

Frequently Asked Questions

New Boarding and Rooming House Inspection and Licensing Program

1. Why is this program being expanded?

In June of 2013, Council passed Resolution No. 20130627-074, which stated that the Council wanted the City Manager to uniformly administer license requirements for occupancies that meet the definition of a rooming house or boarding house in Chapter 13 of the City's Local Amendments to the International Property Maintenance Code.

Chapter 13 of the City's Local Amendments to the International Property Maintenance Code (IPMC), defines a Boarding/Rooming House as a building that is not a hotel, motel, bed & breakfast or short term rental that provides lodging (with or without meals) for 7 or more unrelated individuals. A license is required to operate a rooming or boarding house. Most rooming or boarding houses are located in areas zoned multi-family residential.

In August of 2013, Council passed Resolution No. 20130808-049, which directed the City Manager to evaluate existing reasonable accommodations processes. After evaluating existing processes, Council adopted an ordinance that created a reasonable accommodations process (See Ordinance No. 20160204-046). This ordinance is codified as Chapter 2-14 (Reasonable Accommodations) of the City Code because some residential properties can receive a reasonable accommodation to exceed the occupancy limit, some rooming or boarding houses may be located within areas zoned for single-family residential.

Phase One of this project is to incorporate the reasonable accommodations process into the City's existing licensing process.

Phase Two of this project will involve staff creating Model Standards for rooming and boarding houses. These standards will address operations, maintenance, and the health and safety of all rooming and boarding houses and will need to be adopted by City Council.

(Link to ordinance: <http://www.austintexas.gov/edims/document.cfm?id=249926>.)

2. What City of Austin Departments will be involved?

- The Austin Code Department
- Development Services Department
- Austin Police Department

- Neighborhood Housing and Community Development
- City of Austin Law Department
- ADA Coordinator Office
- Austin 3-1-1
- Health and Human Services Department
- City Manager's Office
- Communications and Technology Management

3. How are property owners being notified of the RBH program and requirements?

A courtesy letter is being mailed to owners of properties that are believed to be boarding and rooming houses that would be in need of inspection to obtain a license. There will also be an extensive public education campaign.

4. How are residents and their advocates being notified?

The City of Austin is working with managers and advocacy groups in the community to provide education and outreach efforts. If you would like information on the Rooming and Boarding House program, contact Mark Wensel at (512) 974-9035.

5. What does reasonable accommodation mean?

An accommodation is a change, exception, or adjustment to a City requirement (City Code provision, uncodified ordinance, rule, policy, or procedure). Examples of accommodations include: increased impervious cover to extend the length of a driveway; extending the deadline to respond to comments during the permitting process. An accommodation is reasonable when it provides an individual with a disability with an equal opportunity to use and enjoy a dwelling. Please note: If necessary, the director responsible for making the decision may add conditions to the requested accommodation.

6. What is the process for requesting a reasonable accommodation?

A person with a disability or someone representing a person with a disability may request a reasonable accommodation verbally or in writing to any City of Austin employee, however the single point of contact is David Ondich in the ADA office. He can be reached at 512-974-3256 or at David.ondich@austintexas.gov.

7. What is the process for obtaining a license?

(Link to inspection process flow chart:

http://www.austintexas.gov/sites/default/files/files/Room_and_Board_House_Inspection_Process.pdf.)

(Link to license application form:

http://www.austintexas.gov/sites/default/files/files/Operating_License_Application_-_6-13-16_FINAL.pdf.)

8. How many people are allowed in a boarding or rooming house in an area that is zoned for single family residential properties?

No more than six unrelated adults may reside in a dwelling unit.

9. What will inspectors look at when they inspect a property?

Inspectors will inspect structural conditions, exit and egress, electrical, heating and cooling systems, kitchen and bathrooms, smoke alarms, plumbing, ventilation, hot water heaters, pest and rodent infestation, zoning, land use, over occupancy.

(Link to checklist:

http://www.austintexas.gov/sites/default/files/files/Rooming_and_Boarding_House_Checklist.pdf.)

10. How long after inspection will it be determined if a property is eligible for a license?

It will vary, depending on whether or not a reasonable accommodation was requested, or if work is needed to pass an inspection.

11. What is the fee for obtaining a license and how long will the license last?

The fee is \$308.00 plus \$11.00/per unit. A license will be effective for one year.

http://www.austintexas.gov/sites/default/files/files/Fee_Change_News_Release.pdf

12. Is there an appeal process for houses that are denied licenses, or have their licenses suspended?

Yes. You may appeal the decision. You should submit an appeal within 30 calendar days from the date the decision was mailed; and to the individual that sent you the

decision. You may submit your appeal verbally; however, City staff is required to reduce your appeal to writing. If you need an accelerated review for your appeal, you need to notify City staff. If City staff requests additional information or documentation, the 30 day determination period is paused until you or your representative provides the additional information or documentation. The decision on your appeal will be sent by certified mail, regular mail, and, if you request, by email.

13. Does this ordinance apply to correctional halfway houses, sober houses, nursing houses and similar facilities?

Yes.

14. Will properties that are inspected and regulated by the state also require City inspections and licenses to operate?

Yes.

15. If an unlicensed house is suspected in my neighborhood, who do I call?

Please call Austin 3-1-1; calls can be anonymous.

16. If there is an issue of suspected mistreatment of occupants at a house, who can citizens call?

Please call Austin 3-1-1; calls can be anonymous.