

## Boone County Rental Housing Standards

1. **Purposes:** The regulations in this chapter are enacted for the purpose of regulating and ensuring the habitability of rented residences in Boone County, Missouri.
2. **Authority:** These regulations are enacted under authority vested in the County Commission of Boone County, Missouri, by section 64.207, RSMo.
3. **Definitions:** As used in this chapter, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:
  - 3.1 Tenant – a resident who has a signed lease agreement with the property owner and who is current on all rent due.
  - 3.2 Complaint – a written document executed by the Tenant, under oath, on the forms provided by Resource Management.
4. **Jurisdiction:** The regulations contained in this chapter shall be applicable to all unincorporated areas within Boone County, Missouri.
5. **Requirements for Rented Residences:** It shall be unlawful for any owner of record of any rented residence to fail to provide Tenants of said residence with the following:
  - 5.1 Structural protection from the elements.
  - 5.2 Access to water service, including hot water.
  - 5.3 Sewer service.
  - 5.4 Access to electrical service.
  - 5.5 Heat to the residence.
  - 5.6 Basic security, which, at a minimum, shall include locking doors and windows.
  - 5.7 Notwithstanding the foregoing, if a utility service is unavailable because a Tenant fails to pay for service, the unavailability shall not be a violation of this ordinance.
6. **Tenant Complaints:** A Tenant may file a written Complaint under this section if the rented residence does not meet the standards listed in section 5 and the condition of the rented residence threatens the health or safety of the tenant.
  - 6.1 Complaining Tenants must be signatories on the lease with the property owner or his or her agent.

6.2 Complaining Tenants must also be current on all rent due.

6.3 Complaining Tenants must use the Complaint form provided by Boone County Resource Management. The complaint form shall require the Tenant to swear to the veracity of the statements set forth therein under penalty of perjury.

7. **Process for Review of Tenant Complaints:** The Boone County Commission herein designates the Director of Resource Management, or his designee, to respond to Complaints of the condition of a rented residence that threatens the health and safety of Tenants.

7.1 Once the designated officer receives a Complaint from a Tenant and has verified after a site inspection the complaint documents violations of the requirements in Section 5, the officer shall serve the owner of record with notice of the Complaint. The notice shall specify the condition alleged in the Complaint that constitutes a violation of the minimum standards set forth in 5.1 through 5.6 of this ordinance. The notice shall also state a reasonable date that the abatement of the condition shall commence. Notice shall be served to the owner of record by personal service, certified mail with return receipt requested, or if those methods are unsuccessful then by publication.

7.2 If the work to abate the condition does not commence by the date stated in the notice or if the work does not proceed continuously and without unnecessary delay, as determined by the designated officer, then the matter shall be set for a hearing before the Boone County Commission.

7.3 The owner of record and any other person who has an interest in the rented residence shall be parties in the hearing before the Boone County Commission.

7.4 Parties shall be given at least ten (10) days' notice of the hearing.

7.5 Any party may be represented by counsel, and all parties shall have an opportunity to be heard.

7.6 If the Boone County Commission finds that the rented residence has a dangerous condition that is detrimental to the health, safety, or welfare of the Tenant, the Commission shall issue an order that the condition be abated. The order shall state specific facts, based on competent and substantial evidence, that support the Commission's finding. If the Commission finds that the rented residence does not have a dangerous condition that is detrimental to the health, safety, or welfare of the Tenant, the Commission shall not issue an order.

7.7 Any owner who violates an order of the County Commission adopted under the provisions of this section shall be guilty of a class C misdemeanor.

7.8 Each day a violation continues shall be deemed a separate violation.

- 7.9 Any penalty assessed for a violation of an order shall not be the exclusive punishment for the condition. The designated officer may, in his or her own name or in the name of the County, seek and obtain any judicial relief provided under equity or law including, but not limited to, civil fines authorized under section 49.272, declaratory relief, and injunctive relief.
- 7.10 The designated officer may declare the continued occupancy of the rented residence unlawful while the condition or conditions remain unabated.