

Tenant-Landlord Commission FY 2017 Annual Report



Fairfax County Tenant-Landlord Commission
June 30, 2017

Fairfax County Board of Supervisors



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Contents

Fairfax County Board of Supervisors.....	1
Contents.....	2
Chair’s Message	3
Executive Summary.....	4
Tenant-Landlord Commission.....	5
Rental Housing in Fairfax County.....	7
Tenant-Landlord Case Inquiries	8
Tenant-Landlord Publications.....	9
Tenant-Landlord Video Programs.....	10
Community Outreach	11
Complaint Summaries.....	13
Tenant-Landlord Commission Meetings.....	14
In Review.....	14



Chair's Message

On behalf of the Tenant-Landlord Commission, I would like to thank the Fairfax County Board of Supervisors for the continued opportunity to support and engage the tenant-landlord community through education and objective assistance. This report is provided to advise the Board of Supervisors on tenant-landlord problems and trends, and inform the public about the information available concerning rights and responsibilities of tenants and landlords and the arbitration program provided by the Commission based on tenant-landlord complaints referred by the Consumer Affairs Branch of the Department of Cable and Consumer Services.

During FY 2017, Commission members joined with staff of the Consumer Affairs Branch to reach tenants and landlords at community events such as expos and forums.

The Commission continues to seek input from the tenant-landlord community to provide timely publications and services which are available on the county's Web site or distributed at public events.

I am extremely proud of the work the Tenant-Landlord Commission does and look forward to another year supporting the residents of Fairfax County to enrich the quality of life for tenants and landlords in Fairfax County.

Eric Fielding
Chair
Tenant-Landlord Commission



Executive Summary

The Tenant-Landlord Commission (Commission) was established on October 27, 1971, by the Fairfax County Board of Supervisors. The Commission gives objective and fair assistance to the county's tenants and landlords by providing easy to read and understandable publications, brochures, checklists, videos, and public service announcements. Topics covered include information about tenant-landlord laws, applications, leases, security deposits, maintenance and repairs, rent, eviction, and where to seek help when problems arise. This information is also available on the Consumer Affairs Branch (CAB) Web site. The knowledge and information shared by the Commission adds value to the renting experience for all in Fairfax County.

Voluntary mediation provided by CAB offers tenants and landlords an open forum in which to resolve disputes and issues relating to rental dwelling units. When mediation efforts are exhausted, the Commission can provide voluntary arbitration. A panel representative of citizen, tenant, and landlord members of the Commission conducts a hearing that is legally binding on both parties and can be enforced in court if necessary. These dispute resolution alternatives foster open communication between tenants and landlords without the expense or formality of a court hearing.

As of January 2016, there were 77,403 rental complex housing units in Fairfax County. In FY 2017 CAB processed over 1,945 inquiries from tenants and landlords about security deposits, maintenance and repair, lease agreements, evictions, laws, foreclosure, and other issues impacting rental dwellings.

The Commission develops educational material in partnership with CAB, Fairfax County Government Channel 16, other county agencies, and community stakeholders. Publications such as the *Lease Checklist*, *Tenant Resource Sheet*, and *Renting a Room in Fairfax County* provide guidance so tenants can make informed decisions, ensuring a safe, healthy, and quality rental experience. Fairfax County Government Channel 16 programming provides educational information on maintenance and repair obligations, bed bugs, and renter's insurance. CAB promotes its services through informative tips sheets and posting current tenant-landlord issues on Facebook and the comprehensive Consumer Central Web site at www.fairfaxcounty.gov/consumer.

After CAB staff completes voluntary mediation and the complaint is closed, a case summary outlining the details of the dispute is posted for viewing by tenants and landlords on the Consumer Central Web page. Reviewing closed complaints and the manner in which a dispute is resolved, provides an opportunity for tenants to have information they can use to determine if a rental dwelling will fit their needs, expectations, and lifestyle.

Since renting provides an important option and choice for many in Fairfax County, the Commission remains committed to creating awareness and knowledge of the services available for the tenant-landlord community. Moving forward, the Commission will continue to take an active role in making both tenants and landlords aware of their rights and responsibilities through information, education, and arbitration.

