

## **Compliance with La Vista's New Rental Property Licensing & Inspection Ordinance**

Starting January 1<sup>st</sup>, 2009, owners of rental properties in La Vista must comply with this new ordinance. La Vista has begun sending out compliance packets to landlords and managers of record. If you have not received your paperwork yet, call Jeff Sinnett, Chief Building Inspector at (402) 331-4343.

I have had numerous inquiries regarding what should be in, if anything, the lease agreement. I suggest you put a paragraph in your lease that discloses this inspection requirement. It may look something like this:

***La Vista Rental Property Inspection Program.** Lessee(s) has been advised that the City of La Vista has adopted a rental property licensing program which requires periodic interior inspections of the unit you are renting by city officials. Under U.S. Law, you are aware that the city must first notify you prior to any such inspection of the time and date of the interior inspection.*

*As the lessee(s) you understand you may REFUSE such an interior inspection requiring the city official to either not do the inspection or obtain an administrative search warrant. If your right to privacy is important, Lessee(s) understands that requiring the city to obtain an administrative warrant for entrance to the rental unit is your legal right under the U.S. Constitution. Under no circumstances can the city official penalize you in anyway, neither financially or legally, for your insistence that the city obtain the warrant.*

Also, we want to know how things are progressing. If you have a tenant that refuses the inspection or has some issues with an inspector, we need to know about it. Email me immediately at [paul@operationlandlord.com](mailto:paul@operationlandlord.com)

**Should you advise your tenants to refuse the interior inspection?** That is up to you and only you can make that decision. I have heard from several managers and landlords that they are advising their tenants to refuse the inspection and require the city to obtain warrants. Remember, the city cannot pass along the costs to the city for the warrant to anyone! I am all for legal anarchy! Imagine the chaos if the city had to obtain 100, 200, or more administrative warrant's.

Again, PLEASE let us know if you have a tenant that refuses the inspection.