



INVESTING IN ROCHESTER

LANDLORD SUMMIT

August 20th, 2020



Opening Remarks

Mayor Lovely Warren

Commissioner Gary Kirkmire





INVESTING IN ROCHESTER LANDLORD SUMMIT

Summit Agenda

1:20 (10 min)	Early Findings- COVID Landlord Survey <ul style="list-style-type: none"> Elijah de la Campa, Snapper Poche Ash Center, Harvard University
1:30 (10 min)	Overview of New Eviction Laws, COVID Moratorium <ul style="list-style-type: none"> Mark Muoio, Program Director, Hsg. & Consumer Law Unit at Legal Aid Society
1:40 (30 min)	Panel Discussion - New Laws and Evictions, COVID 19 <ul style="list-style-type: none"> Jaime Cain, Partner Boylan Code Attorneys Mary Leo, Executive Director Housing Council Denise Read, Director, Financial Assistance Monroe County DHS Mark Muoio, Program Director, Hsg. & Consumer Law Unit Legal Aid Society
2:10 (50 min)	City Highlights & Updates <ul style="list-style-type: none"> New COVID Response Programs Gary Kirkmire, Commissioner of NBD Temporary Inspection Protocols Kurt Martin, Director of Buildings and Zoning Cities RISE Update Gary Kirkmire, Commissioner of NBD
3:00 (55 min)	Questions & Answers by Topic (~15 mins each) <ol style="list-style-type: none"> New Tenant Laws & Evictions New Landlord and Tenant Assistance Funding Code Enforcement / Inspections Q&A Other Questions and Feedback



Attendee Instructions

- Due to large attendance, attendee video and chat is disabled
- If you would like to alter your view, you can use the options at the top right of your screen
- We are only accepting written questions- please submit questions in the Q&A box down below
- Our team will be summarizing the questions and feeding them back to the panelists during the Q&A time
- Un
- The slides and a recording of the webinar will be posted to the website: www.CityofRochester.gov/LandlordSummit
- We will be using the poll feature throughout, here is a test!



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Live Poll: Test





Attendee Summary

	Landlords Attending	% of Landlords Attending	Units Owned
TOTAL	366	100%	7191
Rochester Area	305	83%	6280
Other Areas of NY	20	5%	366
Other States	33	9%	405
Out of Country	8	2%	140