Tenant-Landlord Commission



Eric Fielding, Chair

Amy Purnell, Tenant Vice-Chair

Karen M. Geier-Smith, Landlord Vice-Chair

Angelina M. Panettieri

Christopher L. Kocsis

Tony E. Gomez

Paula Park

The Fairfax County Board of Supervisors established the Commission on October 27, 1971, pursuant to Fairfax County Code Section 12-2-1. The purpose of the Commission is to provide assistance and information to educate the public on tenant-landlord matters. The duties and powers of the Commission are outlined in Chapter 12 of the Fairfax County Code. This code applies to rental agreements regarding dwelling units located in Fairfax County.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors. The Commission was originally composed of nine members; four tenant members, four landlord members, and one member of the community at large. On September 23, 1974, the Board of Supervisors adjusted the membership to include three landlord members, three tenant members, and three citizen members. On April 27, 1981, a condominium member was added.

The business of the Commission is guided by Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to give objective and fair assistance to Fairfax County tenants and landlords.

The Commission's duties are to:

- Advise the Board of Supervisors of tenant-landlord problems and trends;
- Educate the public concerning the rights and responsibilities of tenants and landlords;
- Inform tenants and landlords of the mediation and arbitration services available through CAB;
- Recommend changes in tenant-landlord laws at all levels of government;
- Represent Fairfax County before legislative, public, and private bodies; and,
- Arbitrate tenant-landlord complaints.

During each Virginia General Assembly session, CAB staff updates the Commission on legislation that may affect the quality of life of tenants and landlords in the county.

CAB staff provides day-to-day responses to inquiries for information, referrals, or advice, and offers voluntary mediation to tenants and landlords.

CAB mediates and facilitates complaints regarding tenant-landlord disputes when the rental dwelling is located in Fairfax County. When mediation efforts are exhausted, a voluntary, but legally-binding arbitration process is available through the Commission. Arbitration provides an efficient and inexpensive alternative to court for resolving tenant-landlord disputes. The hearings are scheduled at the convenience of the tenant and landlord.

In FY 2017, the Commission conducted one arbitration hearing. The tenant rented a condominium from a private landlord. After the tenant vacated the property, the landlord contested the tenant's request for a refund of the \$266 in prorated rent and stated the tenant owed the landlord \$3,300 in early lease termination penalties. The tenant and landlord agreed to the Consumer Affairs binding arbitration process, conducted by members of the Tenant-Landlord Commission. After testimony from both parties, the arbitration panel awarded the tenant \$266 to be paid by the landlord for the prorated rent.

Rental Housing in Fairfax County

Fairfax County offers a broad variety of housing for rent. Potential renters can choose from single-family homes, townhouses, condominiums, apartment communities in suburban settings, and high-rise apartments with an urban look and feel.

As of January 2016, there were 77,403 rental complex housing units in Fairfax County, according to the Rental Housing Complex Analysis prepared by the Fairfax County Department of Management and Budget. However, the total inventory of available rental units is greater because this number does not include units leased by individual owners directly to tenants. While there has not been a significant change in the total number, tenant-landlord inquiries as a percentage of all inquiries has changed due to increases in other complaint categories.

