

Tenant-Landlord Commission FY 2020 Annual Report



Fairfax County Tenant-Landlord Commission
December 1, 2020

Fairfax County Board of Supervisors



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Chairman's Message

On behalf of the Tenant-Landlord Commission, I would like to thank the Fairfax County Board of Supervisors for the continued opportunity to support and engage the tenant-landlord community through education and objective assistance. This report is provided to advise the Board of Supervisors on tenant-landlord problems and trends, and inform the public about the information available concerning rights and responsibilities of tenants and landlords and the arbitration program provided by the Commission based on tenant-landlord complaints referred by the Consumer Affairs Branch of the Department of Cable and Consumer Services.

During FY 2020, Commission members joined with staff of the Consumer Affairs Branch to reach tenants and landlords at community events, including our participation in the first virtual Northern Virginia Housing Expo in response to COVID-19. The Commission continues to seek input from the tenant-landlord community to provide timely publications and services which are available on the County's Web site or distributed at public events.



I am extremely proud of the work the Tenant-Landlord Commission does and look forward to another year supporting the residents of Fairfax County to enrich the quality of life for tenants and landlords in Fairfax County.

Eric Fielding

Chairman

Tenant-Landlord Commission

Executive Summary

The Tenant-Landlord Commission was established on October 27, 1971, by the Fairfax County Board of Supervisors. The Commission gives objective and fair assistance to the County's tenants and landlords by providing presentations, publications, and programming.

The Commission also provides voluntary arbitration. A panel representative of the citizen, tenant, and landlord members of the Commission conducts a hearing that is legally binding on both parties and can be enforced in court if necessary. This dispute resolution alternative supports open communication between tenants and landlords without the expense or formality of a court hearing.

Staff support for the Commission is provided by the Consumer Services Division of the Department of Cable and Consumer Services.

The rental housing market in Fairfax County includes 81,501 rental housing complex units as of January 2019. The knowledge and information shared by the Commission adds value to the rental experience in Fairfax County.

In FY 2020 Consumer Affairs processed 1,704 inquiries from tenants and landlords about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, COVID-19, and other issues impacting rental dwellings. Voluntary mediation provided by Consumer Affairs offers tenants and landlords an open forum in which to resolve disputes and issues relating to rental dwelling units.

After voluntary mediation or arbitration is completed, the case is closed, and a summary outlining the details of the complaint is made available to the public on the County Web site. Reviewing closed case summaries, and the manner in which a complaint is resolved, provides an opportunity for tenants to have information they can use to determine if a rental dwelling will fit their need, expectation, and lifestyle.

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs. Presentations are made throughout the year to housing providers, community groups, civic associations, senior centers, schools, and faith-based and non-profit organizations. Topics covered include tenant-landlord laws, applications, leases, security deposits, renter's insurance, maintenance and repairs, eviction, COVID-19, and County resources.

The Commission assists with the development of educational material in partnership with Consumer Affairs, Fairfax County Government Channel 16, other County agencies, and community stakeholders. Publications such as the *Lease Checklist*, *Tenant Resource Sheet*, and *Renting a Room in Fairfax County* provide guidance so tenants can make informed decisions, ensuring a safe, healthy, and quality rental experience.

Fairfax County Government Channel 16 televises educational programming on maintenance and repair obligations, bed bugs, and renter's insurance. Consumer Affairs also publishes tenant-landlord information and resources on Facebook and the County Web site.

Renting provides an option and choice for many in Fairfax County and the Commission is committed to creating awareness and knowledge of the services available for the tenant-landlord community. The Commission ensures both tenants and landlords are aware of their rights and responsibilities through education, information, mediation, and arbitration.

Tenant-Landlord Commission



Eric Fielding, Chairman

Paula Park, Landlord Vice Chairman

Jade Harberg, Tenant Vice Chairman

Vincent J. Fusaro, CFE, Secretary

Robert H. Chamberlain

Karen Geier-Smith

Shahana Begum Islam

Amy Purnell

The Fairfax County Board of Supervisors established the Tenant-Landlord Commission on October 27, 1971, pursuant to Fairfax County Code Section 12-2-1, to provide assistance and information to educate the public on tenant-landlord matters regarding rental dwelling units in Fairfax County.

The Commission is composed of Fairfax County residents appointed by the Board of Supervisors. The Commission was originally composed of nine members; four tenant members, four landlord members, and one member of the community at large. On September 23, 1974, the Board of Supervisors adjusted the membership to include three landlord members, three tenant members, and three citizen members. On April 27, 1981, a condominium member was added. Currently the Commission is composed of 10 members; three landlord members, three tenant members, one condominium member, and three citizen members.

