

Summary Comparison of Rental Property Ordinance Proposals

	Charlotte Mecklenburg Police's Proposal	Housing Partners Proposal	Final Proposal
Registration	Mandatory registration for all residential rental property owners.	No initial registration. Owner to register if it meets trigger mechanism and cannot be located or fails to cooperate with police.	No initial mandatory registration for all residential rental property. Registration only for properties that meet/exceed the threshold.
Registration Fee	Applied to all owners.	No Fee.	No initial fee for every property.
Trigger Mechanism	Deviation over an established "Disorder Activity Mean." Disorder Activity Mean comprised of violent crimes, property crimes and citizen disorder service requests.	Rental Properties with the highest 2% crime per capita. Does not include any calls for service.	Residential rental properties that fall within 4% crime/disorder activity. Calls for service concerning trash/litter will be removed from consideration.
Notification of Owner	Certified letter if above "Disorder Activity Mean" sent to address on registration.	Requires City to use Register of Deeds and Tax Assessor information for owner information.	Certified letter to address listed on Register of Deeds or Tax Assessor.
Designation as "In Need of Remedial Action"	Disorder Activity Rate for property deviates above mean for either violent crime, property crime or disorder related citizen calls.	No designation unless property within highest 2% crime disorder activity and City proves at least two of the following: "crime problems" caused by occupants or guests and the owner has not reasonably addressed those causes; "crime problems" caused by outside persons that owners have not attempted to exclude with reasonable measures such as lighting or fencing; "crime problems" has risen to level of	4% is trigger for mandatory meeting and registration. Property is not designated as INRA until 2 nd review date and still within threshold. No burden on City to prove causation.

		neighborhood nuisance as defined by City of Charlotte Department of Economic Development.	
Mandatory Initial Meeting with Police	Police must review any relevant evidence provided by owner that property is not in need of remedial action (INRA). If official finds there is clear and convincing evidence that property is INRA, then remedial action plan developed and review dates established.	Police must review evidence from owner and other reliable sources. If police find INRA, the owner may appeal directly to the Rental Property Review Board	City must timely provide all evidence to owner that establishes property in 4%. Owner may provide independent evidence to the contrary. City required to remove incidents that did not occur on the property.
Administrative Review Process	At the end of the six month review date, if property remains INRA, then registration is revoked unless owner has complied with the terms of the Remedial Action Plan. If no longer INRA, then property is dropped from process. Provides a total of three administrative reviews and, if still INRA and complied, property is referred to Rental Property Review Board.	At the review date, if property is INRA (regardless whether it complied with the plan), police must amend "with the owner" the terms of the Remedial Action Plan. Provides for a total of three administrative reviews. Any property not in compliance at third review date will be referred to the Rental Property Review Board, which has power to revoke registration.	If at second review date and property still in 4% threshold, then it will be designated INRA. No appeal of INRA to Board until property is referred by CMPD to Board.
Rental Property Review Board	Hears referrals from CMPD; Hears appeals of revocation of registration; Reviews remedial measures.	Hears INRA appeals; Removes INRA at the review date if it finds the issues are minor or not harmful to the surrounding neighborhood.	Hears only CMPD INRA referrals and revocation appeals. May modify Remedial Action Plan and may remove property with good faith compliance.

Revocation Hearings	Held by Rental Property Review Board	City Council conducts revocation hearing.	Rental Property Review Board may issue Notice of Revocation if it finds the owner at fault. Board holds hearing, but owner may appeal Notice of Revocation to City Council. City Council reviews record and the findings of the Board, but does not hold hearing de-novo.
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*Presented by the Charlotte-Mecklenburg Police Department
Charlotte City Council Meeting, October 12, 2009
Edited for consistency*