

# Tenant-Landlord Commission FY 2019 Annual Report



Fairfax County Tenant-Landlord Commission  
June 30, 2019

## 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 2019, Commission members joined with staff of the Consumer Affairs Branch to reach tenants and landlords at community events such as expos and forums. 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. These dispute resolution alternatives foster 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 79,638 rental housing complex units as of January 2017, a 2.9 percent increase from 2016. The knowledge and information shared by the Commission adds value to the rental experience in Fairfax County.

In FY 2019 Consumer Affairs processed 1,827 inquiries from tenants and landlords about laws, lease agreements, security deposits, maintenance and repair, evictions, foreclosure, 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, 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  
Public Member

**Amy Purnell**  
Tenant Vice-Chairman  
Tenant Member

**Jade Harberg**  
Secretary  
Tenant Member

**Tony E. Gomez**  
Public Member

**Karen M. Geier-Smith**  
Landlord Member

**Christopher L. Kocsis**  
Landlord Member

**Paula Park**  
Landlord Vice Chairman  
Landlord Member

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.

The Commission meets at 7:30 p.m. at the Fairfax County Government Center during the months of February, April, June, August, October, and December. Meetings are open to the public with time available for public comment.

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 2019, the Commission held three arbitration hearings. The hearings involved security deposits as summarized below:

### SECURITY DEPOSIT – CONDO

A tenant rented a condo from a private landlord. After vacating the condo, the tenant alleged the landlord withheld \$1,400 from the tenant's security deposit to replace the carpet and repaint the walls. After a resolution could not be reached through mediation, the tenant and landlord submitted an agreement to Consumer Affairs for binding arbitration. The hearing was conducted by a three-member panel appointed by the Chairman of the Tenant-Landlord Commission. Testimony and evidence was presented by both parties. After deliberation, the arbitration panel awarded the tenant \$1,150, which was paid by the landlord.

**SECURITY DEPOSIT – APARTMENT**

A tenant rented an apartment from a private landlord. After vacating the apartment, the tenant alleged the landlord charged \$225 to fix the fireplace pilot light, \$23.88 for burnt out light bulbs, \$11.53 for a broken toilet seat, and \$13.38 for a broken blind for a total of \$273.79. After a resolution could not be reached through mediation, the tenant and landlord submitted an agreement to Consumer Affairs for binding arbitration. After deliberation, the arbitration panel awarded the tenant \$161.29, which was paid by the landlord.

**SECURITY DEPOSIT – SINGLE FAMILY HOME**

A tenant rented a single family home from a private landlord. After vacating the property, the tenant alleged the landlord improperly deducted charges for ordinary wear and tear from the tenant's security deposit of \$1,720. After a resolution could not be reached through mediation, the tenant and landlord submitted an agreement to Consumer Affairs for binding arbitration. After deliberation, the arbitration panel awarded the tenant \$1,420, which was paid by the landlord.

## 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 [Rental Housing Complex Analysis](#) prepared by the Fairfax County Department of Management and Budget, as of January 2017, there were 79,638 rental housing complex units in Fairfax County. There were 2,235 more rental complex units in January 2017 than there were in January 2016, representing a 2.9 percent increase. 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 monthly rent in the County for complexes without rent subsidies was \$1,788 in January 2017. This is \$38 higher than reported in January 2016, representing a 2.2 percent increase. The rents of these units are considered fair market rents. The average fair market rent excludes subsidized units, affordable dwelling units, workforce housing units, and senior units where rent includes meals. The vacancy rate for all rental complexes, those with and without subsidies, was estimated to be 5.3 percent as of January 2017. The 2017 vacancy rate was a 2.8 percent decrease from 2016.

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

<b>Rental Housing Complex Analysis: Average Monthly Rent by Unit Type Fairfax County, 2016 and 2017</b>			
Unit Type	Average Rent		
	2016	2017	Percent Change
Studio/Efficiency	\$1,413	\$1,491	5.5%
1 Bedroom	\$1,561	\$1,599	2.4%
1 Bedroom/Den	\$1,672	\$1,704	1.9%
2 Bedrooms	\$1,857	\$1,898	2.2%
2 Bedrooms/Den	\$1,909	\$1,930	1.1%
3 Bedrooms	\$2,163	\$2,216	2.5%
3 Bedrooms/Den	\$2,211	\$2,142	-3.1%
4 Bedrooms	\$2,132	\$2,055	-3.6%
<b>Fairfax County</b>	<b>\$1,750</b>	<b>\$1,788</b>	<b>2.2%</b>

Source: Fairfax County Department of Management and Budget.

