

# CODE CONNECTION

NEWS & TIPS FROM THE MULTIPLE HOUSING PROGRAM



Planning, Building and Code Enforcement

JANUARY 2017

## WISE MANAGEMENT

### Have this conversation *before* you make a property improvement

**M**ary Smith (fictitious name, real circumstance) is an apartment building owner who, with the best of intentions, installed an access gate to the property's parking lot to provide increased security in the parking area. Unfortunately, the entryway at the access gate was barely 10 feet from the street, and vehicles denied access could not easily turn around. Additionally, while waiting for the gates to open, incoming cars were left exposed to traffic on a busy street.

#### Common exterior projects that require a planning approval

- **Access gates.** Vehicular and pedestrian are only allowed when strict criteria are met.
- **Carport dividers, carport conversions.** While tenants may like the privacy that dividers provide, there may not be enough space to meet the standards for required distances for parking spaces. Also, never convert a covered parking spot to storage. This is a common violation and is not allowed.
- **Deck, balcony or stair repairs or replacement.** Even if the repair or replacement is "like for like," the work needs planning approval.
- **Garage doors.** Whether new or replacements, these require planning approval.
- **Laundry facilities.** Whether new or replacements, these require planning approval.
- **Storage sheds.** A planning review is needed to ensure that required common area space is maintained.

The Code Enforcement Division received a complaint about the unsafe situation. Upon investigation, city staff found that no approval by the Planning Division had been sought or issued for the access gate. After receiving a notice to obtain proper permits or remove the gate, Mary appealed to the Planning Commission to seek approval after the fact. But, due to lack of safe ingress, her appeal was denied. The gate had to be removed. Mary faced a significant — and preventable — financial loss.

The lesson for owners of any type of property is this: Talk to a Permit Center planner before you make an exterior improvement. Even cosmetic work may require prior planning approval. Staff at the San José Permit Center are here to help you, and are just an easy phone call away.

*Don't risk being forced to change or remove a property improvement by proceeding without proper approvals. Call the Permit Center at 408-535-3555 and ask to speak with a planner. \**



## WORKSHOPS

### Mold and Moisture in Multiple Housing Dwellings

Feb. 14, 2017 ~ 12:30-1:30 p.m.  
City Hall Wing Rooms 118-119

RSVP at <http://conta.cc/2i4UmgA>

Validated parking: Use 6th Street to enter the garage under City Hall Tower.

## UPDATES

### Affidavit for alarm installation enables self-certification for certain minor projects

The recently updated **Affidavit of Smoke Alarm and Carbon Monoxide Alarm Installation** form enables a property owner or contractor to self-certify that state requirements for these alarms have been met when the building permit is for a project that does not require a building inspector to enter the dwelling to conduct a final inspection. Examples of such projects are reroofs, solar installations, water heater replacements in a garage, and other minor improvements.



Download the affidavit form: [www.sanjoseca.gov/index.aspx?nid=5344](http://www.sanjoseca.gov/index.aspx?nid=5344)

Find State Fire Marshal-approved alarm models at: [osfm.fire.ca.gov/licensinglistings/licenselisting\\_bml\\_searchcotest](http://osfm.fire.ca.gov/licensinglistings/licenselisting_bml_searchcotest)

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FROM SACRAMENTO

# Assembly Bill 551 lays out new landlord and tenant responsibilities for bed bugs

In September 2016, Governor Brown signed **AB 551**, a law that updates landlord and tenant requirements regarding the treatment and control of bed bugs. The law prescribes the duties of landlords and tenants, as follows:



- Landlords must provide prospective tenants with the required bed bug information beginning July 1, 2017 and all other tenants the same information by January 1, 2018.
- Landlords must prepare a written bed bug management plan.
- Landlords are prohibited from renting or leasing a unit that has a known infestation.
- Tenants are prohibited from bringing items onto a property that the tenant knows or reasonably should know are infested with bed bugs.
- Tenants must notify a landlord within 7 calendar days of a suspected infestation, and landlords must retain a pest control service within 5 business days, and inform tenants within 2 business days if an infestation is confirmed.
- Tenants are responsible for preparing an infested unit for treatment, managing their belongings, and vacating the unit during treatment.
- An eviction for failure to comply with tenant responsibilities is not to be deemed a retaliatory eviction, and that when tenants fail to comply with responsibilities, the unit is not to be deemed substandard.

RESOURCES

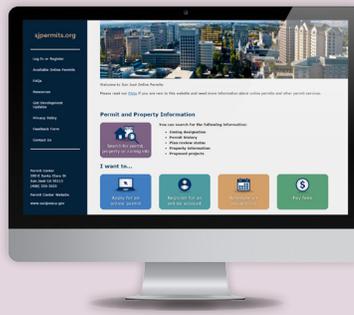
## A little research goes a long way for buyers of multifamily properties

Are you considering buying a multifamily property? Be sure to check into the property's permit history. It's an easy task as the status of planning applications and building permits is available online at [www.sjpermits.org](http://www.sjpermits.org).

It's also smart to check for past code enforcement cases on the property. Anyone can view the code enforcement service requests filed and investigated within the past two years. A description of the complaint, case status, assigned inspector and supervisor are available.

### How to obtain a building permit on [sjpermits.org](http://sjpermits.org)

1. First register at [www.sjpermits.org](http://www.sjpermits.org).  
Be prepared to provide:
  - property address
  - email address
  - credit card for payment
 Contractors must provide:
  - state license number
  - City of San José business license number
2. Once you log in, the system will guide you as you select the desired permit.



## IMPORTANT NUMBERS

- 408-535-3850 Abandoned Vehicles
- 800-414-2002 Adult Protective Services
- 408-794-7297 Animal Care & Services
- 408-535-7055 Business Tax
- 408-535-3555 Building Permits
- 408-342-3500 Apartment Assn Tri-County
- 408-299-2071 Child Abuse Hotline
- 408-535-7770 Code Enforcement Phone
- 408-292-6924 Code Enforcement Fax
- 800-321-2752 Contractor's License Board
- 408-947-7867 Crime Stoppers
- 408-535-7750 Fire Prevention
- 408-793-6901 Free Tow Program
- 408-535-3500 Garbage And Recycling
- 866-249-0543 Graffiti Complaints
- 408-578-9519 Housing Rehabilitation
- 408-299-7300 Household Hazardous Waste
- 408-998-5200 Legal Aid of SC County
- 800-743-5000 Pacific Gas & Electric Co.
- 408-535-3555 Planning Permits
- 800-222-1222 Poison Control
- 408-918-4770 SC County Vector Control
- 408-995-4130 SC County Mediation Services
- 408-794-1901 Streets & Sidewalks
- 408-794-1900 Sewers
- 408-794-1903 Street Light Repair
- 408-277-4452 Towing Permits
- 408-794-1901 Tree Trimming & Removal

### Upcoming Workshop Dates

Feb. 14	Aug. 15
Mar. 14	Sept. 19
Apr. 18	Oct. 17
May 16	Nov. 14

For more information visit [www.sanjoseca.gov/index.aspx?NID=445](http://www.sanjoseca.gov/index.aspx?NID=445)