

Community Working Group
Draft Meeting Notes
April 5, 2010

Comments from the Community Working Group included the following:

Rental License Code

Rental licenses are required for Vacation Rentals By Owners (VRBO) properties. Therefore, VRBOs should be deleted from the list of exemptions on page B-1 of Attachment B.

The investigative fee of \$250 seems fair provided the city properly notified the owners. There was support for further utilizing the civil penalties in the code.

Concern was expressed about the license term for those that may wish to renew early. Some in the group proposed to delete the proposed code section as it was considered too punitive (page E-2).

Housing Code

Significant concern was expressed about requiring fire extinguishers as outlined in the draft memo. The following comments were made:

- Fire extinguishers contain corrosive material that could do further damage to electrical wiring, etc.
- The requirement increases the property owner's liability.
- From an insurance viewpoint, placing fire extinguishers in common areas would be better.
- The changing demographics in rentals (more non-English speaking tenants and younger tenants) suggest additional caution in considering this requirement.
- The proposed code language must be more specific and include type of fire extinguisher, location, etc. rather than reference other codes (such as IFC, NFPA).

Additional information about the requirement to provide access to circuit breakers was requested such as: why it is necessary, how many units would be impacted, and the potential cost? It was also suggested that staff summarize the fundamental differences between the housing code and the proposed code and highlight this and other key issues.

Energy Efficiency

The group requested further information in regard to the economics of the proposal including rental property cash flow and impacts to the resale of properties. Comments were made suggesting that property owners cannot recoup their cost on energy efficiency improvements. This is not a "split incentive" - there is no incentive; the tenant receives the benefit while the cost is borne by the property owner. It was stated that loans are not available for energy efficiency as financial institutions do not consider these types of investments an upgrade to the property. Concern was expressed that investing in these

type of improvements could delay other maintenance items such as roof and concrete repair.

Information about the cost of other recent requirements should be noted in the memo.

The recent requirement in regard to lead paint needs to be further described including impacts such as the cost of having to move tenants out for any repair.

A more balanced description and approach to the energy efficiency phase-in options should be presented, especially in regard to off-sets. Some members of the group are in favor of investing in off-sets over time.

Some members appreciated the proposal for two renewal cycles to address financial considerations. The affect the proposal could have on selling property should be considered. Concern was expressed about the disincentive the proposal would have on investing in property in Boulder.

The criteria for “hardship” needs to be better defined.

The total investment required for the private sector should be included, not just for Affordable Housing.

The proposal recognizes the potential impacts on Affordable Housing, but does not quantify the magnitude of impact on market rate housing.

A better description about RECOs in other cities would be helpful, especially information about subsidies, work triggered by building permits (for example, work involving remodels) and point of sale requirements. Stakeholders believe that Boulder’s proposed RECO is unique as it would require retrofits when no other construction or remodeling is proposed by the owner. This proposal is considered a significant change by emphasizing retrofits and setting a new precedent by not allowing buildings to be “grandfathered.”

Attachment I-1 is not user friendly. Information about the process for the prescriptive path as well as the initial inspection cost should be provided.

Potential city subsidies, such as of blower door tests (2 Techs and a Truck), should be explained.

Public Hearing

Consider additional time for those that may “pool” time at the Planning Board and City Council public hearings.