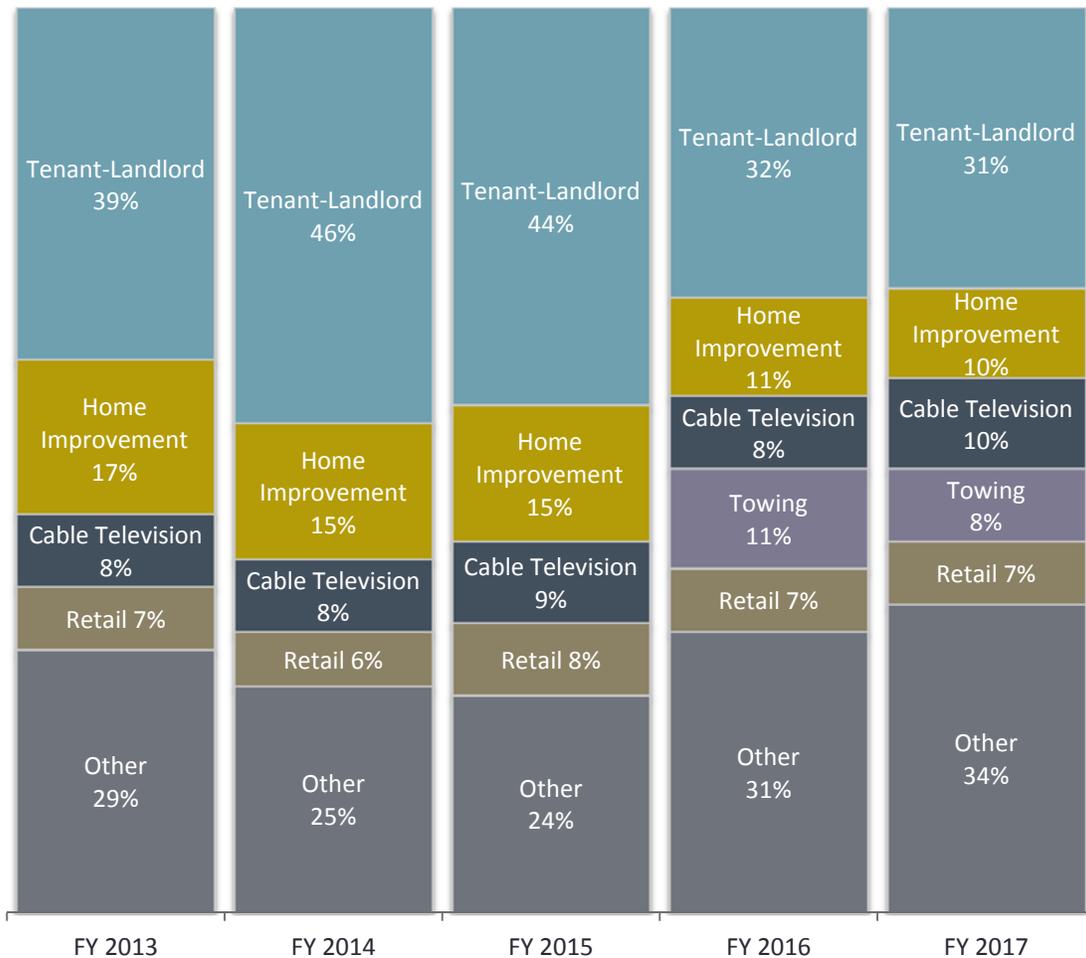


Figure 1 Annual Consumer Top Complaint Categories Fiscal Year 2013-2017

As the county redevelops and continues to grow, CAB staff and the Commission will continue to provide needed education and information to residents as multifamily dwellings in the county increase along with rentals by individual owners.

