

1 designed for and occupied by no more than one family for living and sleeping
2 purposes, permanently installed on a permanent foundation and meeting the
3 requirements of Articles 14-1 and 14-3 of ROA 1994 (Uniform Administrative
4 Code and Technical Codes and Uniform Housing Code), as of the date of the
5 unit's construction.

6 PROPERTY OWNER. Any person, business entity, or trust who alone,
7 jointly or severally with others, has legal title to any premises, or dwelling
8 units, with or without accompanying actual possession thereof.

9 PROPERTY MANAGER. A person who acts as a landlord, or a property
10 management company that is engaged in managing rental property for others.
11 A property manager is an agent of the owner(s) of the property for the purpose
12 of performing the obligations of the owner(s) under the Uniform Owner-
13 Resident Relations Act and/or under the rental or lease agreement.

14 RENT. Receiving or offering money, services, or other remunerations in
15 exchange for occupation of a residential rental property.

16 RENTAL AGREEMENT. Any written or oral agreement allowing occupancy
17 of all or a portion of a residential building by a resident in exchange for rent or
18 other valuable consideration.

19 RESIDENTIAL RENTAL PROPERTY. A dwelling unit or part of a dwelling
20 unit used as a home, residence, or sleeping unit by a single person or
21 household; or any grounds or other facilities or area promised for the use of a
22 residential tenant and includes, but without limitation, apartment units, mobile
23 home spaces, and single and two-family dwellings. This definition shall not
24 apply to short-term/vacation rentals of 29 days or less, hotels/motels,
25 campgrounds, and bed & breakfasts.

26 RESIDENT or TENANT. One or more people entitled to occupy all or a
27 portion of a residential building to the exclusion of others and who actually
28 reside(s) at such location.

29 RESIDENTIAL BUILDING. A building or portion thereof designed or being
30 used for human habitation.

31 § 13-17-5 DATABASE ENROLLMENT.

32 A. Database Enrollment Required. No person shall operate any
33 residential rental property without enrolling in the Residential Rental

1 Property Database (RRPD) from the City of Albuquerque. Enrollment
2 shall be renewed on an annual basis. In addition to any other
3 necessary information, the City shall require submission of the
4 following for each residential rental property:

5 1. Dwelling Unit Information, to include:

- 6 a. Physical address of the property;
- 7 b. Date the unit was built;
- 8 c. The number of units with details about the number of
9 bedrooms;
- 10 d. Whether the property is owner occupied;
- 11 e. The number of units that are ADA accessible; and
- 12 f. Any other information as determined by the City.

13 2. Lease Information, if the property has a current tenant, to include:

- 14 a. The number of months in the last calendar year that the
15 property was vacant or occupied by a tenant(s);
- 16 b. Initial start date of current tenant's lease(s);
- 17 b. Rental rate(s);
- 18 c. Security deposit amount(s);
- 19 d. A list of any additional fees charged; and
- 20 e. Whether utilities are included in the rent.

21 3. Owner and Management Information, to include:

- 22 a. The name, phone number, email address, and mailing address
23 of the property owner;
- 24 b. The name, phone number, email address, and business
25 address of the property manager/agent/operator(s) for the dwelling unit;

26 B. Upon completion of enrollment the City will issue an enrollment
27 certification number. The enrollment certification number must be included on
28 all marketing materials published by the property owner or manager or their
29 authorized agents by the owner/manager and rental agreements for each
30 respective dwelling unit;

31 C. Any change to the information required by this Section must be
32 updated in the database annually.

1 § 13-17-6 ENFORCEMENT AND PENALTIES. The City shall investigate any
2 complaints or notifications about unenrolled residential rental properties.
3 Upon verification that the unit is unenrolled the City shall issue a letter of
4 compliance to the unit owner. If three letters of compliance are issued to the
5 owner and the owner does not remedy the violation, the owner shall be
6 assessed a fine of \$100 a month until the unit is brought into compliance.]”

7 SECTION 2. INITIAL COMPLIANCE Each owner of a residential rental
8 property is required to come into compliance with respect to this Ordinance
9 within six months of the Effective Date prescribed by SECTION 6, below.

10 SECTION 3. MAKING AN APPROPRIATION. That the following amount is
11 hereby appropriated to the following department and program in the General
12 Fund from available fund balance for Fiscal Year 23, for administration of the
13 Residential Rental Property Database called for in Section 1 of this Resolution:

14 GENERAL FUND –110

15 Family and Community Services

16 Strategic Support 150,000

17 SECTION 4. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
18 clause, word, or phrase of this Ordinance is for any reason held to be invalid
19 or unenforceable by any court of competent jurisdiction, such decision shall
20 not affect the validity of the remaining provisions of this Ordinance. The
21 Council hereby declares that it would have passed this Ordinance and each
22 section, paragraph, sentence, clause, word or phrase thereof irrespective of
23 any provision being declared unconstitutional or otherwise invalid.

24 SECTION 5. COMPILATION. SECTION 1 of this Ordinance shall amend, be
25 incorporated in, and made part of the Revised Ordinances of Albuquerque,
26 New Mexico, 1994.

27 SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect twelve
28 months after publication by title and general summary.