Rochester COVID-19 Landlord Survey

Harvard Kennedy School

Ash Center for Democratic Governance

Elijah de la Campa, Snapper Poche



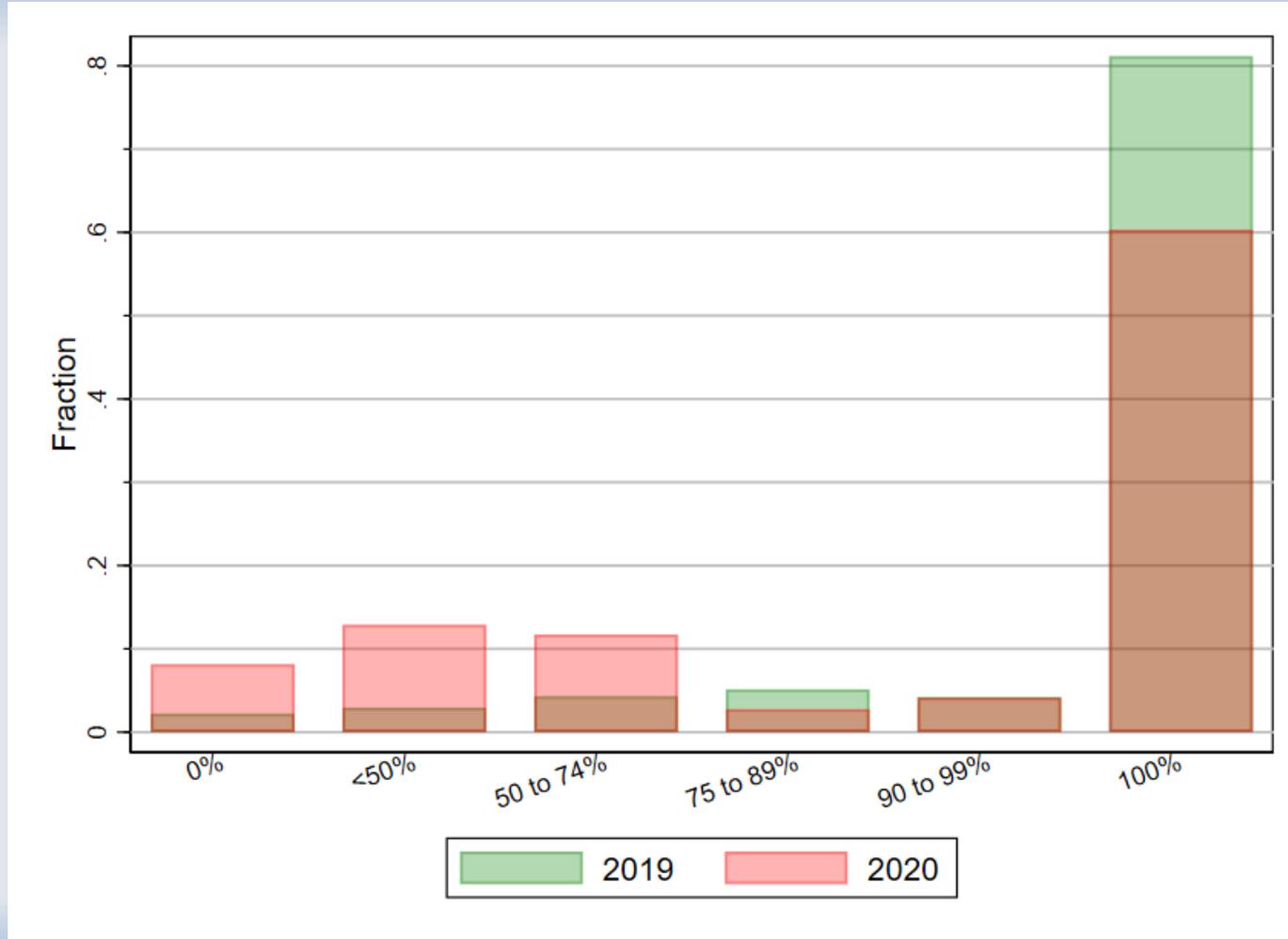


Rent for June 2020: By the Numbers

Number of landlords invited to participate in survey	2,271
Number of landlords who responded to survey	285
Estimated number of properties behind in rent	3,770
Average estimated number of units behind on rent	6,288
Maximum estimated number of units behind on rent	8,804
Estimated rent captured per property (as percent of total)	75-89 percent
Estimated lower bound of rent arrears	\$2,683,363
Estimated upper bound of rent arrears	\$4,578,120