Tenant-Landlord Case Inquiries

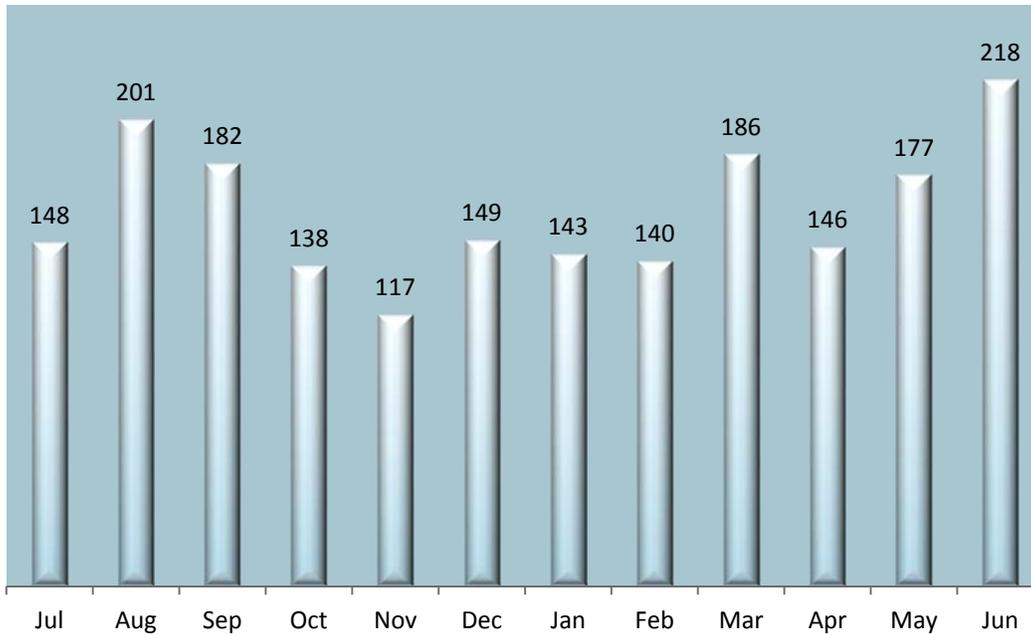


Figure 2 Monthly Tenant-Landlord Case Inquiries Fiscal Year 2017

During fiscal year 2017, CAB processed over 1,945 inquiries from tenants and landlords. Inquiries were received about security deposits, maintenance and repair, lease agreements, evictions, laws, foreclosure, and other issues impacting rental dwellings. This information is shared with the Commission, which develops educational information such as brochures, checklists, cable programming, public service announcements, and tip sheets that address ongoing concerns and trends regarding rental dwellings in Fairfax County.

Tenant-landlord information and publications is available on the CAB Web site. CAB staff uses this information for trainings and presentations to tenants and landlords by coordinating with county agencies, community groups, civic associations, and faith-based and for-profit and non-profit organizations. This collaboration keeps the Commission, CAB, and communities connected and invested in maintaining livable neighborhoods.

Tenant-Landlord Publications

The Tenant-Landlord Commission analyzes trends and issues of concern in response to complaints mediated by CAB staff. As residents of the county, Commissioners bring knowledge and expertise regarding rental dwellings. Their collective knowledge is used to develop the following educational information and publications for the tenant-landlord community. These publications are updated as needed.

LEASE CHECKLIST

The lease checklist provides guidance for prospective tenants and landlords and outlines the rights, responsibilities, and obligations involved with a lease agreement. Links are provided to resources and laws for both tenants and landlords.

HANDBOOK FOR TENANTS AND LANDLORDS

The handbook offers expanded information about tenant-landlord laws, industry practices and principles, and useful guidance for tenants and landlords. Links to the various laws, regulations, ordinances, and resources and referrals are provided so tenants and landlords know where to go and whom to contact in Fairfax County for assistance and information.

TENANT RESOURCE SHEET

This resource sheet provides information for tenants so they know which county agency to contact for assistance with repair or maintenance problems in their rental dwelling. Tenants are encouraged to contact their landlord first when there is a problem, but if they do not get the help they need, they can contact the county agency that addresses their issue.

WHAT TENANTS AND LANDLORDS NEED TO KNOW

This brochure provides answers to questions frequently asked by tenants and landlords regarding laws, lease agreements, rent, security deposits, maintenance and repairs, eviction, and what to do and where to go when there is a dispute or problem.

ENERGY-SAVING TIPS FOR RENTERS

These energy-saving tips offer renters ways to save money by improving energy efficiency. Reducing energy consumption and protecting the environment provide real savings for renters and landlords.

RENTING A ROOM IN FAIRFAX COUNTY

For many, renting a room is the first step into entering the residential rental market. Resources are provided to guide prospective tenants with information to help them select a room that best meets their housing needs.

THE INFORMED CONSUMER NEWSLETTER

This e-newsletter, published by Consumer Affairs, provides clear and concise information and resources with important contact information to quickly connect with agencies ready to provide guidance and assistance on issues such as renting, lease agreements, maintenance, eviction, and complaints.

Tenant-Landlord Video Programs

The programs below are available on Fairfax County Government Channel 16 on the Comcast, Cox, and Verizon cable systems; through Live Video Streaming; or anytime with Video on Demand on the county Web site.

BED BUGS

This program provides an overview of how to detect and defend against bed bugs. Guidance and information is provided by CAB, the Fairfax County Health Department, American Pest Management, and Southern Management Corporation.

