

Tenant-Landlord Commission FY 2022 Annual Report



Fairfax County Tenant-Landlord Commission
July 2022

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CHAIRPERSON'S MESSAGE

On behalf of the Tenant-Landlord Commission I would like to thank the Fairfax County Board of Supervisors for its continued trust in our guidance and advice on tenant-landlord issues. There continues to be winds of change on how Landlords conduct business and ensuring Tenants awareness of their rights and responsibilities. This report is meant to help share trends within the tenant-landlord relationship so that the County Supervisors, and the public, can be more informed and reminded of services offered for community education, mediation, and arbitration services.

During FY 2022 Commission members continued to adopt a virtual working environment. The Commission, with support from the Department of Cable and Consumer Services, continued to hold events virtually, coordinate complaint resolutions, advise landlord and tenants of the resources available to them, and be receptive to inputs from constituents.

In FY 2023 the Commission hopes to be fully appointed so that it may continue to support the County's efforts to ensure that all Landlords and Tenants operate within the changing legal framework provided to them and to educate the public as changes occur. We are committed to making sure the Board of Supervisors receives the best guidance possible. I am extremely fortunate to lead the Commission as we continue to navigate the post-COVID landscape and with the support of County staff, I know the future is bright for all in Fairfax County.

Robert H. Chamberlain

Chairperson

Tenant-Landlord Commission

EXECUTIVE SUMMARY

The Tenant-Landlord 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 presentations, publications, and programming.

A voluntary and legally binding arbitration process is available for an act or practice of a landlord that constitutes a misrepresentation or fraudulent act or practice under the Virginia Consumer Protection Act. This dispute resolution alternative supports open communication between tenants and landlords without the expense or formality of a court hearing.

Staff support for the Commission is provided by the Consumer Services Division of the Department of Cable and Consumer Services.

The rental housing market in Fairfax County includes 83,077 rental housing complex units as last reported by Fairfax County in January 2020. The knowledge and information shared by the Commission adds value to the rental experience in Fairfax County.

In FY 2022 Consumer Affairs processed 1,584 inquiries from tenants and landlords about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, COVID-19, and other issues impacting rental dwellings. Voluntary mediation provided by Consumer Affairs offers tenants and landlords an open forum in which to resolve disputes and issues relating to rental dwelling units.

After voluntary mediation is completed, the case is closed, and a summary outlining the details of the complaint is made available to the public on the County Web site. Reviewing closed case summaries, and the way a complaint is resolved, provides an opportunity for tenants to have information they can use to determine if a rental dwelling will fit their need, expectation, and lifestyle.

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs. Presentations are made throughout the year to housing providers, community groups, civic associations, senior centers, schools, and faith-based and non-profit organizations. Topics covered include tenant-landlord laws, applications, leases, security deposits, renter's insurance, maintenance and repairs, eviction, COVID-19, and County resources.

The Commission assists with the development of educational material in partnership with Consumer Affairs, 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 televises educational programming on maintenance and repair obligations, bed bugs, and renter's insurance. Consumer Affairs also publishes tenant-landlord information and resources on Facebook and the County Web site.

Renting provides an option and choice for many in Fairfax County and the Commission is committed to creating awareness and knowledge of the services available for the tenant-landlord community. The Commission ensures both tenants and landlords are aware of their rights and responsibilities through education, information, mediation, and arbitration.



TENANT-LANDLORD COMMISSION

Robert H. Chamberlain
Chairperson
Public Member

Shahana Begum Islam
Condo Owner Member

Karen Geier-Smith
Vice Chairperson-Landlord
Landlord Member

Perez Otonde
Tenant Member

Paula Park
Secretary
Landlord Member

The Fairfax County Board of Supervisors established the Tenant-Landlord Commission on October 27, 1971, pursuant to Fairfax County Code Section 12-2-1, to provide assistance and information to educate the public on tenant-landlord matters regarding rental dwelling units 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. Currently the Commission is composed of 10 members; three landlord members, three tenant members, one condominium member, and three citizen members.

The business of the Commission is guided by the 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 duties of the Commission are to:

- Provide information to the public concerning the rights and responsibilities of tenants and landlords.
- Forward to the Board of Supervisors, as appropriate, recommendations for changes in legislation at all levels of government.
- Represent the County interests concerning tenant-landlord matters before judicial, legislative, administrative and other public or private bodies upon direction of the Board of Supervisors.
- Advise the Board of Supervisors about the nature, causes and possible solutions to tenant-landlord problems.
- May hold public hearings and report its findings to the Board of Supervisors on tenant-landlord issues that affect the public interest.
- Make tenants and landlords aware of the conciliation and mediation services available through Fairfax County Consumer Affairs.
- Report periodically to the Board of Supervisors on the activities of the Commission.