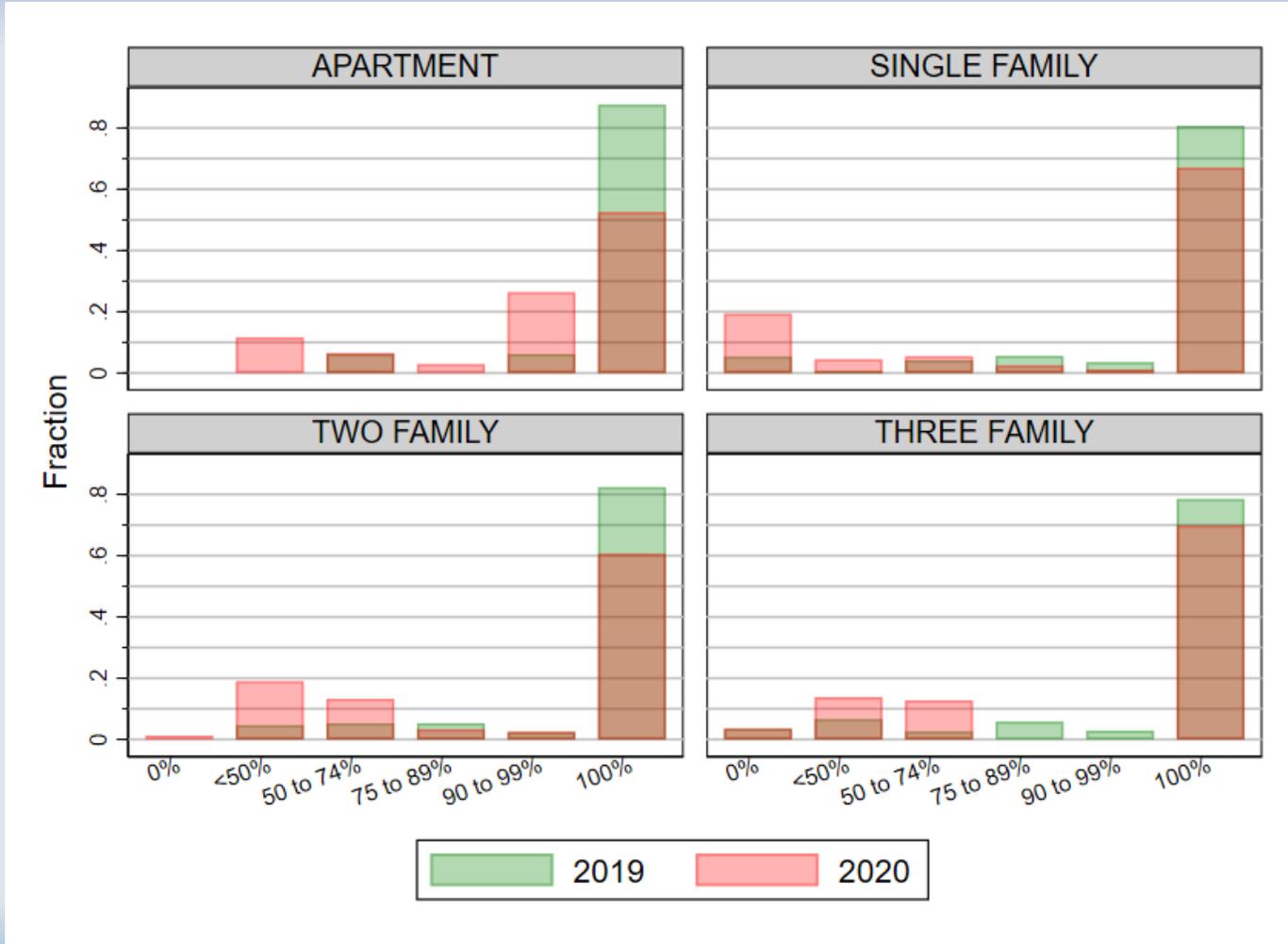


June Rent, 2020 vs. 2019



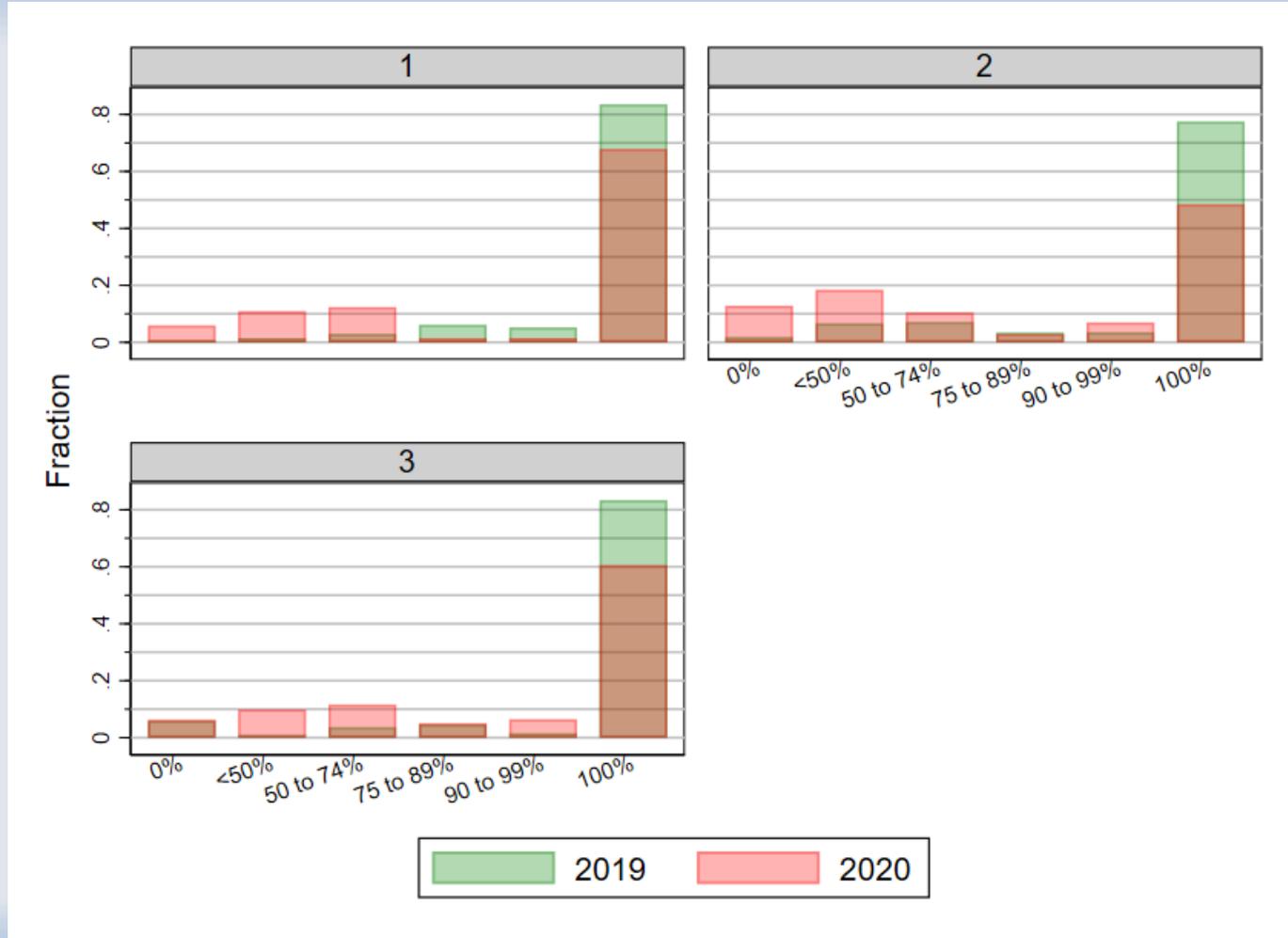


June Rent, by Property Type



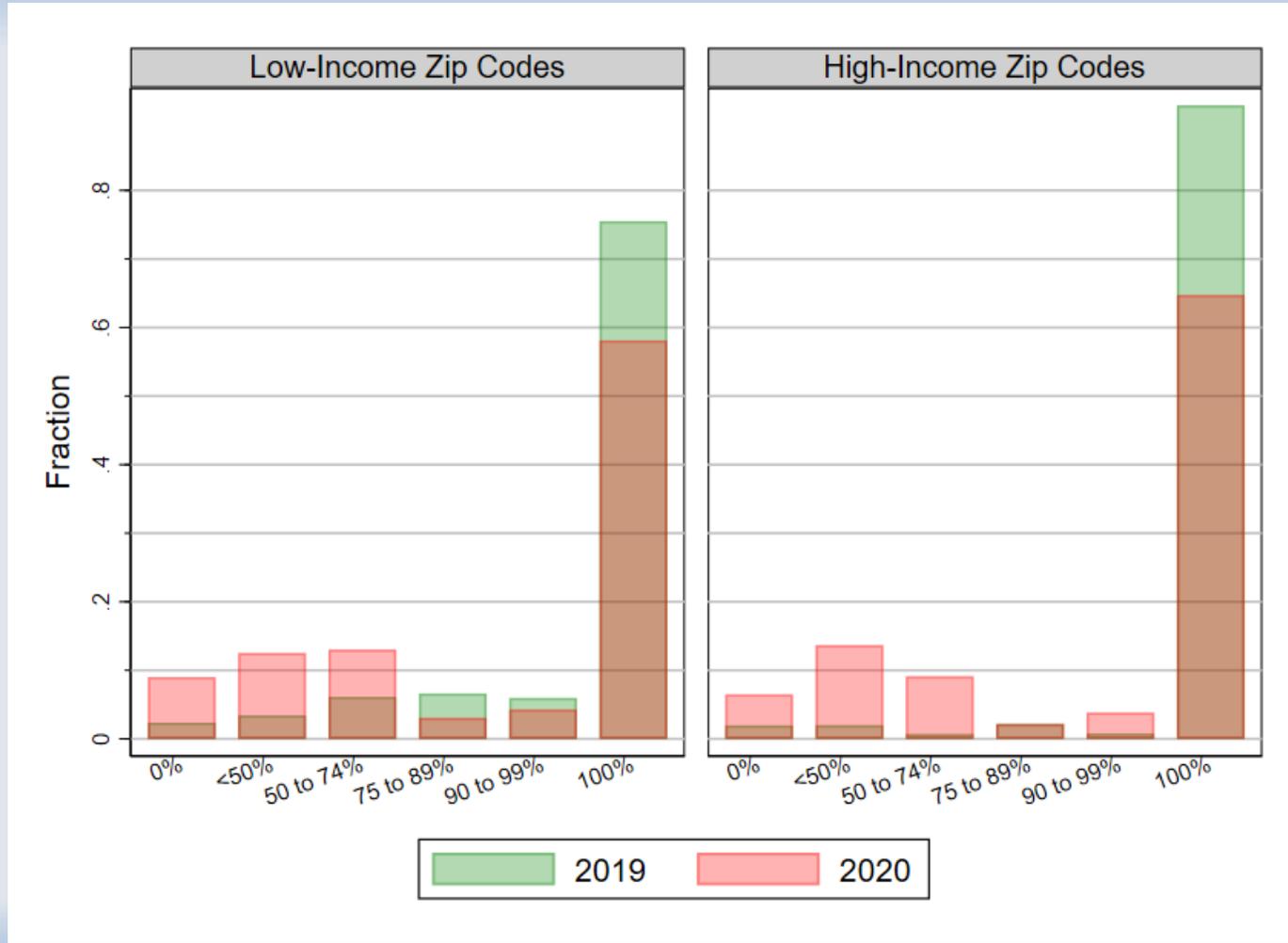