**Note:** Figures do not include units leased by individual owners, public housing units, and privately owned subsidized housing complexes.

### Tenant-Landlord Inquiries

Consumer Affairs responds to advice, inquiries for information, and referrals. During FY 2019, Consumer Affairs received and responded to 1,827 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.

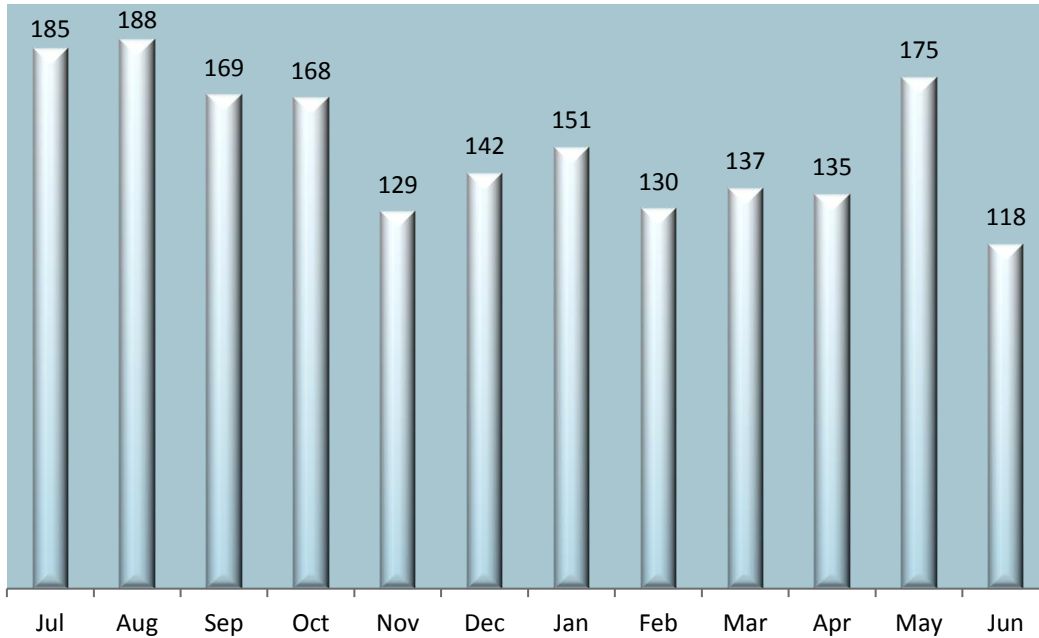


Figure 1 Tenant-Landlord Inquiries for Fiscal Year 2019



## Consumer Complaints

In addition to advice, a tenant may 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.

In FY 2019, Consumer Affairs mediated 250 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

Carole, the tenant, rented an apartment in a senior living complex and was forced to move due to medical concerns with mold and mildew. The tenant provided a 30-day notice to vacate along with a letter from the tenant’s doctor. After vacating the unit, the tenant

Carole R.  
Tenant

"...You have been wonderful. I cannot thank you enough. Thank you for your advocacy..."

alleged the landlord improperly charged the tenant a 60-day termination fee. The tenant requested the landlord waive the termination fee and refund the tenant security deposit of \$1,356. After Consumer Affairs intervention and mediation, the landlord waived the termination fee and returned the security deposit of \$1,356 to the tenant.

### SECURITY DEPOSIT

Eugenia, the tenant, paid a \$500 deposit to secure a townhouse owned by a private landlord. The tenant had a housing choice voucher from another county and attempted to transfer the voucher to Fairfax County. The tenant failed to obtain a voucher for the townhouse and requested the landlord refund the \$500. The landlord refused to refund the tenant’s money. After Consumer Affairs intervention and mediation, the landlord refunded the tenant \$400.

Eugenia M.  
Tenant

"...I really want to thank you for helping me resolve this matter. I am truly grateful..."

## LEASE AGREEMENT

Nina C.  
Tenant

"...Thanks so much! Your agency was incredibly helpful!..."

Nina, her fiancé, and father rented a home from a private landlord. Although the lease agreement stated rent was due on the first of each month with a 7-day grace period before a late fee would be applied, the tenant received a notice to quit or pay from the landlord for a late fee. The tenant notified the landlord of the clause in the lease agreement but alleged the landlord retaliated by harassing the tenant and failing to provide maintenance to the home. The tenant requested the landlord terminate the lease and return the tenant's security deposit of \$2,300. After Consumer Affairs intervention and mediation, the landlord agreed to termination of the lease without penalty and returned the security deposit of \$2,300 to the 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. In FY 2019 Consumer Affairs conducted 265 outreach events throughout the County.

