

PRIP ordinance raises concerns

Tenants may suffer under Durham's proposed rental inspection program

By Staff Writer Norman Gossett, Jr.

The city of Durham's new program to inspect its supply of rental housing has created some concerns in the property management community. The Proactive Rental Inspection Program (PRIP) ordinance, tabled until the March 5, 2012, City Council meeting, contains directives which may require a second look.

Rick Soles, of Rick Soles Property Management in Durham, believes the program is unnecessary. "In my opinion, the condition of Durham's rental property supply has never been as good as it is now." Soles credits the condition of rental property in Northeast Central Durham to the community's investment in its rehabilitation.

Soles believes the expansion of the city of Durham's Department of Neighborhood Improvement Services (DNIS) would not be necessary if standard tenant-landlord protocol was followed. "By law, the tenant is supposed to contact the landlord in writing if there is a problem with the property," stated Soles. "With the Durham One Call, the city is getting involved immediately and becoming mired in tenant-landlord disputes. The city should ask each tenant when they call in for a copy of their written complaint to the landlord.

Ellie Bergman, with Edgewater Realty, began her business career in Durham in the mid-1960s with a small grocery store on Angier Avenue. She watched as her customers in NEC Durham shifted from primarily textile mill workers to an economically oppressed mix of different peoples. "I've got tenants that used to buy nickel popsicles from me at the grocery store," Bergman said.

"I feel a responsibility to my tenants. When they pay their rent they are entitled to the same privileges as a homeowner," Bergman said.



Rick Soles of Rick Soles Property Management believes the PRIP ordinance is unnecessary. (Staff photo by Norman Gossett, Jr.)

Bergman has concerns about the wording of some of the statutes within the ordinance. "When I rent someone a property, I have an obligation to that client to keep the transaction private." However, the ordinance reads that should an owner have to register their property with the DNIS, the property owner is required to furnish a list of all the people living within the property.

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"There is no allowance for the severity of the violation," Bergman said. A loose screen door and a leaking roof are treated as the same type of violation. One might represent ordinary wear and tear while the screen door might be neglect. Either violation can cause the owner to pay fees on all of his properties.

Soles suggests that the tenants need to become more involved in the program. "When I rent a property, the door is attached and working properly. There is no abandoned car in the front yard and the garbage has been hauled off." It's not hard to figure out where the problems are coming from and yet the DNIS has no mechanism for notifying or fining the tenant.

"We don't make any money off of vacancies," stated Soles. It's in the best interests of all parties to keep properties rentable. "There has been no outcry from the community," said Soles. The only entity with a perception of a problem has been Durham."

Bergman believes there needs to be more serious thought about the PRIP ordinance from the involved parties. Bergman said, "I don't rent anything I don't own." It is difficult to determine how the PRIP plan will categorize owner-renters as compared to property managers.

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Both Bergman and Soles understand the intent of the PRIP program. They also understand the problems that will arise if the program is not clearly understood and accepted by all of the parties involved.

For an overview of the Proactive Rental Inspection Program visit:

- <http://tinyurl.com/Overview-of-PRIP>