June Rent, by # Props. Owned





June Rent, by Area Income





Live Polls: Reaction to Survey Findings





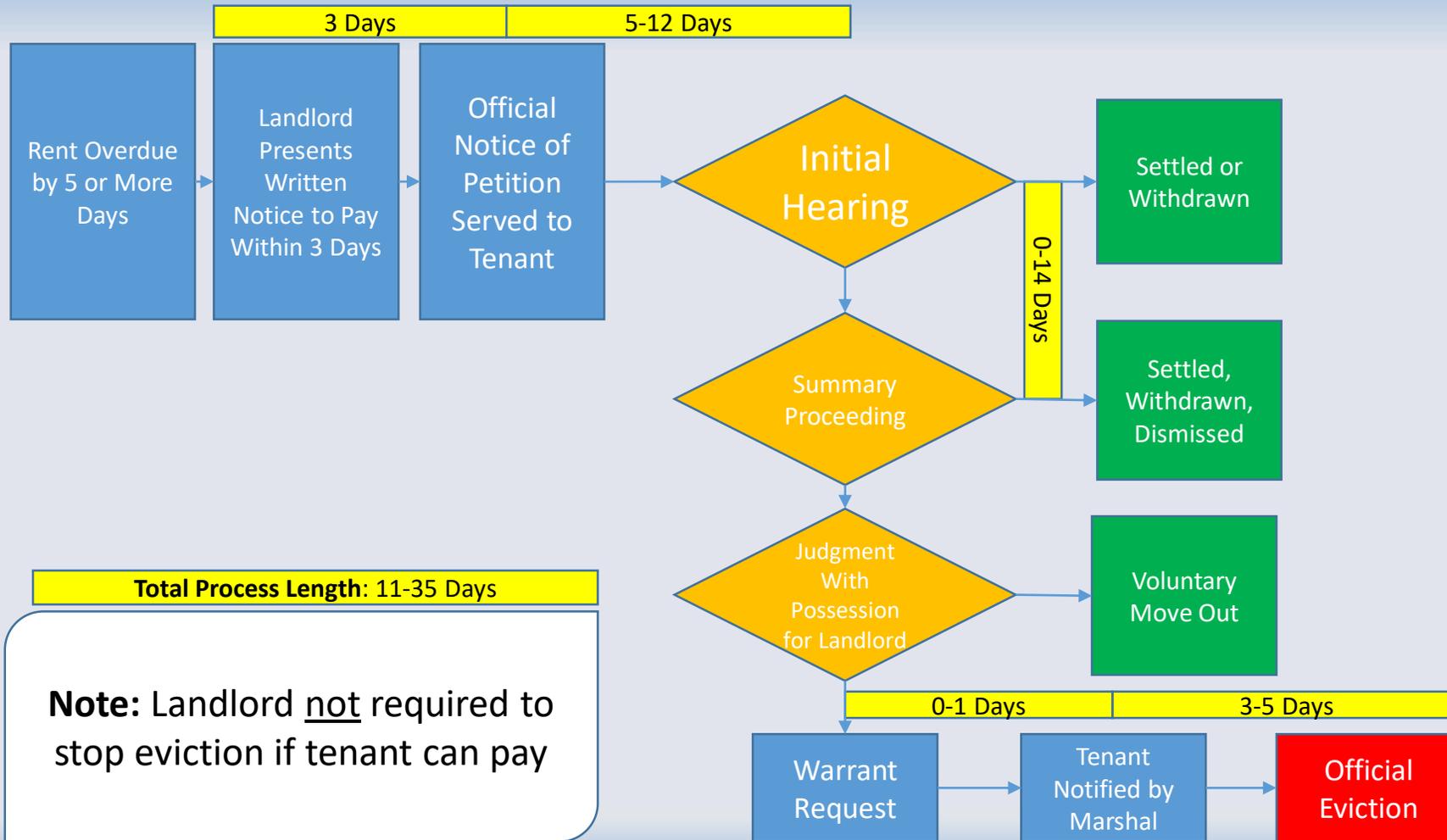
Overview of Eviction Laws, COVID Moratorium