The business of the Commission is guided by the Bylaws adopted by a majority vote of the Commission members and approved by the Board of Supervisors.

The mission of the Commission is to give objective and fair assistance to Fairfax County tenants and landlords.

The duties of the Commission are to:

- Educate the public concerning the rights and responsibilities of tenants and landlords;
- Inform tenants and landlords of the mediation and arbitration services available through Consumer Affairs and the Commission;
- Arbitrate tenant-landlord complaints;
- Advise the Board of Supervisors of tenant-landlord problems and trends;
- Represent Fairfax County before legislative, public, and private bodies; and,
- Recommend changes in tenant-landlord laws at all levels of government.

During FY 2020, the Commission meetings included the following items:

PRESENTATION BY THE FAIRFAX COUNTY FAIR HOUSING COORDINATOR WITH THE OFFICE OF HUMAN RIGHTS AND EQUITY (OHREP) – OCTOBER 2019

The presentation included updates regarding fair housing complaints, fair housing testing, and actions taken by OHREP to mitigate barriers that exist to fair housing choices in the County.

TENANT-LANDLORD COMMISSION OFFICER NOMINATIONS – FEBRUARY 2020

The Commission nominated a slate of candidates for Landlord Vice Chairman, Tenant Vice Chairman, and Secretary.

COVID-19 MEETING CANCELLATION – APRIL and JUNE 2020

Following Governor Ralph Northam's announcement that the Commonwealth would restrict gatherings of 10 or more people, all Fairfax County Boards, Authorities, and Commissions postponed indefinitely any planned meetings that did not involve time-sensitive activities. Each month the Commission was provided with a written update of the agency's pandemic response and COVID-19 resources. The Commission resumed its regular monthly meeting schedule in August 2020.

The Commission meets the second Thursday at 7:30 p.m. during the months of February, April, June, August, October, and December. In person meetings are open to the public and electronic meetings are publically accessible.

Additional information on the Commission, including this annual report, is available on the Commission Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>.

Tenant-Landlord Arbitration

A voluntary and legally-binding [arbitration process](#) is available through the Commission when mediation efforts are exhausted by Consumer Affairs. Arbitration provides an efficient and inexpensive alternative to court for resolving tenant-landlord disputes. An arbitration panel consists of a citizen, tenant, and landlord member from the Commission. Hearings are scheduled at the convenience of the tenant and landlord.



In FY 2020, the Commission received no requests for arbitration hearings.

Rental Housing Market in Fairfax County

Fairfax County offers a broad variety of housing for rent. Potential renters can choose from single-family homes, townhouses, condominiums, and apartments. According to the October 2020, [Rental Housing Complex Analysis](#), prepared by the Fairfax County Department of Management and Budget, as of January 2019, there were 81,501 rental housing complex units in Fairfax County. This represents an increase of 1,980, or 2.5 percent, rental units on the market between January 2018 and January 2019.

The total inventory of available rental units is actually greater because this number does not include units leased by individual owners, public housing units, and privately owned subsidized housing complexes.

Average fair market monthly rent in the County for complexes without rent subsidies was \$1,877 in January 2019. This is \$79 higher than reported in January 2018, representing a 4.4 percent increase. The vacancy rate for all rental complexes, those with and without subsidies, was estimated to be six percent as of January 2019.

As the County continues to redevelop and grow, the Commission and Consumer Affairs will continue to provide education and information to residents on the evolving rental housing market in Fairfax County.

Tenant-Landlord Inquiries

Consumer Affairs responds to inquiries for information, offers advice, provides referrals, and assists tenants and landlords with mediation.

Inquiries include complaints, advice, and customer walk-ins. Inquiries vary from month to month for a variety of reasons such as holidays, tax season, weather, school, and travel.

During FY 2020, Consumer Affairs responded to 1,704 inquiries from tenants and landlords. Inquiries were received about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, and other issues impacting rental dwellings.

