

Property Maintenance Code FAQ

What is the Property Maintenance Code and what is its purpose?

The Property Maintenance Code regulates the minimum maintenance requirements for existing buildings in the City of Spokane.

The purpose of the PMC is to establish minimum maintenance standards for basic equipment, light, ventilation, heating, sanitation and fire safety.

What areas of property maintenance does the PMC cover?

- **General Requirements.** Requirements for the exterior property areas as well as interior and exterior structure. Vacant structures and land should be maintained in a clean, safe, secure and sanitary condition.
 - Exterior Structure:
 - Roofing & Drainage
 - Protective treatment/exterior surfaces
 - Foundations
 - Exterior Stairs/Decks, Windows
 - Accessory Structures, etc.
 - Pest Elimination
 - Fences
- **Lighting, Ventilation and Occupancy Limits:** Minimum requirements for occupiable and habitable buildings. Minimum criteria for light, ventilation and occupancy limitations.
 - Healthy light
 - Healthy air/ventilation
 - Occupancy Limitations: Room and Clearance requirements
- **Plumbing Facilities and Fixtures:** Minimum criteria for the installation, and maintenance.
 - Plumbing Systems
 - Water Supply
 - Sanitary Drainage
- **Mechanical & Electrical:** Minimum performance requirements for heating, electrical and mechanical.
 - Hazard prevention
 - System maintenance
 - Means of heat
 - Tempered water
- **Fire Safety:** Minimum requirements for fire safety relating to structures and exterior premises.
 - Smoke alarms
 - Emergency escape openings

What is the definition of Housing Quality?

Housing quality is a habitable space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

What was the catalyst for developing this code?

In 2016 the Mayor initiated the Mayor's Housing Quality Task Force, one of the priority recommendations from the Task Force was that the city should define and establish a minimum housing quality definition and standard. Since this time a Project Team made up of Task Force members and an Advisory Committee made up of city staff was convened to review codes relating to improving housing quality across Spokane. The result of that task is the Property Maintenance Code.

When will the PMC be adopted?

The PMC will be adopted before the end of this year.

When will the PMC be enforced?

The PMC will be enforced beginning January 2019.

Will there be a grace period for me to become compliant with the code before enforcement of the code?

The application of the code has a built in voluntary compliance opportunity when a violation has been observed. Further, the large educational campaign is intended to be grace period with the delayed enactment.

What's wrong with the existing code? Why do we need a new one?

The City of Spokane does not currently have a definition for housing quality and the city does not have minimum housing standards. The City of Spokane has codes for substandard and chronic nuisance properties and new construction however the current provisions fall short in addressing minimum maintenance of properties

Do these standards apply to owner occupied as well as renter occupied? Yes

Do these standards apply to multifamily units or only single family homes?

The Property Maintenance Code applies to all residential buildings and their accessory structures (detached or attached).

Yes. The code changes will apply to all existing residential buildings within the City of Spokane regardless if they are owner occupied, renter occupied, multifamily or single family homes.

How will this new code be enforced?

The enforcement of the PMC will operate like a standard Code Enforcement Violation.

1. Citizen calls city hall to file complaint.
2. Code Officer will investigate the complaint.
3. If found to be a violation of the PMC, a notice will be sent to the owner and occupant.
4. The violator will be given a chance to comply with the law.
5. If there is no compliance, a citation may be issued.

What steps will I have to take if my property doesn't comply with all of the new standards?

The PMC is a code of minimums that address health and safety elements. Should a violation be observed, a notice of violation will be sent to the responsible party of the property. This period is the voluntary compliance period of the enforcement effort. During this timeframe, if progress is continuing to be made, staff can provide additional time for compliance as reasonable.

What happens when the cost to make all the improvements is too much for the homeowner?

The PMC provisions are minimum maintenance standards that protect the occupants as well as the adjacent properties. Should there be a financial hardship, there exists programs where owners can qualify for assistance. Please note however that the enforcement of these provisions are not based on income levels. The consistent and equitable application of these provisions will be the direction.

What are the penalties/consequences for not complying with the new code?

The process provides a voluntary compliance period as the first step. Should voluntary compliance not be achieved and no progress be observed, a civil citation will be issued which is a Class 2 infraction. For additional violations, such as the case with a habitual offender, the infraction will be advanced one class to a Class 1 infraction.

What can be done to prevent abuse of complaints when neighbors keep reporting each other?

All complaints must have attention shown to them. Should continued complaints be submitted following investigation and subsequent determination of no violation, education towards the complainant will occur.

If the house is on the historic register, how can I comply if the house cannot be changed?

The historic register does not prohibit a homeowner from making basic minimum improvements to a home in order to bring up the quality of that home. Basic improvements to bring up the safety of a home are prohibited. To find out what types of work would need to be reviewed by the Design Review for improvements visit, www.historicspokane.org > FAQs > Design Review.

My contractor told me he had obtained a permit. Can I be held liable if they did not?

Some corrections stemming from an enforcement effort may require the application of a permit to perform the work. A licensed contractor is required pursuant to the licensing laws of the State of Washington to acquire the appropriate permits prior to performing the works. Please note however that the ultimate responsibility for permits are on the homeowner.

What happens if I start making the repairs, and then run out of money to finish them?

Work on a valid permit must begin within 180 days of the permit issuance. Following a successful start to construction, a permit is valid for 365 days from the issuance date.

When this code is finally adopted will I need to bring my home up to these new standards? This will require expensive updating on my (the home owner) part.

The PMC is a maintenance code, not a new standard for plumbing, electrical, HVAC, etc... So long as your home meets basic equipment, light, ventilation, heating, sanitation and fire safety. Conditions approved under previous codes are permitted to remain in existence and use if maintained in a safe manner.

My house is really old, will I be grandfathered into not having to meet the standards?

No. There is no legal non-conforming protection for a condition that is unsafe. The PMC is not meant to replace old with new. It is meant to maintain properties, regardless of age, style, size, color, use, etc. and prevent dilapidation.

If a landlord is charging under market rates for their rental property and they may repairs to the property to meet the PMC standards is the landlord entitled to bring rents up to market rates?

The city has no jurisdiction in controlling rental rates.

My rental property has mold will the PMC enforce against mold?

Mold is a condition that results from other deficiencies of this code such as the lack of ventilation or an active water leak. The repair of the condition is a requirement of the PMC.