Mark Muoio

Program Director, Hsg. & Consumer Law Unit
Legal Aid Society of Rochester



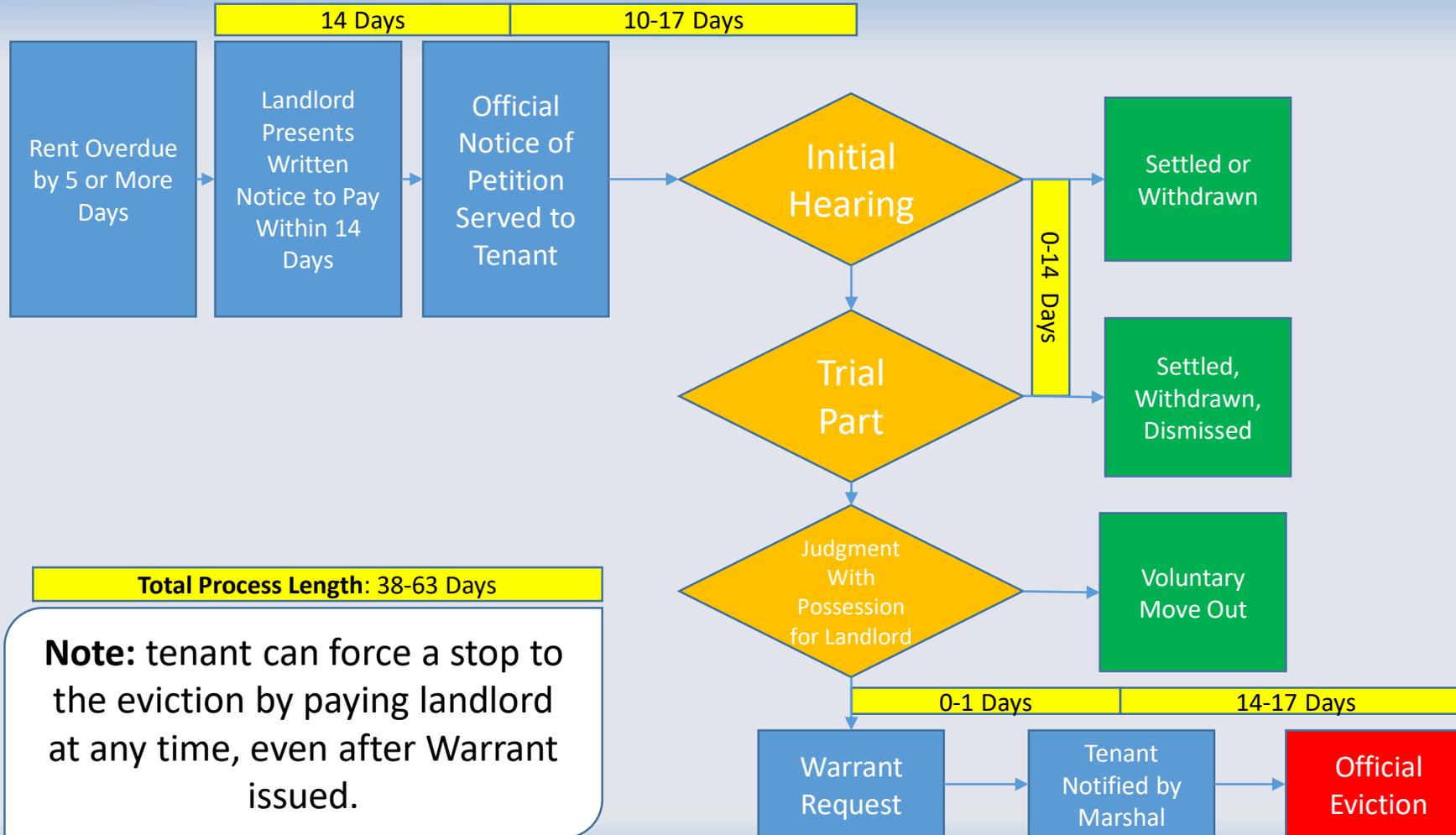
Eviction Process As of 2018





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Eviction Process In of 2020





As of 8/13, NYS Chief Admin. Judge, Lawrence Marks:

