

HCS HB 2336 -- PROPERTY REGULATIONS

SPONSOR: Basye

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 10 to 2.

The following is a summary of the House Committee Substitute for HB 2336.

This bill authorizes certain counties of the first classification to adopt property maintenance regulations and ordinances to ensure the habitability of a rented residence by requiring that it provide structural protection from the elements, access to water service, sewer service, electrical service, heat, and basic security such as locking doors and windows.

The unavailability of a utility service due to nonpayment does not count as a violation of the property maintenance code.

If a county enacts a property maintenance code, the minimum required provisions to be included in the regulations or ordinances are specified in the bill. The property maintenance code requires the county commission to create a process for selecting a designated officer to respond to written complaints of the condition of a rented residence that threaten the health or safety of the tenants. When a written complaint is filed, the owner of any rental residence must be served with a notice specifying the condition alleged in the complaint and state a reasonable date abatement of the condition must commence. If work to abate the condition does not commence as determined by the designated officer, the complaint shall be given a hearing before the county commission. If the county commission finds that the rented residence has a dangerous condition that is harmful to the health, safety, or welfare of the tenant, the county commission shall issue an order that the condition be abated. If the owner violates an order issued by the county commission the owner may be punished by a penalty, which shall not exceed a class C misdemeanor.

Currently, the property maintenance code provisions only apply to Boone County.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that current nuisance ordinance only addresses the outside of a home, not the inside.

Testifying for the bill were Representative Basye; Britt Shea, Boone County Sheriff's Department; Fred Parry, Boone County Commission; and Kala Tomka, Columbia/Boone County Public Health and Senior Services.

OPPONENTS: Those who oppose the bill say that the City of Columbia is so much bigger than Boone County that when they harmonize their ordinances, the county becomes more like the city, which is very liberal.

Testifying against the bill were James C. (Jim) Meyer; Jana Millard, Missouri Apartment Association; M. Anthony Holmes; and Shawna Neuner, Columbia Apartment Association.

OTHERS: Others testifying on the bill say they are here to answer any questions.

Testifying on the bill was Missouri Realtors Association.