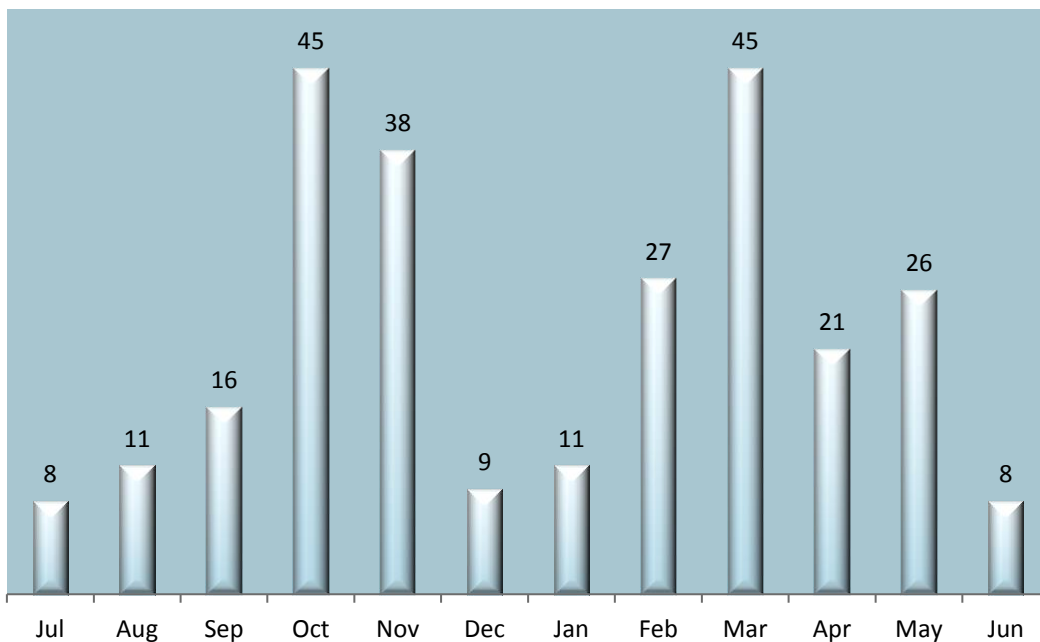


Figure 2 Community Outreach Events for Fiscal Year 2019

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 several Fairfax County entities in an effort 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, guidance, and workshops 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 HOUSING EXPO**

The Commission and Consumer Affairs provide attendees with information regarding tenant and landlord rights and responsibilities, highlighting the services and resources available for tenants and landlords in Fairfax County.

#### **NORTHERN VIRGINIA ASSOCIATION OF REALTORS®**

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

#### **HOUSING OPPORTUNITIES COLLABORATIVE**

In collaboration with other County agencies, Consumer Affairs supports the Housing Opportunities Collaborative in their efforts to provide incentives for landlords in order to promote equal access to housing for all persons in the County.

#### **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

The Tenant-Landlord Commission analyzes trends and issues of concern in response to complaints mediated by Consumer Affairs. 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.

### HANDBOOK FOR TENANTS AND LANDLORDS

The handbook offers information and guidance to assist tenants and landlords in understanding laws, lease provisions, regulations, ordinances, resources, and where to go and whom to contact in Fairfax County for assistance and information.

### TENANT RESOURCE SHEET

The resource sheet provides information for tenants on 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 CONSUMER NEWSLETTER***

The 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.

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

## Tenant-Landlord Programs

Consumer Affairs publishes 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 developed 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 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 Hiring a Contractor, Tenant Rights and Responsibilities, Landlord Rights and Responsibilities, Online Protection, Applying for College Financial Aid, Gift Cards, Federal Resources for Fairfax County Residents Affected by the Shutdown, Gym Memberships, National Consumer Protection Week, Home Improvements in Common Interest Communities, Older Americans and Adult Abuse Prevention Month, and Urban Forestry Tree Maintenance. The featured chats for the tenant-landlord community can be viewed on the Consumer Affairs Facebook page at <https://www.facebook.com/fairfaxcountyconsumer>.



## 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. 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

12000 Government Center Parkway, Suite 433  
Fairfax, VA 22035

703-222-8435 TTY 711

<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.



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