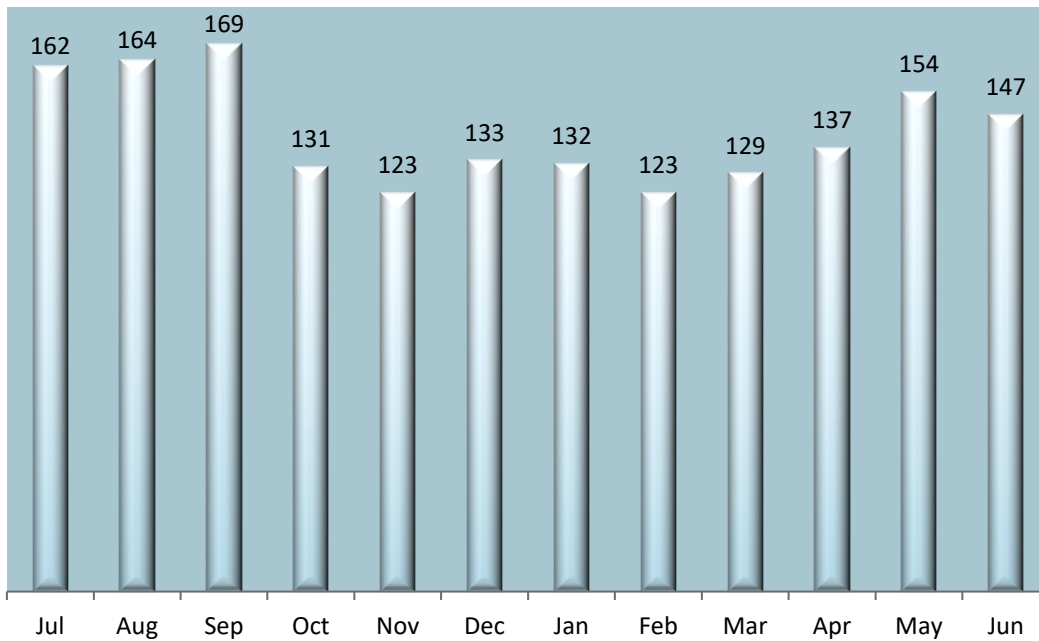


Figure 1 Tenant-Landlord Inquiries for Fiscal Year 2020

Consumer Complaints

A tenant may also file a complaint with Consumer Affairs. Through mediation, a Consumer Specialist works with the tenant and landlord to assist both parties in reaching a favorable resolution to the complaint.

In FY 2020, Consumer Affairs mediated 228 tenant-landlord complaints. Consumer Affairs publishes [case summaries](#) of all closed complaints within the last 12 months on the County Web site. Reviewing complaint summaries offers tenants an overview of Consumer Affairs mediation efforts and can also provide helpful information on rental dwellings in Fairfax County.

Complaint summaries featuring comments from consumers satisfied with the mediation provided by Consumer Affairs are highlighted below:

IMPROPER CHARGES

Paul S., the tenant, rented a unit in an apartment complex. The apartment complex changed management companies. The new manager failed to provide a renewal lease agreement in a timely manner, charged the tenant month to month fees, and wrongfully filed an Unlawful Detainer against the tenant. The tenant requested an accurate lease agreement, removal of all fees, and dismissal of the court case. After Consumer Affairs intervention and mediation, the manager provided the renewal lease agreement and a ledger to confirm the late fees. The manager waived the month to month fees in the amount of \$977.09. The manager agreed to dismiss the court case if the tenant paid the balance of \$350.57. The tenant paid the balance owed and the manager dismissed the court case.

“...THANK YOU FOR PROVIDING ASSISTANCE. YOUR PATIENCE AND PROFESSIONALISM WAS EXCEPTIONAL DURING THE ENTIRE PROCESS...”
PAUL, TENANT

SECURITY DEPOSIT

Scott M, the tenant, rented a single-family home from a private landlord. The tenant alleged the landlord failed to return his \$2,800 security deposit as required by the lease agreement. The tenant also requested compensation for repairs made to the landlord’s home in the amount of \$301.45 for a total refund of \$3,101.45. After Consumer Affairs intervention and mediation, the landlord claimed there were damages to the property and the landlord did not owe the tenant for any repairs. The landlord did not have any documentation to support the damage claim. The landlord issued the tenant a full refund of \$3,101.45.

"...YOUR MEDIATION EFFORTS PROVED CRUCIAL. IT'S COMFORTING TO KNOW FAIRFAX COUNTY IS THERE TO ASSIST ITS RESIDENTS AS THEY WORK THROUGH DISAGREEMENTS..."
SCOTT, TENANT

Community Outreach

The Commission and Consumer Affairs analyze trends and issues of concern in response to complaints received and mediated by staff. This analysis is used to develop educational information for outreach, publications, and programming.

Consumer Affairs provides outreach presentations throughout the year to housing providers, community groups, civic associations, senior centers, schools, and faith-based and non-profit organizations.

The Commission participates with Consumer Affairs in providing community outreach to educate tenants and landlords on information and resources available through Consumer Affairs.

Consumer Affairs conducted 255 outreach events in FY 2020, with higher volume of events occurring during the school year and National Consumer Protection Week in early March. The chart reflects the impact of cancelled outreach events in April-June due to the COVID-19 pandemic, with some outreach transitioned to virtual events.

