

SUMMARY

This Ordinance amends Chapter 12 of the 2019 Detroit City Code, *Community Development*, by adding Article XII, *Tenants' Rights*, which consists of Division 1, *Tenants' Rights Commission*, comprised of Section 12-12-1, *Purpose*; Section 12-12-2, *Establishment*; Section 12-12-3, *Membership, term, and vacancy*; Section 12-12-4, *Duties and responsibilities*; Section 12-12-5, *Reporting and recommendations*; 12-12-6, *Staff assistance*; Section 12-12-7, *Funding*; and Section 12-12-8, *Meetings and rules of procedure*; and Division 2, *Verification Assistance*, comprised of Section 12-12-21, *Purpose*; and Section 12-12-22, *Promulgation of administrative rules; informational website*, to advance the City's goal of increasing both equity and transparency in the relationship between residential tenants and landlords.

1 **BY COUNCIL MEMBER _____** :

2 **AN ORDINANCE** to amend Chapter 12 of the 2019 Detroit City Code, *Community*
3 *Development*, by adding Article XII, *Tenants’ Rights*, which consists of Division 1, *Tenants’ Rights*
4 *Commission*, comprised of Section 12-12-1, *Purpose*; Section 12-12-2, *Establishment*; Section 12-12-3,
5 *Membership, term, and vacancy*; Section 12-12-4, *Duties and responsibilities*; Section 12-12-5, *Reporting*
6 *and recommendations*; 12-12-6, *Staff assistance*; Section 12-12-7, *Funding*; and Section 12-12-8,
7 *Meetings and rules of procedure*; and Division 2, *Verification Assistance*, comprised of Section 12-12-21,
8 *Purpose*; and Section 12-12-22, *Promulgation of administrative rules; informational website*, to advance
9 the City’s goal of increasing both equity and transparency in the relationship between residential tenants
10 and landlords.

11 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**

12 **THAT:**

13 **Section 1.** Chapter 12 of the 2019 Detroit City Code, *Community Development*, is
14 amended by adding Article XII, *Tenants’ Rights*, to consist of Division 1, containing Section 12-12-1
15 through Section 12-12-8 and Division 2, containing Section 12-12-21 and Section 12-12-22, to read as
16 follows:

17 **CHAPTER 12. COMMUNITY DEVELOPMENT**

18 **ARTICLE XII. TENANTS’ RIGHTS**

19 **DIVISION 1. TENANTS’ RIGHTS COMMISSION**

20 **Sec. 12-12-1. Purpose.**

21 The purpose of this article is to establish a Tenants’ Rights Commission that will assist in
22 the development of policies that increase stability, opportunities, safety, and wellness for

1 residential tenants in the City, and to ensure inclusion, representation, and equity for tenants in
2 the legislative process.

3 **Sec. 12-12-2. Tenant’s Rights Commission.**

4 The Tenants’ Rights Commission shall have authority to develop and present
5 comprehensive policy recommendations to the City Council and the Mayor on all topics
6 affecting the City’s tenant population, including, but not limited to, the following areas of
7 concern:

- 8 (1) Methods of reducing Detroit evictions rates;
- 9 (2) Establishing and protecting residential tenants’ rights;
- 10 (3) Identification and utilization of federal, state, and third-party funding sources to
11 support tenants facing evictions through collaboration with City-wide residential
12 tenants’ organizations;
- 13 (4) Enforcing landlord compliance with the City Code; and
- 14 (5) Aiding the Housing and Revitalization Department, other City departments, and
15 third-party organizations in educating both tenants of their rights and landlords of
16 issues affecting residential rental properties.

17 **Sec. 12-12-3. Membership, Terms and Vacancy.**

- 18 (a) The Commission shall consist of nine voting members, appointed as follows:
 - 19 (1) Four members shall be appointed by the City Council, two of which must
20 be individuals who are actively renting residential property in the City;
 - 21 (2) Four members shall be appointed by the Mayor, two of which must be
22 individuals who are actively renting residential property in the City; and

1 (3) One member shall be appointed jointly by the City Council and the Mayor
2 and must be a Detroit resident who owns not more than ten rental
3 properties registered in accordance with Section 8-15-81 of the 2019
4 Detroit City Code.

