Town of Little Elm Residential Rental Registration and Permit Program

A manual for owners and tenants explaining the purpose, goals and requirements of the Town of Little Elm Residential Rental Registration and Permit Program.

Information for Owners and Tenants

Information for Owners and Tenants of Non-Owner Occupied Properties

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Introduction

This booklet has been prepared as a resource for Town of Little Elm residents who do not own their own home and the owners who provide housing for them. It contains basic information that will help you understand what the Town's Rental Registration and Permit Program is designed to do and how it works.

It contains definitions of various terms used, explanations of various parts of the program, basic information about rights and responsibilities, and examples of some of the types of issues that the program is designed to mitigate or avoid.

Vision and Purpose

Vision

The Town of Little Elm desires to see all its residents provided with safe, affordable housing and property owners who so desire the means to provide it while protecting their investment. Along with enforcement of building codes for new construction and alteration of all homes, the Town has provided a process to ensure that those who do not own their own home have access to the same quality of housing as those who do.

The Town also desires to maintain safe and attractive neighborhoods for the benefit of all its citizens.

Purpose

For Tenants:

Provide affordable safe, sanitary and legal rental housing for those requiring it.

Enable them to be knowledgeable about their responsibilities and rights.

For Owners:

Help maintain the highest value of their investment by ensuring that all property maintenance issues are addressed in a timely manner.

Protect against disputes over the condition of residential rental properties.

For the Community:

Promote neighborhood pride, protect property values, and maintain community standards.

Definitions

Single Family Rental (SFR) Unit

Any detached single family dwelling or individual unit of a two-family dwelling which is rented, leased, or otherwise occupied by a person other than the owner.

Multi-Family Rental (MFR) Building

Any residential building containing 3 or more attached units occupied by a person other than the owner. Under this definition an apartment complex can consist of multiple rental buildings.

Registrations and Permits

Every residential Rental Property in the Town of Little Elm must be registered and have a Rental Permit issued before it can be legally occupied. This includes all Single Family Rental Units and Multi-Family Rental Buildings. Annual registration fees can be found in the Development Services Fee Schedule.

Permits are good for one calendar year, expiring on December 31st on the year in which it was issued. Rental property owners are responsible for renewing their permits by Feb. 15th of each year. Permits not renewed by Feb. 15th will be subject to a monthly late fee pursuant to the Development Services Fee Schedule.

Permits may be suspended or revoked for failure to maintain the property to the required standards.

Permits may not be transferred between properties. Permits are valid only for the property they are issued for.

Inspections

General

Upon tenant change-out, each rental unit is subject to a health and safety inspection performed by a Town inspector. The property owner or agent is responsible for scheduling the health and safety inspection with the Development Services Department. The scheduling may also be performed by the tenant. The inspection must be scheduled and completed within 30 days of the new utility service activation.

If a condition is believed to exist that requires attention, Tenants should contact their Landlord or Agent, or Landlords/Agents should contact their Tenant and request that the condition be corrected. All contact should be made according to the provisions of any lease agreement in effect and Chapter 92 of the Texas Property Code. All corrections must be completed in a reasonable time (generally 7 days from date of complaint).

A request should be made to the Town in the form of a property maintenance code complaint only after the complaint has been made with the responsible party and no remedy occurred.

Minimum Property Maintenance Standards

The Town requires that every property, rental or other, be maintained to a level consistent with the requirements of the International Property Maintenance Code.

In addition, rental properties must comply with the Texas Property Code, Chapter 92 and other local ordinances as the Town may see fit to adopt. Manufactured and Mobile Rental Units must also comply with specific regulations.

A list of common items checked for code compliance is included at the end of this booklet.

Code Violations

Town of Little Elm Development Officers will perform regular exterior checks of all neighborhoods within the Town to ensure compliance with various Town ordinances and Chapter 3 of the International Property Maintenance Code.

If a violation exists, Development Services will take appropriate action against the responsible party, either the Landlord or Tenant.

Reporting a Property Maintenance Code Violation

If a requested correction is not made or you believe it was not done correctly, contact the Development Services Department to report a property maintenance code violation.

To make a complaint online, go to the Town website at www.littleelm.org and click the "MyGov" link on the lower left of the home page.

On the Download and Information page, select “Make a Request or Complaint” under the Code Enforcement heading.

On subsequent web pages you will be able to select a button for the “Structures” group of case types, and then “Property Maintenance” for the case type.

After you have completed and submitted the complaint, the Town of Little Elm Development Officer will contact you to schedule an inspection to determine if a violation exists.

If it is determined that a violation exists, an order to correct it will be issued. If the violation is not corrected within the time limits set, a citation will be issued to the offending party.

Rights and Responsibilities

Landlord and Tenant Rights and Responsibilities are spelled out in the Texas Property Code, Chapter 92

Landlords have a legal obligation to ensure their rental properties do not pose a threat to the tenants’ health or safety. If a landlord fails to repair problems that impact their tenants’ health, safety or security in a reasonable time (generally 7 days), tenants must follow specific steps to seek a remedy.

Tenants shall ensure that the part of the property which the tenant occupies or controls is maintained in a clean and sanitary condition and shall take reasonable precautions to prevent damage to the property.

Additional information on this and other topics relating to Landlord and Tenant relationships is available on the Attorney General’s Web site at www.texasattorneygeneral.gov.

Common Code Compliance Items

Development officers look for the following common items during inspections:

All Areas:

No holes in walls, floors or ceilings

Walls and roof in good structural condition

No conditions exist that would materially affect the physical health or safety of an ordinary tenant

Exit doors and emergency rescue openings, such as bedroom windows, must be operable from the inside without a key, card or special tool or knowledge

Electrical

Light Fixtures Operational

Electrical Outlets have cover plates

No bare light bulbs

No extension cords used as permanent wiring

No bare wires

Electrical Panels labeled, have access and no apparent damage

GFI plugs in exterior, garage, kitchen and washrooms

Plumbing

Operational water heater

(Must be capable of delivering water at a temperature of at least 120° F and have working T&P valve, pan and drains)

Operational bathtub/shower, toilet, sinks with no leaks

(Hot and cold water must be supplied to all fixtures, except toilet, which requires only cold water)

Bedrooms

Operational smoke alarms inside all bedrooms and outside sleeping areas with a minimum of one alarm on each floor

2nd point of exit from bedrooms through windows of adequate size without permanent bars

Balcony/Stairs

Stairs, hand/guard rail in sturdy conditions and guard rails have openings no greater than 4 inches

Heating

Operational Heating Equipment

(Must maintain 68 degrees to within 2 feet of outside walls, 3 feet above the floor in every habitable room)

Building Exterior

Roof and Gutters in good condition

Good condition of paint (no peeling paint)

Exterior doors are weather tight and lockable

Any garage door electric openers must have safety switch

Windows are weather tight and lockable

4" color contrasting address numbers visible from street on both house and curb

Property Maintenance

Fence in good condition (not rotted and not leaning)

Accessory structures structurally sound

No large accumulation of trash and debris

Driveway is in good repair

No infestation of insects and rodents

No rotten or unprotected wood on exterior surfaces

No significant trip hazards in driveway or sidewalk

Swimming pools, hot tubs and spas:

Fences and gates must meet code requirement

Alarm on door to pool, hot tub or spa area

Water cannot be stagnant