During FY 2022, the Commission meetings included the following items:

TLC ATTENDANCE REPORT AND STAFF BRIEFING ON TRESPASS TOWING FEES – AUGUST 2021

Chairperson Chamberlain discussed the importance of attendance in order to achieve quorum and conduct business as required by the Bylaws.

Director Makely provided a briefing on trespass towing fees. The proposed amendments to towing fees will be considered by the Trespass Towing Advisory Board (TTAB) at a public hearing on August 25, 2021.

TENANT LANDLORD COMMISSION (TLC) FY 2021 ANNUAL REPORT; VIRGINIA STATEMENT OF TENANT RIGHTS AND RESPONSIBILITIES UNDER THE VIRGINIA MANUFACTURED HOME LOT RENTAL ACT, § 55.1-1303; NOMINATION OF CANDIDATES – DECEMBER 2021

Director Makely provided a summary of the FY 2021 TLC Annual Report.

Staff stated that since July 1, 2021, landlords that lease manufactured homes or manufactured home parks governed by the Manufactured Home Lot Rental Act (MHLRA), are required to provide tenants with a Statement of Tenant Rights and Responsibilities under § 55.1-1303 of the Virginia Code.

Pursuant to Article IV of the Bylaws, a slate of candidates was nominated for Vice-Chairperson-Landlord, Vice-Chairperson-Tenant, and Secretary.

2022 ITEMS OF INTEREST – JANUARY 2022

Chairperson Chamberlain asked Commissioners to bring topics of interest to the February meeting.

ELECTION – FEBRUARY 2022

Commissioner Geier-Smith moved to adopt the slate of candidates for Vice-Chairperson-Landlord, Vice-Chairperson-Tenant, and Secretary.

The Commission meetings are open to the public with time available for public comment.

Additional information on the Commission, including this annual report, is available on the Commission Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>.

TENANT-LANDLORD ARBITRATION

A voluntary and legally binding arbitration process is available for an act or practice of a landlord that constitutes a misrepresentation or fraudulent act or practice under the Virginia Consumer Protection Act. Arbitration provides an efficient and inexpensive alternative to court for resolving tenant-landlord disputes. Hearings are scheduled at the convenience of the tenant and landlord.

In FY 2022, there were no requests for arbitration services.

RENTAL HOUSING MARKET IN FAIRFAX COUNTY

Fairfax County offers a broad variety of housing for rent. Potential renters can choose from single-family homes, townhouses, condominiums, and apartments. According to the July 2021, [Fairfax County Rental Housing Complex Analysis](#), prepared by the Fairfax County Department of Management and Budget, as of January 2020, there were 83,077 rental housing complex apartments, and townhouses in Fairfax County. This represents an increase of 1,576, or 1.9 percent, rental units on the market between January 2019 and January 2020.

The total inventory of available rental units is greater because this number does not include units leased by individual owners, public housing units, and privately owned subsidized housing complexes.

Average fair market monthly rent in the County for complexes without rent subsidies was \$1,787 in January 2020. This is \$90 lower than reported in January 2019, representing a 4.8 percent decrease. The vacancy rate for all rental complexes, those with and without subsidies, was estimated to be 5.5 percent as of January 2020.

According to the [Fairfax County Needs Assessment 2022](#), also prepared by the Fairfax County Department of Management and Budget, in 2020, there were 125,225 renter-occupied housing units in Fairfax County, compared to 273,428 owner-occupied housing units. Between 2010 and 2020, the number of owner-occupied units decreased less than one percent (1,020 units) while the number of renter-occupied units increased by 16.7% (over 17,900 units).

The County created the [Eviction Prevention Task Force](#) to coordinate a county-wide approach to providing assistance to vulnerable residents by bringing together County agencies and non-profit partners in a collaborative effort to connect residents to services. The Web site includes data, resources, and information for those dealing with possible eviction in Fairfax County. The [Eviction Prevention Dashboard](#) identifies areas of Fairfax County where residents are most at risk of being evicted from their homes because of economic hardship caused by the effects of the COVID-19 pandemic.

