years**. There is a form that should be completed by the contractor and submitted or be made available at the time of inspection when required. This requirement helps to ensure that HVAC systems are safe from hidden defects and poor conditions that can be identified by a licensed professional. The requirement may be waived based on the age of the unit.

Rental Violation Notices from the Washtenaw County Sheriff's Office

The Washtenaw County Sheriff's Office notifies landlords and Ypsilanti Township about criminal activity and public nuisances at rental properties so that the landlord is informed and can take appropriate action. For residents receiving public assistance, criminal activity is also reported to the funding agency as requested by MSHDA. As a landlord, you have an opportunity to be proactive and help resolve crime at your property that creates social harm. The Township and Sheriff's Office also communicate with owner-occupied property owners in similar situations to resolve problems.

Designating an Agent to Represent You

Ypsilanti Township requires that the property owner or a designated agent is present on site during rental inspections. The landlord is required to give the tenant notice of the inspection so that they may also be present if they choose, but the tenant is not required to be there. **We will not perform the inspection unless the landlord or agent is present**. We will not cancel or change appointment times for the convenience of the tenant, only at the request of the landlord at least four business days in advance.

If you choose to designate an agent to represent you, we will send all correspondence to the agent. We will not also send duplicate notices to the landlord. This includes scheduling letters and invoices. ***It is imperative that you keep agent information and mailing addresses up to date to avoid unnecessary fees when appointments are missed due to outdated contact information.*** We will not waive “no show” fees incurred because there was no landlord or agent available at the time of the inspection when adequate notice was made to the current designated person of record in our files.

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Evictions or “Move Out Piles” at the Curb

Our staff and your neighbors are not aware about when your tenant will move out of your property – only you know that information. **When your tenant moves out, especially when you must evict, please arrange to clean up any excess trash, furniture and other items left at the curb.** The municipal solid waste contractor will only pick up the allotted number of trash containers on the scheduled pickup day. Tags to accept extra bulk items at the curb can be purchased in advance from the Township.

Complaints about excess debris left at the curb are assigned to the Ordinance Dept for enforcement. **A notice is posted at the property ordering clean-up within 24 hours. You should know when a move-out event will occur, so please plan accordingly. You will not receive a letter in the mail since it will not reach you within 24 hours.** The township will clean up debris left at the curb after the 24-hour posting period has expired, and you will receive an invoice for those services. The only exception is if the pile of debris is causing an immediate health and safety problem due to being blown around the streets or onto neighboring property; in this case you will not receive any advance notice of pick-up. Please coordinate clean-up service to coincide with move-outs.

Keep the Grass Cut below 7”

This is our #1 complaint during warm weather! You are reminded to keep the grass cut below 7” at your rental property. This includes grass and weeds that grow along fence lines, around building perimeters, and around landscaped areas. **In accordance with state law, we publish notice in the local newspaper in April and do not issue individual notices to mow tall grass starting on Memorial Day each year. Please make sure arrangements are made to maintain grass and weeds throughout the season.**

Note: Although you may employ a private service to mow the grass, you may still be subject to enforcement if the service provider does not keep up with our standards on a regular basis. For your information, we take “before” and “after” photographs whenever we generate a work order to mow property and invoice a property owner for services. Once we mow grass at a property, it is placed on a watch list until we see that it is being maintained for at least several weeks. Delinquent mowing invoices are rolled onto the winter tax bill. You can avoid unnecessary fines and fees by taking good care of your rental property.

Vacant Structures Ordinance

Any structure that remains vacant more than 30 days must be registered and inspected on an annual basis for as long as it remains vacant. Inspections focus on exterior blight and interior life-safety code violations. Utility systems are required to be operable or properly disconnected, and basements with sump pump systems are required to remain operable to prevent flooding. The ordinance applies to residential, commercial and industrial structures, and includes vacant retail/office spaces in multi-unit malls.

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Medical Marijuana Caregivers – Home Occupation PROHIBITED IN RESIDENTIAL DISTRICTS

Ypsilanti Township's zoning ordinance expressly prohibits medical marijuana caregiver activity in residential districts. Sec. 401(6)(c) was adopted On May 18, 2010 and is available to review on our website at www.ytown.org. We have experienced numerous cases in which owners or tenants have established caregiver operations inside rental properties that involve growing and dispensing medical marijuana for other people. This activity is strictly prohibited in residential districts.

Mold Damage

Many of these situations have been exposed as a result of police raids and some have resulted in legal issues and property damage for landlords. It is not uncommon for rental properties to be badly damaged by mold caused by marijuana grow operations.

The state medical marijuana law in its present form is confusing at best. However, Ypsilanti Township's zoning regulations about medical marijuana are very clear:

Medical Marijuana Caregivers: Individuals living in Ypsilanti Township who have medical marijuana caregiver cards issued by the State of Michigan **ARE PROHIBITED** from growing or dispensing marijuana to other people in a residential district. It does not matter how many plants are involved; it only matters that it is being grown or dispensed for/to anyone else. This is considered to be a home occupation and is strictly prohibited in a residential district.

Tenants found violating the zoning code will be issued a citation to appear in district court, the landlord will receive a notice of violation and be held responsible, and the rental certificate will be suspended until it is corrected. The zoning code is enforced by rental inspectors, ordinance officers and sheriff's deputies.

Medical Marijuana Patients: Individuals living in Ypsilanti Township who have medical marijuana patient cards issued by the State of Michigan may grow up to 12 plants for their own use at their own home. This is allowed by zoning law in rental properties, but is subject to provisions of state law.

Landlords are strongly encouraged to address medical marijuana in their leases to protect against zoning violations and property damage caused by marijuana caregiver activity.