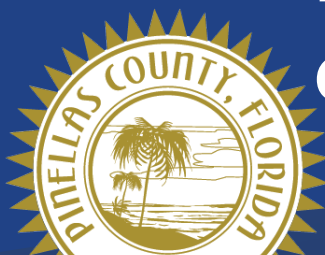


# Tenant Bill of Rights, Source of Income Anti- Discrimination, Notice of Late Fees, and Notice of Rent Increase Ordinance



**Housing and Community Development**

**Carol Stricklin, AICP, Director**



BOARD OF  
COUNTY COMMISSIONERS

**Our Vision: To Be the Standard for Public Service in America**



# June 21<sup>st</sup> - Board Comments/Questions



- **Evaluate consistency with City of St. Petersburg ordinance**
- **Impact on insurance coverage associated with inclusion of Housing Choice Voucher (HCV) tenants**
- **Clarification of income standard for HCV voucher holders**
- **Coordination with municipal partners**
  - **Follow up presentation to City Managers on July 8, 2022**
  - **General consensus for a countywide ordinance**



## Ordinance Amending Ch. 42 of Pinellas County Code

- **Definitions (revised)**
- **Require landlords to provide tenants with a Notice of Rights under Florida Law and County Code by landlords upon renting or new rental term**
- **Expands County Code to include provision prohibiting discrimination based on source of income (clarified language)**
- **Expands County Code to require written notice of late fees**
- **New Provision - Expands County code to require written notice of rent increases**

# Consistency with St. Petersburg Ordinance



Ordinance Section	St. Petersburg	Pinellas County
Notice of Late Fees	Same/Very Similar	Same/Very Similar
Source of Income - Income Standard	Substantive Differences	Substantive Differences
Source of Income – Inspection Requirement	Substantive Differences	Substantive Differences
Source of Income – Insurance Provision	Substantive Differences	Substantive Differences
Notice of Rent Increase	Same/Very Similar	Same/Very Similar
Size of Fines	Same/Very Similar	Same/Very Similar

-  Same/Very Similar
-  Substantive Differences

**Attachment 3** includes a detailed comparison of ordinance language between St. Petersburg and Pinellas County

# Notice of Rent Increase

## New Sec. 42-437

- **Applies to rent increases of more than 5%**
- **Three tiers of notices:**
  - **60-day notice for leases that are one year or longer**
  - **30-day notice for leases that are three (3) months but less than one (1) year**
  - **15-day notice if the lease is for a month-to-month term**

# Insurance Impacts

- **St. Petersburg's ordinance: Sec. 20-330(f) allows landlords to deny voucher holders if doing so would result in an increase in their insurance costs.**
- **Staff actions:**
  - **Reached out to the Office of Insurance Regulation**
  - **Met with St. Petersburg to discuss their ordinance language. City is committed to look at County ordinance language to determine if changes are desired**
  - **Requested policy examples from the Bay Area Apartment Association (BAAA)**
  - **Met with BAAA representatives (including a risk management professional) to discuss insurance underwriting**

*Recommendation: No change to language – Continue to work with BAAA, St. Petersburg and other stakeholders during implementation to collect data and determine if future modifications are needed.*

- **St. Petersburg's ordinance: Sec. 20-330(e) allows for landlords to deny voucher holders if they cannot meet the same income and other standards applied to all other renters.**
- **Staff actions:**
  - **Met with St. Petersburg to discuss their ordinance language. City is committed to look at County ordinance language to determine if changes are desired**
  - **Followed up with Public Housing Authorities to understand program eligibility criteria and rent subsidy calculations**
  - **Updated ordinance language to improve readability**

*Recommendation: Utilize updated language in revised ordinance requiring the application of income standards based solely on the amount of rent the voucher holder is required to pay.*

## Ordinance Amending Ch. 42 of Pinellas County Code (cont'd)

- **Enforcement**
  - Code Enforcement and Consumer Protection authorized to enforce
  - Violations punishable by a fine of \$500 per for first offense and subsequent offenses
- **Applicability**
  - Countywide provision that cities can opt into or adopt a city ordinance.
- **Effective Date October 3, 2022**



# Comments/Questions

# Rent & Income Standards – Example 1



- **Likely Employed**
- **Deduction for dependents**
- **Market Rent Range (varies by location)**
  - **Responsible for Electric Only – \$1,906-\$3,006**
  - **Responsible for All Utilities – \$1,768 - \$2,868**
- **Total cash income for expenses - \$2,705**
- **Likely also receiving food stamps, Medicaid, other benefits**

<b>Voucher Calculation Ex. 1</b>	
Family Size	4
Unit Size (bedrooms)	3
Annual Income	\$45,760
Deductions	\$1,440
Adjusted Annual Income	\$44,320
Adjusted Monthly Income (AMI)	\$3,693
30% of AMI (max rent obligation)	\$1,108
3X Income Standard	\$3,324
Market Rent	\$2,500
Subsidized Rent (voucher)	\$1,392
<b>Remaining for Expenses</b>	<b>\$2,705</b>

# Rent & Income Standards – Example 2

- **Likely fixed income**
- **Deduction for dependents**
- **Market Rent Range (varies by location)**
  - **Responsible for Electric Only – \$1,645 - \$2,745**
  - **Responsible for All Utilities – \$1,507 - \$2,607**
- **Total cash income for expenses - \$876**
- **Likely also receiving food stamps, Medicaid, other benefits**

<b>Voucher Calculation Ex. 2</b>	
Family Size	4
Unit Size (bedrooms)	3
Annual Income	\$14,400
Deductions	\$1,440
Adjusted Annual Income	\$12,960
Adjusted Monthly Income (AMI)	\$1,080
30% of AMI (rent obligation)	\$324
3X Income Standard	\$972
Market Rent	\$2,000
Subsidized Rent (voucher)	\$1,676
<b>Remaining for Expenses</b>	<b>\$876</b>

# Rent & Income Standards – Example 3



- **Likely fixed income**
- **Deduction for being Elderly/Disabled**
- **Market Rent Range (varies by location)**
  - **Responsible for Electric Only – \$1,117-\$1,887**
  - **Responsible for All Utilities – \$1,026 - \$1,796**
- **Total cash income for expenses - \$905**
- **Likely also receiving food stamps, Medicaid, other benefits**

<b>Voucher Calculation Ex. 3</b>	
Family Size	1
Unit Size (bedrooms)	1
Annual Income	\$15,336
Deductions	\$400
Adjusted Annual Income	\$14,936
Adjusted Monthly Income (AMI)	\$1,245
30% of AMI (max rent obligation)	\$373
3X Income Standard	\$1,119
Market Rent	\$1,500
Subsidized Rent (voucher)	\$1,127
<b>Remaining for Expenses</b>	<b>\$905</b>