As the County continues to redevelop and grow, the Tenant-Landlord Commission and Consumer Affairs will continue to provide education and information to residents on the evolving rental housing market in Fairfax County.

TENANT-LANDLORD INQUIRIES

Consumer Affairs responds to inquiries for information, offers advice, provides referrals, and assists tenants and landlords with mediation.

Inquiries include complaints, advice, and customer walk-ins. Inquiries vary from month to month for a variety of reasons such as holidays, tax season, weather, school, and travel.

During FY 2022, Consumer Affairs responded to 1,584 inquiries from tenants and landlords. Inquiries were received about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, and other issues impacting rental dwellings.

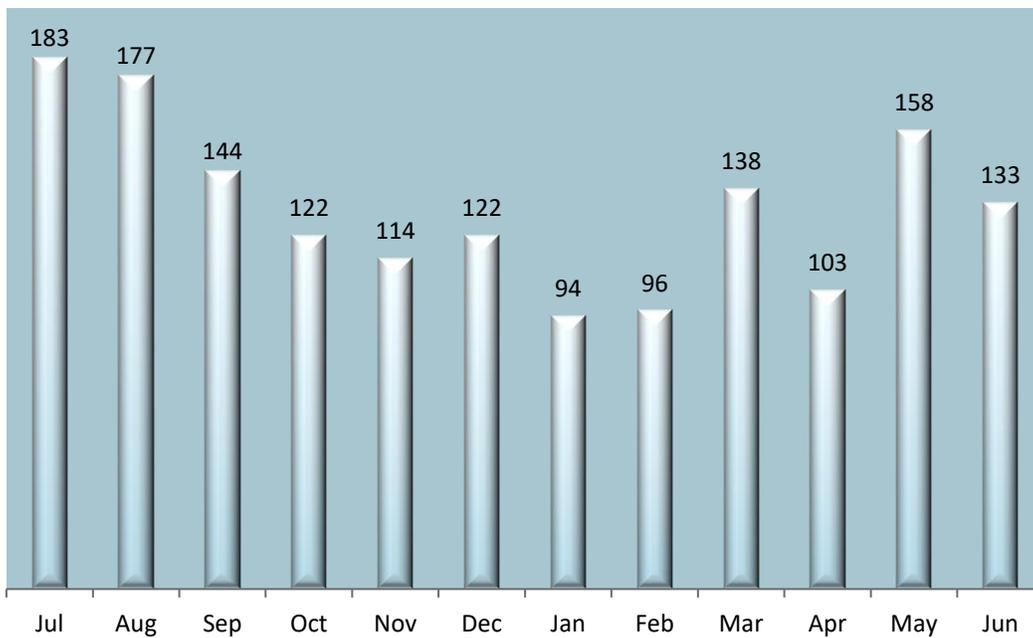


Figure 1 Tenant-Landlord Inquiries for Fiscal Year 2022

CONSUMER COMPLAINTS

A tenant may also file a complaint with Consumer Affairs. Through mediation, a Consumer Specialist works with the tenant and landlord to assist both parties in reaching a favorable resolution to the complaint.

In FY 2022, Consumer Affairs mediated 317 tenant-landlord complaints. Consumer Affairs publishes [case summaries](#) of all closed complaints within the last 12 months on the County Web site. Reviewing complaint summaries offers tenants an overview of Consumer Affairs mediation efforts and can also provide helpful information on rental dwellings in Fairfax County.

Complaint summaries featuring comments from consumers satisfied with the mediation provided by Consumer Affairs are highlighted below:

DISASTER ZONE

Bryson, the tenant, rented a unit from an apartment complex. The tenant alleged the apartment complex failed to maintain the property outside by allowing trash, feces, and damage to the building. The tenant requested the apartment complex allow the tenant to terminate the lease without penalty. After Consumer Affairs mediation, legal counsel for the apartment complex agreed to release the tenant from the lease effective March 31, 2022, and would provide a waiver of the buy-out fee as provided under the lease agreement. Early termination of the lease resulted in approximate savings of \$3,000 for the tenant.

