

Tenant-Landlord Commission FY 2016 Annual Report



Fairfax County Tenant-Landlord Commission
June 30, 2016

Fairfax County Board of Supervisors



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Chair's Message

The Tenant-Landlord Commission completed another successful year of providing fair and objective assistance to the Fairfax County tenant-landlord community. During Fiscal Year 2016, Commission members joined with the staff of the Consumer Affairs Branch of the Department of Cable and Consumer Services to reach tenants and landlords at community events. The Commission continues to seek feedback from the tenant-landlord community to continue providing timely brochures, publications, and services.

On behalf of the Commission, I sincerely thank the Fairfax County Board of Supervisors for the opportunity to enrich the quality of life for tenants and landlords in Fairfax County.



Michael R. Congleton
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 as well as applications, leases, security deposits, maintenance and repairs, rent, eviction, and where to seek help when problems arise. This information is available on the Consumer Affairs Branch (CAB) website. The knowledge and information shared by the Commission adds value to the renting experience for all in Fairfax County.

The 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 is exhausted, the Commission provides voluntary arbitration. A citizen, tenant, and landlord member of the Commission conduct a hearing that is legally binding on the participants 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.

In January 2015, there were 74,091 rental complex housing units in Fairfax County. In FY 2016 CAB processed over 1,900 inquiries from tenants and landlords. Questions were received about security deposits, maintenance and repair problems, lease agreements, evictions, laws, tenants facing 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 like 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 social media sites such as Facebook, and the comprehensive Consumer Central website 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 inquiring 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



Michael R. Congleton

Citizen Member, Chair

Karen M. Geier-Smith

Landlord Member, Secretary

Angelina M. Panettieri

Tenant Member, Vice Chair

Paula Park

Landlord Member

Christopher L. Kocsis

Landlord Member, Vice Chair

Tony E. Gomez

Citizen Member

Eric Fielding

Citizen Member

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 pertaining to 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’s tenants and landlords.

The Commission's duties are to:

- Advise the Board of Supervisors of tenant-landlord problems and trends;
- Educate the public concerning 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 referred by CAB.

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.

The Commission conducted an arbitration hearing on March 22, 2016, after mediation attempts to resolve a security deposit dispute were not successful. The hearing was conducted by a landlord, tenant, and citizen member of the Commission. During the hearing, the tenant and landlord presented their positions and documentation. After consideration by the arbitration panel, the tenant was awarded \$1,675, which was paid by the landlord.

Rental Housing in Fairfax County

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

In January of 2015 there were 74,091 rental complex housing units in Fairfax County. 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 hasn't been a significant change in the total number of tenant-landlord inquiries, tenant-landlord inquiries as a percentage of all inquiries has changed due to increases in inquiries in other complaint categories.

