

LAND USE INITIATIVE

QUARTERLY REPORT

October - December 2021



The Land Use Initiative analyzes, upon request of a state and/or local association, proposed legislative and regulatory land-use and real estate transactional measures that impact the transfer of property and/or the interests of REALTORS®. Measures include comprehensive plans, amendments, legislation, ordinances or regulations. A database of completed analysis searchable by issue for advocacy research purposes.

SUMMARY OF REQUESTS

- **4th Quarter LUI Requests:** 7
- **States:** Hawaii, Georgia, Nevada, Minnesota, North Carolina, Wyoming, California
- **Topics:** Short-Term Rentals (2), Sign Regulations, Renter Opportunity to Purchase Ordinance, Unified Development Ordinance, Rental Housing Code, Smoke-Free Housing Ordinance
- **Year to Date LUI Requests:** 40
- **Top 5 LUI Topics for 2021:** Short-Term Rentals (9); Tenant Protection Ordinances, including Eviction Restrictions, Rent Stabilization, and Tenant Opportunity to Purchase (7); Zoning Ordinances (3); Comprehensive Plans (2); Rental Housing Regulations (2)

Second Quarter Spotlight	LUI Success Story
<p style="text-align: center;">Laramie, WY Proposed Rental Housing Code</p>	<p style="text-align: center;"><u>Scottsdale Area Association of REALTORS® Uses Land Use Initiative to Champion Property Rights and Allow for Future Development</u></p>
<p>The fourth quarter of 2021 featured an analysis of the Rental Housing Code proposed for the City of Laramie, Wyoming. The proposed Rental Housing Code required that all rental housing units be registered with the City and that registrations be renewed every two years. It also required that all rental housing units meet a set of minimum standards for structural integrity; plumbing, heating, and electrical requirements; and weatherproofing, among other things. The Rental Housing Code also required that certain repair work be done by a licensed contractor.</p>	<p>Using the findings of a Land Use Initiative analysis from the REALTOR® Party, the Scottsdale Area Association of REALTORS® helped dissuade the City Council from adopting the new ‘Desert Rural’ protective category</p>

The analysis argued that the proposed repair provisions were unreasonable in that they required all plumbing, heating, and electrical work to be done by a licensed contractor, regardless of whether the work to be done required a permit under the building code. It also pointed out that, due to a shortage of licensed contractors in Laramie, there was already about a six-month wait for a licensed electrician, with similar wait times for other types of licensed professionals. In light of the long wait times, the analysis also argued that amount of time that landlords would be given to remedy a violation of the Rental Housing Code (48 hours to correct a lack of essential services or “situation of immediate danger,” or 10 days for other types of repairs) were unrealistic and inadequate. In lieu of the proposed short, fixed repair periods, the analysis recommended a more flexible approach that would allow an owner to make a good-faith showing of intent to comply and enable the owner and the City Manager to agree upon a reasonable timeframe for the work to be completed, taking into account the nature and scope of the work that needs to be done and the availability of licensed professionals or other workers to perform the work and other measures that can be taken in the meantime to alleviate safety or other issues.

that would have raised significant barriers to high-density development and trounced the rights of private property owners.