- Evictions filed on or after 3/17/2020 continue to be suspended.
- Cases filed before 3/17/2020 can move forward.
- Residential evictions filed before 3/17/2020, including cases where a warrant of eviction has already been issued but not executed, must be conferenced before a judge before any further action is taken.
- No outstanding or new residential warrants of eviction may be executed prior to 10/1/2020.
- Commercial eviction can proceed without a conference.



Panel Discussion: New Laws and Evictions, COVID 19

Panelists:

- Jaime Cain, Partner, Boylan Code Attorneys
- Mary Leo, Executive Director, The Housing Council at Pathstone
- Denise Read, Director, Financial Assistance, Monroe County DHS
- Mark Muoio, Program Director, Hsg. & Consumer Law, Legal Aid Society



Panel Question 1

All: Please introduce yourself and tell us what you are doing to help our community navigate what may be a wave of eviction filings after the COVID moratorium is lifted?



Panel Question 2

All: Before the COVID moratorium, please describe how the new 2019 eviction laws changed your organizational operations or processes.



Panel Question 3

Jamie, Mark, Mary: The new 2019 laws were aimed at providing tenants more protections and promoting housing stability for vulnerable populations. Do you believe they are having their desired impact?



Panel Question 4

All: Since the COVID moratorium began, many landlords have gone months without rent. What resources would you recommend for landlords to navigate the financial and legal issues they are facing?



Audience Questions If Time Permits





Rental Assistance and Eviction Prevention City of Rochester

Gary Kirkmire, Commissioner





- COVID Cares Act Funding “Housing Objective” – avoid massive displacement of residents, increased homelessness and lost rents for landlords
- Targeted approach via four programs/efforts
 - Provide adequate direct rental assistance
 - Provide funding to support vacant unit rehab/re-occupancy for low income residents
 - Work with our Community Housing Partner Organizations & HUD to streamline rental assistance processes
 - Provide support to the Justice for All effort of providing legal representation for all tenants



- **City/Cares Act funding for rental assistance:**
 - \$1,112,975 - Emergency Solutions Grants Round I -CARES Act (ESG-CV)
 - \$900,000 - Community Development Block Grant-CARES Act (CDBG-CV)
 - Up to \$2,112,766 in additional ESG-CV funding available
 - Total \$4,125,741
- City partnering w/ Catholic Family Center to deploy funding.
- Applied for various process waivers from HUD
- Working w/Systems Integration Project to create more efficient intake/payment process



- **City/Cares Act funding for eviction/homelessness prevention assistance:**
 - \$1,322,671 - Emergency Solutions Grants Round I -CARES Act (ESG-CV)
 - \$580,000 - Community Development Block Grant-CARES Act (CDBG-CV)
 - \$460,000 – Emergency Solutions Grants Round II -CARES Act (ESG-CV)
- **Total for all COVID Cares Act Housing initiatives \$6,488,412**



Process for Tenant Rental Assistance

- Step One – Tenants should determine eligibility best they can before calling:
 - Have you lost income due to COVID-19 pandemic?
 - Are you in immediate danger of eviction, homelessness, loss of housing or utility shut off?
 - Are you income qualified? Income limit based on household size:

	2020 HUD 80% AMI Income Limit by # of People in Household							
Household Size	1	2	3	4	5	6	7	8
80% AMI Income Limit	\$42,800	\$48,900	\$55,000	\$61,100	\$66,000	\$70,900	\$75,800	\$80,700



Process for Tenant Rental Assistance

1. Tenant calls Catholic Family Center for intake, application (and referral, if needed).
2. Applicant receives checklist of required documents.
3. At appointment, eligibility confirmed & documentation collected, follow up scheduled (if needed).
4. Paperwork finalized, landlord signs agreement acknowledging assistance paid.
5. Payment sent to landlord.
6. Non-profit partners follow up w/ tenant to help keep stabilized.



Tenant Rental Assistance

What Landlords Can Do

- Keep open dialogue w/ tenants, encourage them to keep up on payments, know yours and their rights/responsibilities
- Have tenant contact Catholic Family Center to discuss options and, if eligible, apply. Call: 585-232-2050
- Housing Council can provide information and resources to tenants/landlords. Call: 585-546-3700 from 9am to 1pm
- Financial Empowerment Center (FEC) can help tenants w/ budget & plan. Visit: <https://www.rochesterfec.org/appointments>
- Respond to requests from non-profits - resolution usually results in positive outcomes for all stakeholders



Right to Counsel Pilot Project

- City is helping fund new program operated by Volunteer Legal Services
- Will provide:
 - All tenants access to free legal counsel in eviction court
 - New hotline for tenant legal advice
- For assistance, tenants should contact:
 - 585-232-3051, or
 - www.vlsprochester.org/apply-online.