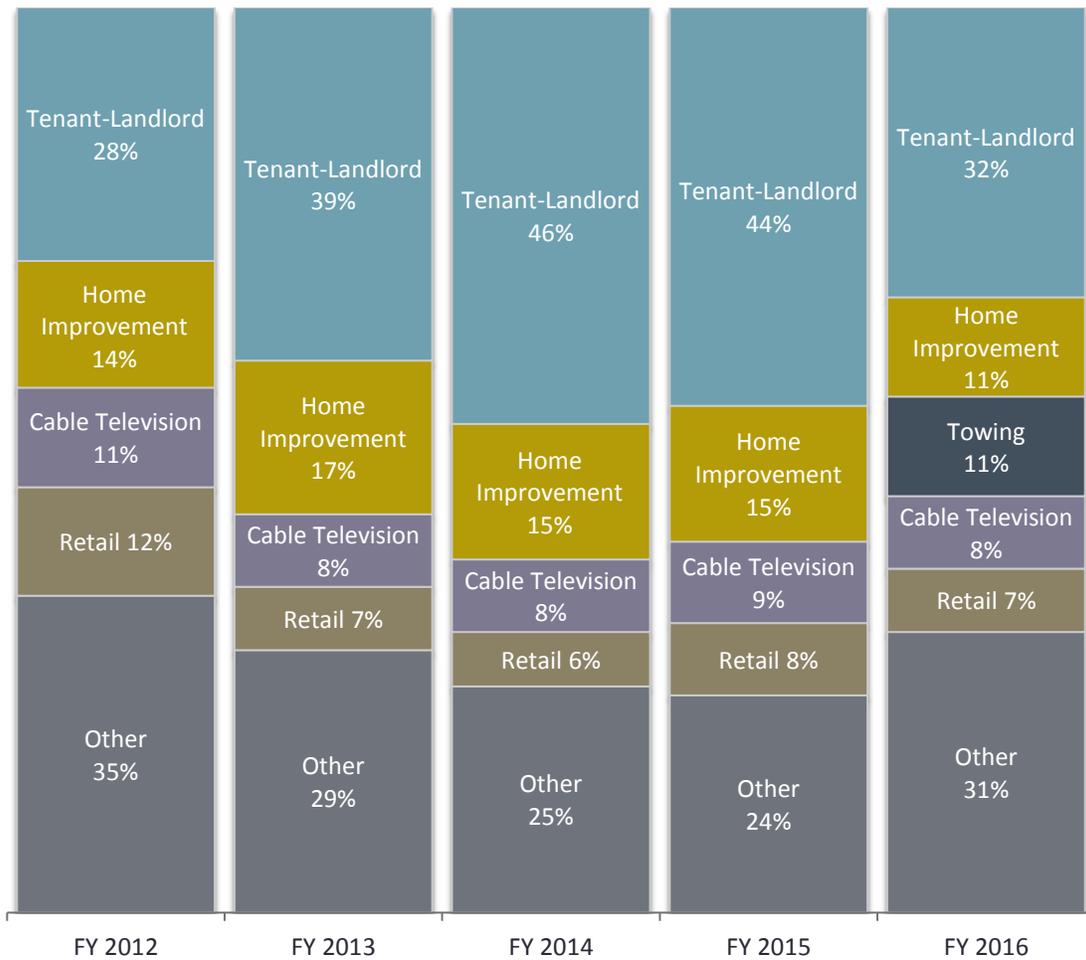


Figure 1 Annual Consumer Top Complaint Categories Fiscal Year 2012-2016

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

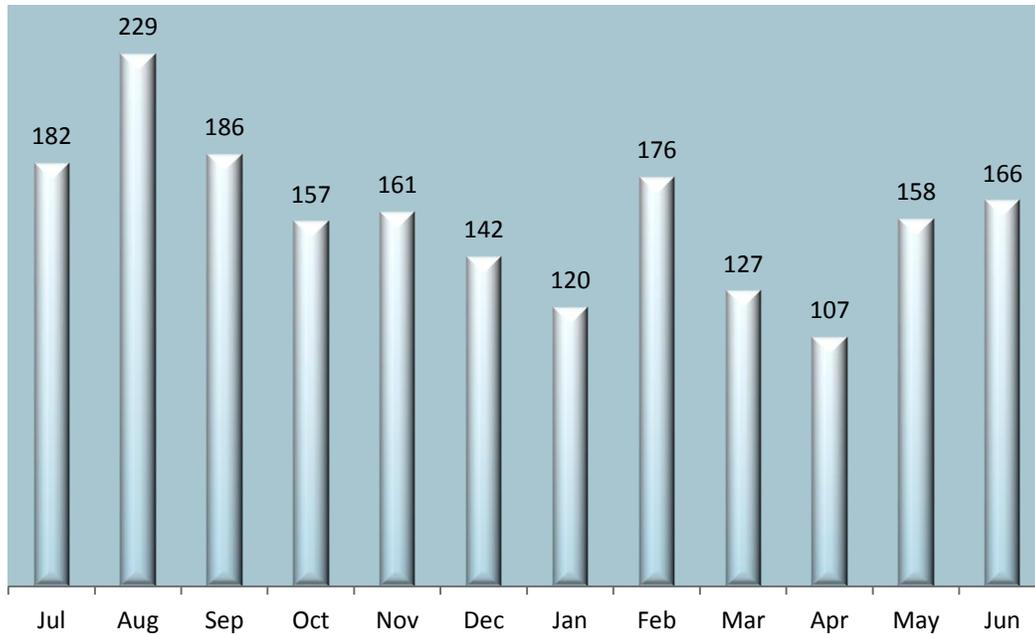


Figure 2 Monthly Tenant-Landlord Case Inquiries Fiscal Year 2016

During fiscal year 2016, CAB processed over 1,900 inquiries from tenants and landlords. Inquiries were received about security deposits, maintenance and repair problems, lease agreements, evictions, laws, tenants facing 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.

The information and publications prepared by the Commission are available on the CAB website. CAB staff uses this information in trainings as well as presentations to tenants and landlords where they live and work by coordinating with schools, 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 a wealth of 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 annually.

LEASE CHECKLIST

The lease agreement is the most important document between a tenant and landlord. This checklist provides guidance for prospective tenants and landlords so they can understand 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, along with useful guidance for tenants and landlords. Links to the various laws, regulations, and ordinances that govern tenants and landlords, along with information 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 call if they need 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

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

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.

Tenant-Landlord Video Programs

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

MAINTENANCE AND REPAIR OBLIGATIONS

To maintain quality housing requires routine and regular maintenance and repairs. This *Consumer Focus* program provides a balanced discussion regarding the rights and responsibilities of maintaining a rental dwelling from the perspective of both tenants and landlords. This program was developed in coordination with the Fairfax County Department of Code Compliance, and the Division of Environmental Health of the Fairfax County Health Department.

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, or other perils, as well as 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 as requested by schools, housing providers, community groups, civic associations, senior centers, and faith based and non-profit organizations. The majority of the requests occur during the school calendar year.