5 (b) Each voting member of the Commission shall serve a two-year term;

6 (c) Each voting member of the Commission shall be a resident of the City of Detroit
7 at the time of appointment and throughout the duration of their appointed term;

8 (d) The voting membership of the commission should be representative of various
9 renter perspectives in the City including, but not limited to, senior citizens, persons with
10 disabilities, and students and young people;

11 (e) Should a vacancy occur during the term of any member, the appointing entity
12 shall appoint an individual to serve the remainder of the term;

13 (f) Each voting member of the Commission can be removed at will by the appointing
14 entity, the joint appointment can only be removed by a majority of City Council members
15 serving and the Mayor;

16 (g) Each City Council member and the Mayor may respectively appoint one non-
17 voting member, totaling no more than ten, as appropriate or necessary to represent various
18 perspectives, tenant advocacy organizations, and areas of expertise relevant to the mission of the
19 Commission;

20 (h) Each non-voting member of the Commission shall serve a four-year term, at the
21 pleasure of the appointing entity, whose term shall terminate automatically upon the vacation of
22 the appointing entity from office; and

1 (i) At least one member of the Commission, either voting or non-voting, should be a
2 civil mediator with sufficient education and training as is required by the State Court
3 Administrative Office.

4 **Sec. 12-12-4. Duties, Responsibilities.**

5 (a) The Commission shall serve as a collective voice of advocacy for City tenants
6 before City bodies and departments.

7 (b) The Commission may receive complaints from tenants and make referrals of
8 alleged violations of the City Code or other relevant law to the department, agency and/or
9 judicial body for the appropriate remediation.

10 (c) The Commission may request a tenant's and/or landlord's voluntary presence to
11 collaboratively address disputes through voluntary mediation.

12 (d) The Commission may request information from tenant associations, housing
13 coalitions, or other entities that have expertise in residential rental units to assist in formulating
14 any policy recommendations or regulations regarding residential rental properties.

15 (e) The Commission shall provide an annual report to the City Council and Mayor as
16 provided in Section 12-12-5 of this Code.

17 **Sec. 12-12-5. Reporting and Recommendations.**

18 (a) The Tenants' Rights Commission shall submit a written report of its findings and
19 recommendations to the City Council and the Mayor, no later than one year after the date of the
20 first meeting of the Commission and submitted annually, no later than November 1st of each
21 year, thereafter.

22 (b) The annual report shall contain:

- 1 (1) An analysis of all activities of the Commission, including the number of
2 complaints filed and the disposition thereof during the preceding calendar
3 year;
- 4 (2) The recommendations of the Commission, if any, for improvement of the
5 requirements that are found in Chapter 8 of the 2019 Detroit City Code,
6 Building Construction and Property Maintenance, Article XV, Property
7 Maintenance Code, Division 3, Requirements for Rental Property; and
- 8 (3) A community needs-based assessment of housing needs in the City
9 modeled after Michigan's Statewide Housing Needs Assessment which
10 shall include an overview of market conditions impacting housing
11 construction and affordability, the current volume and future needs of
12 rental housing, and the housing needs of impacted groups including
13 seniors, families, and people with disabilities.

14 **Sec. 12-12-6. Staff Assistance.**

15 The Commission may request assistance from the Planning and Development
16 Department, the Housing and Revitalization Department, the Buildings, Safety Engineering, and
17 Environmental Department, and any other department or agency with expertise that may assist
18 the Commission in responding to tenant inquiries, preparing annual reports, and evaluating or
19 preparing any proposed policy recommendations.

20 **Sec. 12-12-7. Funding.**

21 (a) The members of the Tenants' Rights Commission may receive reimbursement for
22 parking, mileage, and other reasonable expenses; and

1 **Sec. 12-12-22. Promulgation of administrative rules; informational website.**

2 (a) In accordance with Section 2-111 of the Charter, the Director of the Buildings,
3 Safety Engineering, and Environmental Department shall promulgate administrative rules
4 necessary to effectuate the purpose of this article.

5 (b) With the assistance of the Department of Innovation and Technology, the
6 Buildings, Safety Engineering, and Environmental Department shall create and maintain an
7 informational website through which tenants can make such inquiries as described in Section 12-
8 12-21 of this Code.


9 **Secs. 12-12-23 -- 12-12-30. Reserved.**

10 **Section 2.** This ordinance is hereby declared necessary to preserve the public peace,
11 health, safety, and welfare of the People of the City of Detroit.

12 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
13 repealed.

14 **Section 4.** In the event this ordinance is passed by two-thirds (2/3) majority of City
15 Council Members serving, it shall be given immediate effect and become effective upon
16 publication in accordance with Section 4-118 of the 2012 Detroit City Charter. Where this
17 ordinance is passed by less than a two-thirds (2/3) majority of City Council Members serving, it
18 shall become effective on the thirtieth (30) day after enactment, in accordance with Section 4-
19 118 of the 2012 Detroit City Charter.

Approved as to form:



Conrad L. Mallett
Corporation Counsel