*“THANKS TO YOU GUYS.
I APPRECIATE ALL THE
WORK YOU HAVE DONE.”*

BRYSON

LEASE BREAKING

Cherrell, the tenant, rented a unit from an apartment complex. The tenant lives alone and has a medical condition that makes it unsafe to stay at the unit. The tenant contacted the apartment complex to request breaking the lease due the medical condition. The tenant alleged the apartment complex requested a 60-day notice and would charge a \$3,500 lease fee. The tenant requested to break the lease without penalty as soon as possible. After Consumer Affairs intervention and mediation, the apartment complex requested the tenant’s medical doctor submit the Reasonable Accommodation Form for their review and approval. The tenant submitted the form and the apartment complex agreed to allow the tenant to move without penalty if the tenant provided a 30-day notice. The tenant was satisfied with the results.

*“EVERYTHING IS GREAT.
THANK YOU FOR YOUR
ASSISTANCE WITH THIS
PROCESS.”*

CHERRELL

COMMUNITY OUTREACH

The Commission and Consumer Affairs analyze trends and issues of concern in response to complaints received and mediated by staff. This analysis is used to develop educational information for outreach, publications, and programming.

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

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs.

Consumer Affairs conducted 65 outreach events in FY 2022. The COVID-19 pandemic impacted the ability for most in-person outreach events to take place; however, staff was able to participate in virtual outreach events. The large number of outreach events conducted in December was using the Fairfax County Public Schools high school consumer education curriculum.

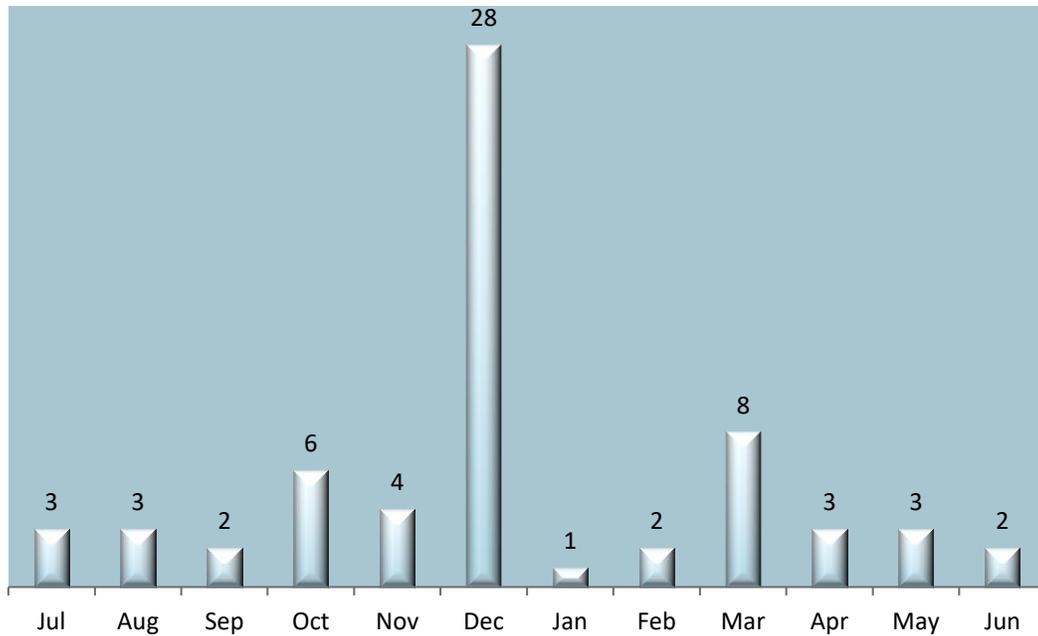


Figure 2 Community Outreach Events for Fiscal Year 2022

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Building a Better Credit Report
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- How to Block Unwanted Calls
- Identity Theft
- Managing Expenses and Debt During COVID-19
- Medical Identity Theft
- Online Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know

Consumer Affairs coordinates with many Fairfax County entities to provide ongoing information and resources across a broad audience in Fairfax County.

GEORGE MASON UNIVERSITY

Consumer Affairs provided tenant information on a virtual housing fair platform. George Mason University encourages college students to understand their rights and responsibilities.

LEGAL SERVICES OF NORTHERN VIRGINIA

Consumer Affairs coordinates and collaborates with Legal Services of Northern Virginia to provide information and guidance to tenants and landlords in Fairfax County. Legal Services of Northern Virginia offers a variety of online self-help resources that provide legal forms and documents for tenants and landlords.

KATHERINE HANLEY FAMILY SHELTER

In coordination with Shelter House, Inc., Consumer Affairs provides information and resources to tenants entering for the first time or re-entering the rental market. Rights and responsibilities are discussed with a focus on services provided by the Commission, Consumer Affairs, and other County agencies.

