



**CITY OF SAN BERNARDINO
COMMUNITY & ECONOMIC DEVELOPMENT
MEMORANDUM**

FROM: Mary Lanier, Interim Director of Community and Housing Development

TO: City of San Bernardino, City of San Bernardino Departments, and Multi-Family Rental Property Owners

SUBJECT: Crime-Free Housing – Cease Implementation

DATE: October 4, 2023

On October 4, the City of San Bernardino City Council is scheduled to consider the second reading and adoption of Ordinance No. MC 1619 to amend Chapter 15.27 of the City's Municipal Code, renaming it to Rental Housing Program Maintenance Standards and retaining only the exterior inspections and eight-hour training program.

Accordingly, you must cease the use of mandatory criminal background checks and the use of a crime-free lease addendum in connection with the soon-to-be repealed Crime-Free Rental Housing Program during this period before Ordinance No. MC 1619 becomes effective, as well as after Ordinance No. MC 1619 becomes effective, because such requirements will be removed the City's municipal code.

Crime-Free Multi-Housing Program

Most of the original provisions of Chapter 15.27 related to the Crime-Free Multi-Housing Program have been eliminated, including the following:

- Remove the words "crime-free" and "crime reduction" and all variations of those words and phrases from the ordinance.
- Remove the implementation and enforcement of mandatory use, or recommended use, of a crime-free lease addendum.
- Remove the requirement of providing of 24-hour contact information to the City.
- Remove the voluntary certification process which included mandating the use of a crime-free lease addendum and mandated universal background checks.
- Remove various requirements for inspection fees and other fees.
- Remove the section regarding complaint-based inspections.
- Remove the section regarding public nuisances.
- Remove the section regarding enforcement alternatives.
- Remove the section regarding penalties.
- Require that any educational course and inspection materials remove the words crime-free and crime reduction and remove any pejorative or derogatory descriptions of individuals with criminal histories.

- Require that any course and inspection materials shall not instruct property owners and managers to rely upon or use any criminal history information in housing admissions and housing termination of housing decisions that is prohibited by fair housing state and federal laws and regulations, including guidance from applicable state and federal enforcement agencies, which may be amended from time to time.
- Require that City sworn law enforcement shall not be involved in conducting the rental housing course or in conducting the annual exterior inspections or re-inspections.
- Require that City code enforcement officers be involved in conducting the educational course and the annual exterior inspections and re-inspections only as a lawful exercise of their duties, pursuant to applicable legal authority including but not limited to enforcement responsibilities under California Civil Code section 1941 et seq. and Health and Safety Code sections 17920.3 and 17975 et seq.

The Code Enforcement Division of the Community and Housing Development Department is currently in the process of preparing updated information to remove the above provisions from all materials and documents, including training materials, and removing the name "Crime-Free" from all City forms and documents.

Rental Housing Program Maintenance Standards

The newly named Rental Housing Program Maintenance Standards will include on-site exterior inspections of multi-family rental properties. Properties in violation will have citations issued.

The eight-hour property training will continue and will include items such as:

- Property Maintenance
- Landlord Tenant Responsibilities
- Fire Department Provisions
- Code Enforcement Operations
- Housing

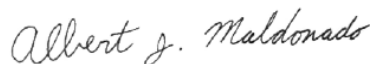
The class will no longer include Police Department participation.

Until such a time that Ordinance No. 1619 has been adopted and the 30-day effective period is completed, staff is hereby directed to cease implementation of any and all Crime-Free provisions.



Mary E. Lanier
Interim Director of Community and Housing Development

Approved as to form:



Best Best & Krieger LLP