

## Quick Facts landlords need to know about the Jackson County Tenant's Bill of Rights and Ordinance 190935

Unless you have been living under a rock, you have probably heard about the Tenant's Bill of Rights, which was introduced in October 2019 by Kansas City Mayor Quinton Lucas. The bill, which becomes law on June 1, 2020 focuses heavily on implementing new policies and procedures centered around renter protections in the Kansas City area. Here is a list of important take aways for landlords:

- The ordinance applies to **leases entered into after June 1, 2020**. Any leases signed before June 1, 2020 are not covered by the ordinance.
- Before entering into a contract, landlords are required to provide prospective tenants:
  - Phone number for every utility provider used to service the unit. (Section 34-848.2(a)).
  - A written description of all notices of deficiencies and citations issued to the owner of the property for the past 24-months. (Section 34-848.2(b)).
    - Landlords can show they have complied with this requirement, by including a page at the back of the lease stating prior to signing the contract, the tenant has been provided these three requirements.
    - There is no time frame stated in which a landlord has to provide this information to tenants.
  - Copy of the tenant's bill of rights (Section 34-848.2(c)).
- The Federal Fair Housing law has not changed. Landlords cannot discriminate against potential renters based on their race, color, national origin, religion, sex, familial status and disability.
- However, the new ordinance includes the prohibition of landlords discriminating against sexual orientation, gender identity, gender expression and victims of domestic violence.
- Landlords are now required to provide at least 24-hours advance notice to the tenant before entering the property.
  - The notice must provide the date and time, the identity of the person or persons who will be entering and the purpose of their entrance.
- Landlords cannot discriminate against tenants based on their lawful source of income. Spousal support, child support, section 8 or other subsidies are considered lawful income.
- One goal of the ordinance is to increase communication between the landlord and prospective tenants. The ordinance restricts a landlord's ability to have a blanket policy to reject prospective tenants based on criminal or eviction backgrounds. The ordinance requires that landlords review all documents provided by a prospective tenant before rejecting their application.
  - Some tips we suggest for landlords to comply with would be:
    - Create certain standards and criteria to apply when screening certain tenants. For example:
      - If someone has committed a crime against persons within the last 5 years, you will not rent to them.
      - If someone has committed a crime against property within the last 5 years, you will not rent to them.
    - By establishing these criteria, you can reference exactly why you rejected these tenants, and are complying with the ordinance which requires landlords to point to reasons of rejection based on the "recency, nature and severity" of the offense.
- One way to ensure that landlords are found to be in compliance with this ordinance, is by documenting everything! Every prospective tenant must be treated the same.