Landlord Reimbursement Grant Program

Dept. of Neighborhood and Business Development

Gary Kirkmire, Commissioner



Landlord Reimbursement Grant

Benefit: Up to \$2,000 reimbursement for repairs/maintenance to vacant unit

Goal: Help transition vacant units back into operation quickly

Eligible Landlords:

- Own a vacant rental unit
- Are current on all tax payments with the City of Rochester and Monroe County for all of their properties
- Are not in mortgage foreclosure for any of their properties
- Are in good standing with code enforcement on all of their properties
- Are not on the Federal Excluded Parties Entity List



Reimbursement Requirements

- Apply and receive pre-approval before work has begun
- Expense verification documents (materials and contracted labor only)
- 12 month lease with tenant
- Tenant income verification documents, at or below 60% AMI:

	2020 HUD 60% AMI Income Limit by # of People in Household							
Household Size	1	2	3	4	5	6	7	8
60% AMI Income Limit	\$32,100	\$36,720	\$41,280	\$45,840	\$49,560	\$53,220	\$56,880	\$60,540

- To apply, visit: www.CityofRochester.gov/HomeRepairGrants



COVID-19 Temporary Inspection Policy

Dept. of Neighborhood and Business Development

Kurt Martin, Director of Buildings and Zoning





Due to Covid-19 pandemic, the City is making adjustments to inspection protocol to protect both staff and the public while continuing to ensuring safe and habitable housing.

Policy is Broken Down by the Following Activity Areas:

- **New Construction inspections**
- **Complaint Inspections**
 - ❖ Exterior
 - ❖ Interior
- **Certificate of Occupancy Inspections – **NEW Incentive-Based Interior Inspection Relief****
 - ❖ One and Two Family Structures
 - ❖ Multiple Dwellings
- **Referrals**
- **Rehab Grant and/or Home Buyer Inspections**



➤ **New Safety Protocols Applicable to All Inspections:**

- Upon confirmation of appointments the inspector will ask the contact if they are feeling sick, have a fever, or are being either treated for Covid-19 or under quarantine.
- Both the inspector and customers must be wearing masks/face coverings at all times
- “No touch policy” The occupant or owner shall be the ones to touch items, like windows, doors, faucets, smoke & carbon monoxide detection devices. The inspector will simply verify.
- Where a dust wipe test is required, it shall be performed separately from the initial inspection unless the subject unit is vacant and time permits.
- During any necessary interior inspection there should be no more than one adult accompanying the inspector. An exception can be made for one adult resident and one owner/agent rep
- Any previously cited interior violation(s) may be abated via video evidence of compliance upon inspector’s verification. (See Virtual Inspection Guidelines on City Website)



➤ **New Construction inspections:**

- All construction inspections may continue as long as the following safety criteria is followed:
 - These appointments will be efficiently scheduled so that the inspector is not on site for more than one hour.
 - Where reasonable, compliance may be achieved via video evidence.



➤ **Complaint Inspections:**

❖ Exterior :

- Exterior complaints can be handled in the same manner as they always have been.
- Any necessary interaction with the caller will be accomplished via phone conferencing.

❖ Interior:

- Upon receipt of an interior complaint, City staff will follow the steps outlined in the complaint policy.
- Once the complaint policy has been followed and a necessary inspection is to be scheduled the following criteria must be met in order for an inspection to be performed:
 - The support staff person will ask the caller if they are feeling sick, have a fever or are being either treated for Covid or under quarantine. If any of these answers are yes the appointment will not be scheduled.
 - Upon confirmation of the appointment the inspector will ask the same series of questions.



➤ Complaint Inspections Continued:

❖ Interior:

- Appointments will only be scheduled for health and safety related concerns.
- The inspection will be efficiently performed with a focus only on the health and safety related issues expressed as a concern by the complainant.



Temporary Inspection Policy

➤ Certificate of Occupancy(C of O):

Our C of O program inspections present the most complicated challenge. This is due to the extensive review of the entire structure and premises and because of the applicable lead testing. This protocol is designed to reasonably maximize our ability to ensure safe and habitable housing while ensuring the safety of both staff and the public and without compromising the integrity of our Lead Ordinance.



➤ Certificate of Occupancy(C of O) Continued:

❖ One and Two Family Dwellings:

- Exterior inspection shall be performed
 - ✓ If code compliant and no previous Monroe County lead hazard history
 - ✓ An affidavit can be submitted
 - ✓ Signed by both the occupant and the owner/agent

◇ THIS WILL SATISFY THE INTERIOR INSPECTION REQUIREMENTS AND A C OF O FOR THREE YEARS WILL BE ISSUED

- Where there is a Monroe County Department of Health lead history, the interior must be inspected.



➤ Certificate of Occupancy(C of O) Continued:

❖ Multiple Dwellings:

- A full inspection of the exterior and interior common areas will be performed.
- **A random sampling of 40% of the total units will be inspected (rounded up)**
- Selected randomly by the inspector upon arrival.
- There will be a focus on equal distribution of units on each level of the structure.
- The overall total number of units that will be inspected is based on those 40% units not containing any visible interior deteriorated paint, fire safety, or other hazardous violations.