RENTER'S INSURANCE PSA 1 AND RENTER'S INSURANCE PSA 2

The Commission developed these public service announcements to encourage tenants to obtain renter's insurance. The announcements highlight the need for tenants to protect their personal property from events such as flood, fire, theft, and coverage for accidental injury to others. Information is provided in coordination with the Virginia Bureau of Insurance of the Virginia State Corporation Commission.

Community Outreach

CAB provides outreach presentations throughout the year to schools, housing providers, community groups, civic associations, senior centers, and faith-based and non-profit organizations.

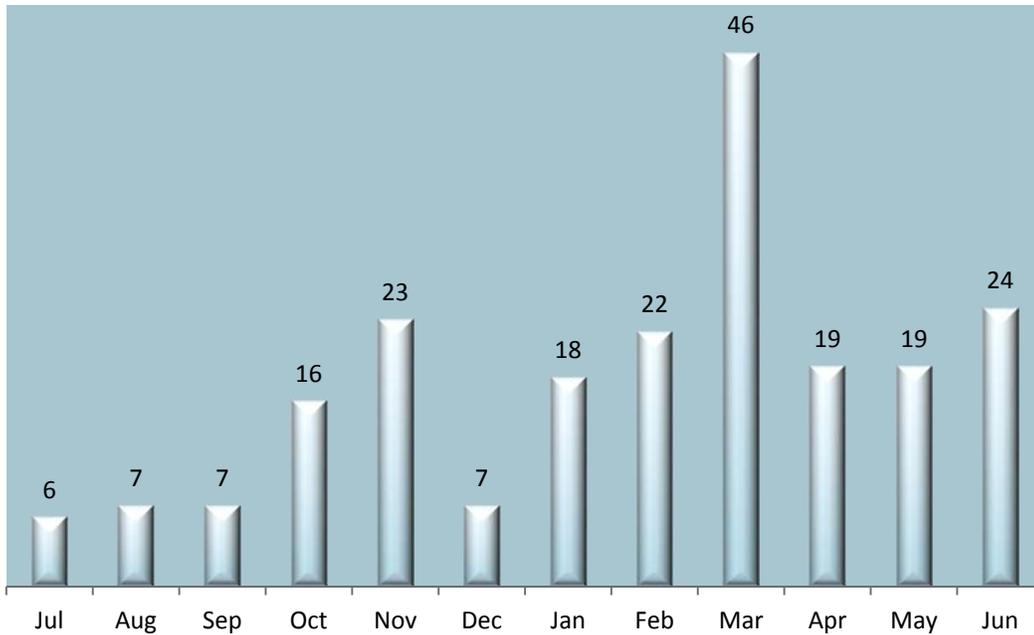


Figure 3 Monthly Consumer Outreach Events for Fiscal Year 2017

CAB offers presentations on the following topics:

- What Tenants Need to Know
- What Landlords Need to Know
- Home Improvement
- Practical Advice about Warranties
- Online Holiday Shopping
- All About Consumer Affairs
- Funeral Planning
- When Debt Collectors Call
- Identify Theft
- Medical Identify Theft
- How to Recognize a Scam
- What’s in Your Credit Report
- High School 101
- Data Breaches
- Door to Door Scams
- Financial Education

Information prepared by the Commission is used by CAB in community outreach events to educate tenants and landlords about the information and resources available through CAB. Following are tenant-landlord outreach activities:

THE OFFICE TO PREVENT AND END HOMELESSNESS

CAB staff provides tenant education training for housing locators throughout the county that work in supportive housing programs, along with those who seek to educate their clients about tenant responsibilities. Resources, publications, and information is shared and reviewed.

LEGAL SERVICES OF NORTHERN VIRGINIA

CAB coordinates with Legal Services of Northern Virginia (LSNV) to provide information and guidance to tenants and landlords in Fairfax County. LSNV is a referral source on information for tenants facing foreclosure.

KATHERINE HANLEY FAMILY SHELTER

In coordination with Shelter House, Inc., CAB provides information and resources for tenants reentering the rental market. Rights and responsibilities are discussed with a focus on services provided by CAB, the Commission, and other county agencies.

FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES, LIFE SKILLS

A workshop was presented for teens to introduce them to the rights, responsibilities, and obligations of becoming a tenant. Resources and information were provided about CAB and other county agencies for prospective tenants to know whom to contact and where to request assistance before and after they enter the rental market.

