ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT
LB85

Hearing Date: Tuesday January 22, 2019
Committee On: Urban Affairs
Introducer: Wayne
One Liner: Provide for a rental housing inspection program for a city of the metropolitan class or a city of the primary class

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Roll Call Vote - Final Committee Action:

Advanced to General File with amendment(s)

Vote Results:

Aye:	4	Senators Crawford, Hansen, M., Hunt, Wayne
Nay:	1	Senator Arch
Absent:		
Present Not Voting:	2	Senators Briese, Lowe

Oral Testimony:

Proponents:	**Representing:**
Senator Justin Wayne	Legislative District 13
Hannah Wyble	Restoring Dignity
Paw Htoo	Restoring Dignity/Self
Ha Day Mu	Self
Naima Abdi	Somali Community of Nebraska
Michaela Dei	Self
Constance Jones	Self
Gary Fischer	Family Housing Advisory Services
Erin Feichtinger	Together
Greta Carlson	Institute for Public Leadership/Omaha Together One Community
Dennis Walsh	Omaha Together One Community
Mark Benjamin Vondrasek	Omaha Tenants United
Cassey Lottman	Renters Together (Lincoln)
Anthony Vargas	Omaha Healthy Kids Alliance

Opponents:	**Representing:**
Ms. Kennetta Wainwright	Self
John Chatelain	Metropolitan Omaha Property Owners Association/Statewide Property Owners Association
Lynn Fisher	Self
Gene Eckel	Nebraska Association of Commercial Property Owners/Apartment Association of Nebraska
Larry Storer	Self
Jerry Banks	Self
Dave Fanslau	City Of Omaha
Gerald S. Reimer	Urban Village Development
Dustin Antonello	Lincoln Independent Business Association

Gareth Rees	Self
Brinker Harding	Self
Dave Paladino	Self/Nebraska Association of Commercial Property Owners/Metropolitan Omaha Property Owners Association/
Matt Kirkland	Nebraska Realtors Association
Dennis Tierney	Self
Scott Lane	City of Omaha
Pierce F. Carpenter	Self

| **Neutral:** | **Representing:** |
| Chad Blahak | City of Lincoln |

Summary of purpose and/or changes:

LB 85 would require that each city of the metropolitan class or city of the primary class adopt a rental housing inspection program to help enforce local building codes on residential rental properties within the city. Under the bill, residential rental properties would generally be required to register with the city and be inspected at least once every three years.

Under LB 85, cities would have the option to charge registration fees to help cover the cost of the inspections, provide for less frequent inspections of properties with a history of code compliance, and conduct random sampling inspections on multi-unit residential rental properties.

Explanation of amendments:

AM 66 is a white-copy amendment that makes a series of changes to the bill, including:

-Provides that the bill does not apply to cities of the primary class

-Creates a three-year phase-in for the landlord registry and inspection program: 1) the city must comply with registration, supplemental (complaint-based) inspection, and appeals process requirements within one year of the effective date of the bill; 2) the city must comply with inspection requirements for buildings with three or more rental units within two years of the effective date of the bill; and 3) the city must comply with inspection requirements for buildings with less than three rental units within three years of the effective date of the bill.

-Excludes new construction from the inspection requirements for five years after construction is completed

-Excludes buildings that are otherwise regularly inspected due to other state or federal requirements from the inspection requirements

-Provides that only properties owned by a housing authority would be exempt from the registration requirements

-Allows the city to consider history of code compliance when establishing any registration fees

-Adds Legislative findings regarding the enforcement of local building codes being a matter of state concern

-Allows city to establish an escrow account where monthly rental fees are deposited for units found to be in code violation and held in escrow until such units are code compliant

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Justin Wayne, Chairperson