

Elkhart Rental Inspection Program Landlord and Renter Benefits

How this program benefits landlords:

Increased Property Value & Appeal: Regular inspections will help ensure that rental properties meet safety standards, leading to better property maintenance. Properties that have passed a safety inspection are more attractive to tenants, which can help reduce vacancy rates and ensure consistent rental income.

Tenant Confidence & Stability: By complying with inspection standards, landlords can offer tenants a safer and more comfortable living environment. This will likely lead to increased tenant satisfaction and longer lease terms, which reduces turnover and the associated costs.

Compliance: The program provides landlords with a clear and consistent framework for property maintenance, making it easier to meet legal and regulatory requirements.

Protection: Inspections provide an opportunity to identify small issues before they become more costly. The focus on safety also reduces the risk of injury to tenants which could lead to legal action.

How this program benefits renters:

Safer Living Environments: Regular inspections ensure that rental properties meet basic health and safety standards, helping to eliminate hazards.

Improved Property Maintenance: By encouraging landlords to maintain their properties, tenants will have access to well-maintained, habitable homes. This could include improvements in areas like heating, plumbing, and structural integrity, leading to more comfortable living conditions.

Protection Against Substandard Conditions: Tenants will be assured that their living spaces are regularly inspected, which can help avoid situations where they are subjected to unsafe living conditions.

Enhanced Tenant Rights: With a clear inspection process, tenants can be confident that their concerns regarding property conditions will be taken seriously.

Long-Term Housing Stability: The program promotes a stable rental market. Safe and well-maintained properties are likely to lead to better tenant retention, reducing the frequency of moving and associated disruptions in the tenant's life.

What is the Elkhart Rental Inspection Program?

The Elkhart Rental Inspection Program is a proposal being considered by the Elkhart City Council. The program promotes the health, safety, and welfare of the rental community by ensuring that units meet minimum health and safety standards.

If implemented, all rental property owners would be required to annually register their properties with the City of Elkhart, and all rental units would be required to be inspected every three years. The initial inspection fee is \$60. Early registrants would receive a 50% discount. After passing inspection, the Building Commissioner would issue a certificate confirming compliance.

What will be inspected?

Rental Units would be inspected to determine that their property is safe and habitable with respect to electrical, plumbing, water supply, HVAC, bathroom facilities, doors and windows, smoke detectors, and the structure itself. A more comprehensive list is available to landlords.

What happens if violations are identified during the inspection?

The inspector would identify the violation(s) and provide between 10-60 days for correction. Failure to comply would be punishable by fines.

Are large rental complexes exempt?

No, ALL rental properties would have to pass an inspection once every 3 years.

In lieu of a city inspection, any rental unit or rental unit community may satisfy the requirement at no fee if they utilize a qualified, independent inspector as defined in the ordinance.

Why are mobile homes excluded?

State law does not allow cities to inspect mobile home communities under this program. They are inspected by the Indiana Department of Public Health.

Do other Indiana cities have rental inspection programs?

Yes, several Indiana localities have rental inspection programs including Goshen, South Bend, Bloomington, Gary, West Lafayette, Munster, Vincennes, and Whitestown.

Does this violate my rights to privacy?

No. The program balances the rights of tenants and landlords. Owners must give Tenants at least 72 hours notice before inspection.

The professional city inspector would only be reviewing for health and safety. The inspector would not go through personal items, inspect furniture, or ask about immigration status.

What are the responsibilities of the tenant?

Tenants cannot prevent the inspection from taking place. In addition, pets are to be always controlled or restrained by the Tenant during the inspection.

For Fair Housing information or to report discrimination, please reach out to the Elkhart Human Relations Commission at (574) 294-5471 Ext. 1014.

How much money will the city collect from this program?

The amount the City of Elkhart collects will depend on a number of factors. The city anticipates collecting about \$85,000 per year in the first three years. All fees will be collected in a dedicated fund to help cover the costs associated with the program.

Why now?

There has long been a concern about renter safety. In 2024, a 6-year child died from carbon monoxide poisoning in Elkhart. This tragic event was a sober reminder of the importance of the health and safety standards that keep families safe.

How much time will Landlords have to prepare?

Registrations must be completed by July 1, 2026. The City of Elkhart will ensure property owners are aware of the new requirements and how to comply.

Will this cause rents to increase?

Other cities with similar programs did not see a material increase in rents as a result of inspections.

In some cases, there could be significant repair costs. Keep in mind that these are minimum health and safety standards that all renters under contract with a landlord should be able to expect.

If you have concerns about paying rent, call 2-1-1 to connect to resources in the community.

Will this cause displacement or homelessness?

The goal is to avoid displacement by working with Landlords to come into compliance. However, displacement may happen in the worst-case housing scenarios. The City of Elkhart will work with nonprofit service organizations to connect tenants with resources when these situations arise.

Aren't there already laws about this?

No not specifically. Existing city code doesn't allow for proactive inspections of the interior of a rental property unless there is a complaint and the tenant invites the inspector into the property.

Why not operate on a complaint-based system?

A proactive approach removes the burden on Tenants. Tenants may not be aware that they have a right to safe and habitable housing. Or they may have language barriers or disabilities that make it difficult to navigate the code enforcement system. Many Tenants might be afraid to complain for fear of increased rent or retaliation.

Please note: The City of Elkhart cannot offer legal advice. If you need legal help because you are facing eviction, or have another dispute with your landlord, you should seek advice from an attorney.

If additional clarification is needed, please reach out to the Mayors Office 574-294-5471