

## **SLAR Legislative Update**

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As part of the Legislative Department and Legal Action Committee's efforts, the St. Louis Association of REALTORS® is currently involved in two lawsuits with local municipalities.

1. The City of Bellefontaine Neighbors currently requires that properties be inspected prior to advertising them as for sale or for rent. If a property owner, or responsible agent, does advertise their property they are cited and forced to pay a fee. SLAR has filed suit against the City and is currently appealing the judge's decision in the Court of Appeals.
2. The City of Ferguson currently requires that all residential rental property owners obtain a rental license for their properties. Additionally under the ordinance, there is a three-tiered graduation of landlord licenses depending on the performance of the landlord and tenants: Responsible, Provisional and Suspended. Depending on the type of license that you have, you may be subject to random interior inspections and increased fees. The ordinance also mandates that you have a property manager within 25 miles of the rental property, an inspection completed by ASHI, criminal background checks and requires an affidavit by the owner stating whether any tenant over the age of 18 is a registered sex offender. SLAR has challenged the ordinance in court and currently are waiting on a decision from the judge.

While the ruling has not come down the pipeline to date, SLAR also adamantly opposed a fee increase on the per unit license that is required by the City. In the April, 2009 municipal election, SLAR and the Apartment Association worked together through direct mail, REALTOR® contact and yard signs to oppose the per unit fee increase of \$20 to \$50.

Fortunately, this year, the Court of Appeals ruled in our favor in a matter with the City of Jennings. The City required an annual business license for residential rental property owners at a fee of \$50 annually. The property owner did not have to have a business license within the City limits, but merely own property for rent. Prior to the issuance of the business license, the owner had to show proof, by way of paid receipt, that he/she has contracted with the City's garbage collector for one full year of garbage. Fortunately, the MO Court of Appeals ruled that the ordinance was unconstitutional, thus null and void.

In addition to these lawsuits, SLAR has been focused on two pieces of legislation in the City, which go against our legislative priorities.

1. **Registration of Vacant Property:** In June, an Alderman in the City introduced a board bill which would require that every vacant property, which has been vacant for 60 days, register with the City of St. Louis and pay a fee (which increases by the number of years vacant). Additionally, once the property is listed it would be placed on a public, searchable website for the general public to use. While properties for sale and for rent are taken into consideration as not necessarily constituting "vacant" they are not automatically exempt. There are numerous additional problematic sections of the ordinance, including that while the LRA properties have to register, they are exempt from the fees. SLAR has voiced its concerns and objections to the bill. The bill was held over in committee to be worked on further this summer, we will most likely see it again in the Fall.
2. **Registration of Rental Property:** The week after the registration of vacant property bill was introduced at the Board of Aldermen in the City, a similar bill for rental property was introduced. While there is no fee associated with the registration, there are some serious

concerns with the bill. Notably, requiring someone to be available 24 hours a day, requiring landlords to attend meetings and classes, the property would be subject to random interior inspections and having a local agent required. The sponsor of the legislation has been open to working with SLAR and has requested our concerns and objections, which have been given and discussed.

For more information on the above referenced issues or to register a potentially new issue for SLAR to address, please contact the SLAR Legislative Department at 314-576-0033.