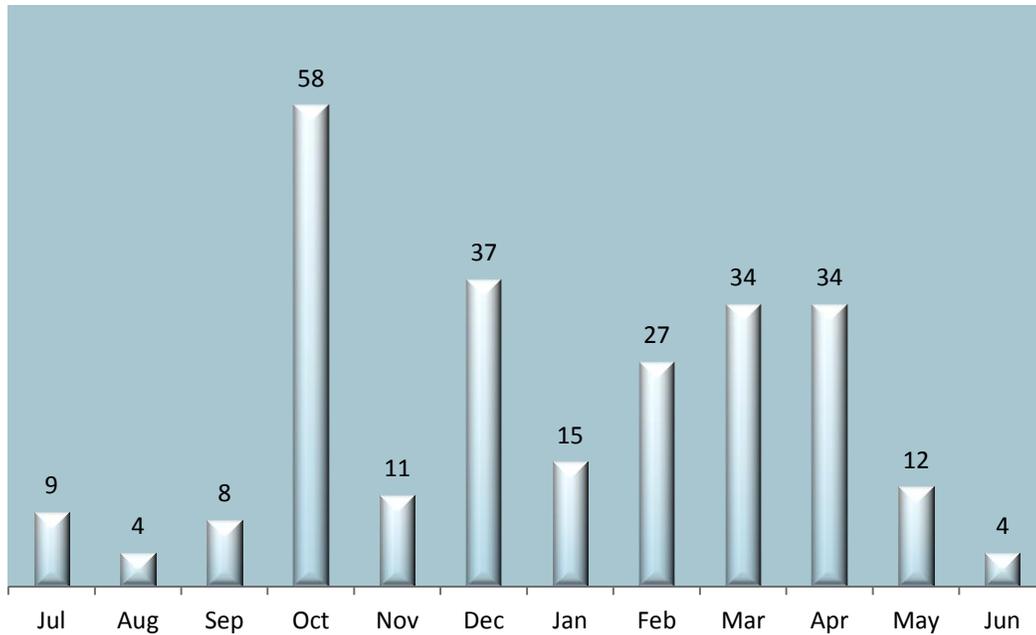


Figure 3 Monthly Consumer Outreach Events for Fiscal Year 2016

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
- Homeowners Associations 101
- When Debt Collectors Call
- Identity Theft
- Medical Identity Theft
- How to Recognize a Scam
- What’s in Your Credit Report
- High School 101
- Foreclosure Rescue Scams
- Door to Door Scams
- Financial Education

Information prepared by the Commission is used by CAB in an ongoing series of 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) in order to meet our common goal of providing 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.

THE SPRINGFIELD FAMILY RESOURCE CENTER Through the Department of Neighborhood and Community Services, CAB meets with tenants where they live, to answer questions, and provide guidance regarding tenant rights, responsibilities, and obligations. This outreach provides a valuable connection for the ongoing exchange of information.

FAIRFAX COUNTY DEPARTMENT OF FAMILY SERVICES, LIFE SKILLS (DFS)

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 who to contact and where to request assistance before and after they enter the rental market.

6TH 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 and highlighting complaints received by CAB and the resolutions achieved through mediation.

CAB services are promoted through informative tips sheets, postings on social media sites such as Facebook, and the comprehensive Consumer Central website at www.fairfaxcounty.gov/consumer.

Complaint Summaries

Below are summaries of cases mediated by CAB with comments from tenants satisfied with the resolution negotiated through CAB mediation.

LEASE TERMINATION REQUEST

The tenant alleged the landlord refused to release the tenant from the lease agreement after

ALFRED

Greetings! It gives me great pleasure to report that I am very pleased and satisfied with the high quality of service and assistance received recently from Ms. Johnson. Without her assistance, I suspected that I would still be engaged into continued struggles.

the tenant began experiencing problems with the air quality in the rental dwelling. According to the tenant, the air flow in the dwelling created respiratory issues for the tenant. The tenant requested the landlord terminate the lease agreement. After CAB mediation, the landlord inspected the unit, changed the air filters, and cleaned the air ducts. However, because the tenant was not happy, a mutual agreement was reached between the tenant and landlord for termination of the lease without penalty. The tenant vacated the rental dwelling and the landlord refunded the tenant's security deposit of \$209.79.

SECURITY DEPOSIT

The tenant alleged the landlord improperly charged the tenant to power wash the deck after the

SHERIEN

I received the check yesterday and deposited it this morning. Thank you kindly for all of your assistance in bringing resolution to my complaint!

tenant vacated the rental dwelling. According to the tenant, the lease did not require the tenant to power wash the deck at the end of the tenancy. The tenant requested the landlord refund \$235. After CAB mediation, the landlord claimed there was mold and spots on the deck that were not there when the tenant moved in. However, to resolve this complaint, the landlord refunded \$235 to the tenant.

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 strength, expertise, knowledge, and commitment of the Commission provides a foundation for information and resources for Fairfax County. This established foundation 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



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.



A Fairfax County, Va., publication