7TH ANNUAL NORTHERN VIRGINIA HOUSING EXPO

CAB and the Commission participated with the Homeownership and Relocation Services Division of the Department of Housing and Community Development to provide tenant-landlord information to expo attendees.

NORTHERN VIRGINIA ASSOCIATION OF REALTORS®

A workshop was presented by CAB staff outlining the Virginia Residential Landlord Tenant Act lease agreement. The workshop highlighted complaints received by CAB and the resolutions achieved through mediation.

HOUSING OPPORTUNITIES COLLABORATIVE

In collaboration with other county agencies, CAB worked to develop and support the Housing Opportunities Collaborative. CAB provided content for their Web site and will continue to support efforts to promote equal access to housing for all persons in the county.

HOUSING CHOICE VOUCHER LANDLORD BRIEFING

CAB joined efforts with the Fairfax County Department of Housing and Community Development to share information and resources with landlords currently participating in the Housing Choice Voucher program as well as landlords interested in becoming a Housing Choice Voucher landlord.

CAB services are promoted through informative tips sheets, postings on Facebook, and the comprehensive Consumer Central Web site at www.fairfaxcounty.gov/consumer.

Complaint Summaries

Below are summaries of inquiries and complaints with comments from tenants and landlords satisfied with the information provided or the resolution negotiated through CAB mediation.

EVICTION PROCESS INQUIRY

A landlord called the office inquiring about the eviction process, after their tenant failed to pay rent in a timely manner. The landlord gave the tenant many opportunities to correct the situation, but the tenant failed to make payment. CAB provided the necessary information and resources on the eviction process and walked the landlord through the appropriate steps.

DORIS

"The information your office provided is very helpful. I am very much appreciative for Fairfax County Consumer Affairs; guidance and professionalism..."

SECURITY DEPOSIT

The tenant alleged the condo owner failed to refund the security deposit when the tenant vacated the unit. According to the tenant, the landlord failed to provide an itemized list of deductions and evidence of payment for repairs. After CAB mediation, the landlord provided photos to support their claim of deductions and the receipt for carpet replacement for the unit. The landlord remained firm in retaining the tenant's security deposit. The tenant did not request further assistance by CAB. The landlord was grateful for the assistance from CAB on a difficult situation.

LAUREL

"...I thank you so much for your assistance and pleasant demeanor on a subject that could have gone in the opposite direction."

REPAIR REQUEST

The tenant alleged the landlord failed to promptly fix the only handicap access button located at the front entrance of the apartment building. According to the tenant, the access button was broken for over two weeks. The tenant requested the landlord repair the access button. After CAB mediation, the landlord explained that after it was determined the button could not be repaired, a replacement button was ordered, which resulted in a delay. Once the replacement button was received, the repair was completed. The tenant confirmed the handicap access button was replaced.

KYLE

"...Thank you so much for your help. Without your help I'm sure the handicap entrance would still be broken pending some future 'due course' repair."

Tenant-Landlord Commission Meetings

The Commission meets bi-monthly at the Fairfax County Government Center during the months of February, April, June, August, October, and December. Meetings are open to the public and time is available for public comment.

In Review

With over four decades of service to the tenant-landlord community, the Commission remains committed to keeping tenants and landlords informed in response to housing trends, issues, and challenges. The balanced membership of the Commission ensures that all residents of Fairfax County have a voice and that tenants and landlords have a consistent, reliable source for obtaining information to help them understand their rights, responsibilities, and obligations.

The expertise, knowledge, and commitment of the Commission provides assurance that tenants and landlords can enjoy being a part of a neighborhood that not only provides a great place to live, work, and explore, but a place they can truly call home.

Fairfax County Tenant-Landlord Commission

12000 Government Center Parkway, Suite 433
Fairfax, VA 22035

703-222-8435 TTY 711

www.fairfaxcounty.gov/consumer
www.facebook.com/fairfaxcountyconsumer



Fairfax County is committed to nondiscrimination on the basis of disability in all county programs, services and activities. Reasonable accommodations will be provided upon request. To request this information in an alternate format, call 703-222-8435 TTY 711.



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