Local Government Mandate Statement Kentucky Legislative Research Commission 2018 Regular Session

Part I: Measure Information

Bill Request #: 1944
Bill #: HB 550
Document ID #:4843
Bill Subject/Title: Uniform Residential Landload and Tennant Act
Sponsor: Representative McKenzie L. Cantrell
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted:
Requirement: X Mandatory Optional
Effect on Powers & Duties: X Modifies Existing X Adds New Eliminates Existing

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 550 repeals and reenacts KRS 383.500 to 383.715, also known as the Uniform Residential Landlord and Tenant Act (URLTA), and applies it statewide. HB 550 would require cities, counties, urban-county governments, consolidated local governments, charter county governments, and unified local governments to utilize URLTA and prohibit local governments from enacting or retaining current ordinances that relate to this subject matter. Currently, enactment of URLTA is not required, Kentucky's landlord-tenant law can vary significantly depending on the city or county where the rental unit is located.

The National Conference of Commissioners on Uniform State Laws has been advocating for ULTRA adoption since 1972. The URLTA is the closest document to "Federal" Landlord Tenant Laws. However, state participation is encouraged but not mandatory. According to the National Conference of State Legislators, most states have adopted URLTA but may have modified it for their state. The Homeless & Housing Coalition of Kentucky, has identified 32 cities and five counties (including Louisville/Jefferson and

Lexington/Fayette) across the Commonwealth that have adopted URLTA. Twenty-nine of these locations are in metropolitan statistical areas near Cincinnati, Lexington, and Louisville. While not all of the cities/counties have adopted URLTA, they may have enacted other local landlord-tenant ordinances.

The purpose of URLTA is to encourage landlords and tenants to maintain and improve the quality of housing and to establish duties of both the landlord and tenant. It will also establish uniform standards related to residential landlord-tenant leases across all cities and counties.

Adoption of the URLTA on a statewide basis would require local governments that previously adopted URLTA, to update their ordinances accordingly. This would include expenses related to rescinding any current ordinances, updating the local code, and dispersing the updates. Their costs would be nil to minimal.

If the local government has landlord-tenant ordinances and a means of enforcement, then adoption of the URLTA should have minimal cost since the framework is there for enforcement.

If, however, the local government does not have any landlord-tenant ordinances, then decisions would have to be made regarding the enforcement of the URLTA. This may entail a reallocation of personnel and money to cover enforcement expenses or may be in the form of new costs associated with the hiring and training of personnel for enforcement.

Part III: Differences to Local Government Mandate Statement from Prior Versions

The Part II section above pertains to the bill as introduced and there are not any prior introduced versions of the bill to complete the Part III section.

Data Source(s): National Conference of State Legislators, Homeless and Housing

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