➤ Certificate of Occupancy(C of O) Continued:

- ❖ Multiple Dwellings: (continued)
 - If any of the following violations are identified in the units inspected then all units will require an inspection.
 - Interior deteriorated paint
 - Smoke and/or Carbon Monoxide alarms missing or not working
 - Missing second means of egress
 - Other hazardous conditions
 - For the units not inspected the owner/agent shall supply an Affidavit attesting to the condition of those units.



Temporary CofO Inspection Affidavit

 **City of Rochester**
 Neighborhood and Business Development
 Buildings and Zoning
 City Hall Room 124B, 30 Church Street
 Rochester, New York 14614

 Kurt Martin
 Director

COVID-19 CERTIFICATE OF OCCUPANCY SUPPLEMENTAL AFFIDAVIT

PROPERTY ADDRESS: _____ APARTMENT #: _____

OWNER'S NAME: _____

OWNER'S PHONE #: _____

TENANT NAME: _____ PHONE #: _____

I attest to each of the following:

- The unit has working smoke detectors in all required locations (in sleeping rooms, hall outside sleeping rooms, and each floor of dwelling including basement/cellar).
- The unit has a working carbon monoxide alarm located within 15 feet of the lowest level sleeping areas and near attached garages.

I attest that none of the following conditions are present:

- Peeling, flaking or loose paint
- Water leaks from roof or plumbing fixtures
- The presence of pests (roaches, rodents, **ect.**)
- Any other hazards exist

OWNER'S INITIALS: _____ TENANT'S INITIALS: _____

I hereby swear that the above information is true to the best of my knowledge and understand that by attesting to this information it will be accepted in lieu of an "in person" inspection by a City Code Enforcement Officer:

OWNER/MANAGER SIGNATURE _____ TENANT SIGNATURE _____ DATE _____

Phone: 585.428.6520 Fax: 585.428.6287 TTY: 585.428.6054 EEO/ADA Employer



Referrals:

- The majority of the referrals come via the Fire Department.
- The inspection staff will only react to those referrals that involve hazardous conditions where NBD staff have been provided with direct contacts for the occupant as part of the referral.
- Where situations warrant an interior inspection, the interior inspection protocols above shall be followed.
- Any and all other referrals from outside agencies must encourage the resident to come through the complaint process.



Rehab Grants and/or Home Buyer Inspections:

For our Rehab Grant and Home Buyer program inspections we will follow the same applicable protocols as the interior complaint inspections.

- In the course of performing the interior inspection if there a need to open a window, turn on water, flush a toilet, turn on a light switch, plug something into an outlet, open a door or test a smoke or carbon monoxide alarm, each of those activities will be performed by the occupant or owner/agent. The inspector will simply verify the results but will not be touching those surfaces.
- The inspection will be efficiently performed with a focus on the grant subject area.



Live Poll: Awareness of Temporary Inspection Policy



Cities RISE Grant Updates

Dept. of Neighborhood and Business Development

Gary Kirkmire, Commissioner





Cities RISE Grant Overview

- Initiative of the NYS Attorney General's Office, funded by Bank settlements
- Promoting efficient and equitable code enforcement, responding to housing issues
- Rochester has received 3 phases of funding and/or technical assistance

Rochester's Phase III Grant Objectives

- Support the Land Management Project, modernizing data systems
- Create Emergency Hazard Abatement Program
- Develop a Property Manager Licensing Program
- Support Eviction Prevention Pilot with Rochester Housing Authority
- Refugee Healthy Housing Education Pilot



Land Management Project

- **Purpose:**
 - Modernize and integrate City's property data systems
 - Enable cutting edge automation and strategic use of data
- **Timeline:** Beginning implementation in 2021
- **Potential benefits to Landlords/Property Owners:**
 - Expanded electronic application processing
 - Electronic scheduling of appointments
 - Automated email notices and reminders
 - Informative work flow updates
 - Customer dash board
 - Property history



Emergency Hazard Abatement Program

- **Purpose:** immediate abatement of certain code violations that have gone unaddressed by the owner/manager and would otherwise lead to the displacement of an occupant.
- City will hire contractor to abate violations. Owner will be billed for the service, and payment will replenish the revolving fund. Bill will be added to tax bill if unpaid.
- We are launching engagement with landlords, tenants, and other stakeholders to inform the policy



Property Manager Licensing Program

- **Purpose:** drive improved oversight and accountability of Property Managers
- Will include a systematic and automated means by which to score managers, owners and properties, based on factual data
- The term Property Manager to be modeled after our Building Owner Registry requirement, person responsible for property maintenance
- Initial draft legislation has been developed for discussion and law review
- We are launching engagement with landlords, tenants, and other stakeholders to inform the policy



Live Poll: Attendee Sign-Up for Ad-Hoc Advisory Committee



**Please use the Zoom Q&A feature
to submit written questions**

Order of Topics (~15 mins each)

1. New Tenant Laws & Evictions
2. New Landlord and Tenant Assistance Funding
3. Code Enforcement / Inspections Q&A
4. Other Questions and Feedback



Live Polls: Attendee Satisfaction





Closing Remarks

Commissioner Gary Kirkmire