NORTHERN VIRGINIA VIRTUAL HOUSING EXPO

The Commission and Consumer Affairs share information regarding tenant and landlord rights and responsibilities and, highlight the services and resources available for tenants and landlords in Fairfax County as well as resources such as the Virginia Residential Landlord and Tenant Act that apply to tenants and landlords throughout Virginia.

These efforts keep the Commission, Consumer Affairs, and communities connected and invested in maintaining livable neighborhoods.



TENANT-LANDLORD PUBLICATIONS

As residents of the County and in active service in the tenant-landlord community, Commissioners bring knowledge and expertise about rental situations and dwellings. Their collective knowledge is used to develop the following educational publications for the tenant-landlord community.

LEASE CHECKLIST

The checklist provides guidance for prospective tenants and landlords and outlines the rights, responsibilities, and obligations involved with a lease agreement.

TENANT RESOURCE SHEET

The resource sheet provides information for tenants on which County agency to contact for assistance with repair or maintenance problems in their rental dwelling. Tenants are encouraged to contact their landlord or property manager first when there is a problem, but if they do not get the help they need, they can contact the appropriate County agency to address their issue.

WHAT TENANTS AND LANDLORDS NEED TO KNOW BROCHURE

The brochure provides answers to frequently asked questions by tenants and landlords regarding laws, lease agreements, security deposits, rent, maintenance and repairs, and eviction. Information about how to contact Consumer Affairs to discuss a dispute or file a complaint is included.

ENERGY-SAVING TIPS FOR RENTERS

The tips recommend ways to save money by improving energy efficiency. Reducing energy consumption and protecting the environment provide real savings for both renters and landlords.

RENTING A ROOM IN FAIRFAX COUNTY

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

VIRGINIA STATEMENT OF TENANT RIGHTS AND RESPONSIBILITIES

This document provides summary information on Tenants' Rights and Responsibilities under the Virginia Residential Landlord and Tenant Act and the [Manufactured Home Lot Rental Act](#). This document is also available in Spanish with additional languages coming soon.

THE INFORMED TENANT AND LANDLORD NEWSLETTER

This newsletter provides clear and concise information and resources with important contact information to quickly connect tenants and landlords with agencies ready to provide guidance and assistance on issues such as lease agreements, renting, fair housing, maintenance, fire safety, eviction, and mediation provided by Consumer Affairs.

Consumer Affairs publishes this information on social media, the Consumer Services Division Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord> and Fairfax County Government Channel 16 at <https://www.fairfaxcounty.gov/cableconsumer/channel-16/fairfax-county-government-television>.

TENANT-LANDLORD VIDEO PROGRAMMING

Consumer Affairs develops educational programming on a variety of tenant-landlord issues. The programs below are available on Fairfax County Government Channel 16, Video-on-Demand on the County Web site, and Facebook.

Bed Bugs

This program provides an overview on how tenants and landlords can detect and defend against bed bugs. Guidance and information are provided by Consumer Affairs, 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 presents 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 accidental injury to others. Information is provided in coordination with a [brochure](#) from the Virginia Bureau of Insurance of the Virginia State Corporation Commission.

CONSUMER CONNECTION

Consumer Affairs hosts a monthly Facebook Live program on consumer topics, including Tenants and Landlords, Homeowner and Condominium Associations, Fairfax County Eviction Prevention Resources, Personal Cyber Security, Holiday Shopping Tips, Financial Empowerment Center at South County, Tax Season Scams, Online Romance Scams, Telemarketing Fraud, Regulation and Licensing 101, Legal Services of Northern Virginia, and Emergency Management and Emergency Preparedness. Viewers can comment with questions that are answered in real-time during the online program. The programs can be viewed on the Consumer Affairs Facebook page at <https://www.facebook.com/fairfaxcountyconsumer>.

Consumer Affairs regularly posts to social media on relevant consumer information including tips, warnings, and resources. Commissioners also share consumer tips with fellow constituents. Following are several examples advising the public of relevant consumer issues and information:



IN REVIEW

With over 50 years 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 such as COVID-19. 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 also a place they can call home.

Fairfax County Tenant-Landlord Commission

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<https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer>

<https://www.facebook.com/fairfaxcountyconsumer>



To request this information in an alternate format, call the Department of Cable and Consumer Services, 703-222-8435, TTY 711.



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