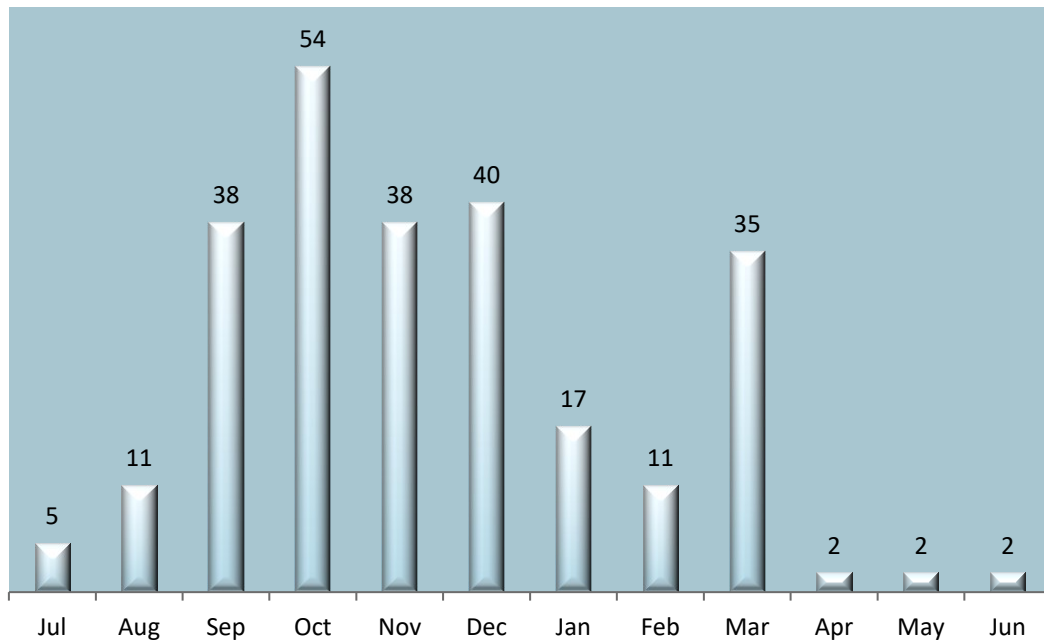


Figure 2 Community Outreach Events for Fiscal Year 2020

Consumer Affairs offers presentations on the following topics:

- Consumer Affairs 101
- Automobile Sales and Repairs
- Data Breaches
- Door to Door Scams
- Financial Education
- Funeral Planning
- High School 101
- Home Improvement
- Identity Theft
- Medical Identity Theft
- Online Holiday Shopping
- Scams Against Seniors
- What Landlords Need to Know
- What Tenants Need to Know
- What's in Your Credit Report
- When Debt Collectors Call

Consumer Affairs coordinates with many Fairfax County entities to provide ongoing information and resources across a broad audience in Fairfax County.

FAIRFAX COUNTY OFFICE TO PREVENT AND END HOMELESSNESS

Consumer Affairs provides tenant education training throughout the County to housing locators who work in supportive housing programs and to those who educate clients about tenant responsibilities.

LEGAL SERVICES OF NORTHERN VIRGINIA

Consumer Affairs coordinates and collaborates with Legal Services of Northern Virginia to provide information and guidance to tenants and landlords in Fairfax County. Legal Services of Northern Virginia offers a variety of online self-help resources that provide legal forms and documents for tenants and landlords.

KATHERINE HANLEY FAMILY SHELTER

In coordination with Shelter House, Inc., Consumer Affairs provides information and resources to tenants entering for the first time or re-entering the rental market. Rights and responsibilities are discussed with a focus on services provided by the Commission, Consumer Affairs, and other County agencies.

NORTHERN VIRGINIA VIRTUAL HOUSING EXPO

The Commission and Consumer Affairs share information regarding tenant and landlord rights and responsibilities and, highlight the services and resources available for tenants and landlords in Fairfax County as well as general for tenants not in the County

NORTHERN VIRGINIA ASSOCIATION OF REALTORS®

Workshops are presented by Consumer Affairs outlining the Virginia Residential Landlord and Tenant Act and lease agreements. Complaints received by Consumer Affairs and the resolutions achieved through mediation are highlighted.

BAILEY'S SHELTER AND SUPPORTIVE HOUSING

Consumer Affairs provides information and resources to supplement the supportive services offered at Bailey's to connect those receiving housing with County resources and programs.

TENANT INFORMATION WORKSHOPS

In collaboration with the Department of Code Compliance and the Department of Neighborhood and Community Services, Consumer Affairs coordinates and facilitates workshops for tenants to connect them with available County resources.

These efforts keep the Commission, Consumer Affairs, and communities connected and invested in maintaining livable neighborhoods.

Tenant-Landlord Publications

As residents of the County and in active service in the tenant-landlord community, Commissioners bring knowledge and expertise about rental situations and dwellings. Their collective knowledge is used to develop the following educational publications for the tenant-landlord community.

LEASE CHECKLIST

The checklist provides guidance for prospective tenants and landlords and outlines the rights, responsibilities, and obligations involved with a lease agreement.

TENANT RESOURCE SHEET

The resource sheet provides information for tenants so they know which County agency to contact for assistance with repair or maintenance problems in their rental dwelling. Tenants are encouraged to contact their landlord or property manager first when there is a problem, but if they do not get the help they need, they can contact the appropriate County agency to address their issue.

WHAT TENANTS AND LANDLORDS NEED TO KNOW BROCHURE

The brochure provides answers to frequently asked questions by tenants and landlords regarding laws, lease agreements, security deposits, rent, maintenance and repairs, and eviction. Information about how to contact Consumer Affairs to discuss a dispute or file a complaint is included.

ENERGY-SAVING TIPS FOR RENTERS

The tips recommend ways to save money by improving energy efficiency. Reducing energy consumption and protecting the environment provide real savings for both renters and landlords.

RENTING A ROOM IN FAIRFAX COUNTY

For many, renting a room is the first step into the residential rental market. Resources are provided to equip prospective tenants with information to help them select a room that best meets their individual housing needs and lifestyle.

THE INFORMED TENANT AND LANDLORD NEWSLETTER

This newsletter provides clear and concise information and resources with important contact information to quickly connect tenants and landlords with agencies ready to provide guidance and assistance on issues such as lease agreements, renting, fair housing, maintenance, fire safety, eviction, and mediation provided by Consumer Affairs.

Consumer Affairs publishes this information on social media, the Consumer Services Division Web site at <https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord> and Fairfax County Government Channel 16 at <https://www.fairfaxcounty.gov/cableconsumer/channel-16/fairfax-county-government-television>.

Tenant-Landlord Video Programming

Consumer Affairs develops educational programming on a variety of tenant-landlord issues. The programs below are available on Fairfax County Government Channel 16, Video-on-Demand on the County Web site, and Facebook.

BED BUGS

This program provides an overview on how tenants and landlords can detect and defend against bed bugs. Guidance and information is provided by Consumer Affairs, the Fairfax County Health Department, American Pest Management, and Southern Management Corporation.

RENTER'S INSURANCE PSA 1 AND RENTER'S INSURANCE PSA 2

The Commission presents public service announcements to encourage tenants to obtain renter's insurance. The announcements highlight the need for tenants to protect their personal property from events such as flood, fire, theft, and accidental injury to others. Information is provided in coordination with a [brochure](#) from the Virginia Bureau of Insurance of the Virginia State Corporation Commission.

CONSUMER CONNECTION

Through Facebook Live, Consumer Affairs connects with tenants and landlords in real time with *Consumer Connection*, a monthly live video chat, covering a variety of issues such as Commission Supported by DCCS, Consumer Affairs Branch Services and Resources, National Preparedness Month, Energy Action Month, Shared Mobility, Holiday Safety, Regulation and Licensing 101, National Consumer Protection Week, and Consumer Affairs 101. The featured chats can be viewed on the Consumer Affairs Facebook page at <https://www.facebook.com/fairfaxcountyconsumer>.

Consumer Affairs regularly posts to social media on relevant consumer information including tips, warnings, and resources. Commissioners also share consumer tips with fellow constituents. Following are several examples advising the public of relevant consumer issues and information:



In Review

With over four decades of service to the tenant-landlord community, the Commission remains committed to keeping tenants and landlords informed in response to housing trends, issues, and challenges such as COVID-19. The balanced membership of the Commission ensures that all residents of Fairfax County have a voice and that tenants and landlords have a consistent, reliable source for obtaining information to help them understand their rights, responsibilities, and obligations.

The expertise, knowledge, and commitment of the Commission provides assurance that tenants and landlords can enjoy being a part of a neighborhood that not only provides a great place to live, work, and explore, but also a place they can call home.



Fairfax County Tenant-Landlord Commission

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<https://www.fairfaxcounty.gov/cableconsumer/csd/tenant-landlord-commission>

<https://www.fairfaxcounty.gov/cableconsumer/csd/consumer>

<https://www.facebook.com/fairfaxcountyconsumer>



To request this information in an alternate format, call the Department of Cable and Consumer Services, 703-222-8435 TTY 711.



A Fairfax County, Va., publication