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Occupancy Limits

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Occupancy Limits and Rental Property Licensing/Registration

College towns most often need to enact some form of occupancy limit ordinance for either of two reasons: 1) safety 2) maintaining affordable housing for all community residents. (No [or few] limits on the number of unrelated occupants allowed in a dwelling unit can raise home prices in college towns out of the reach of families and singles/couples, since homes in college towns often sell for ten times the amount of possible yearly rental income.)

The chart below is regularly being added to as information becomes available on other college towns. Information is broken out by state, and color-coded according to the number of unrelated people community ordinances allow to share a dwelling unit (see the color key in the **Occupancy limit for unrelated persons** column.)

City, State University	Occupancy limit for unrelated persons				Different for owner- occupant?	Rental property licensing?
	2	3	4	5>		
Alaska						
Anchorage, AK University of Alaska Anchorage			3			
Alabama						
Auburn, AL Auburn University			2		<i>Does not apply</i>	<i>Unregulated</i>
Troy, AL Troy University			Specifically prohibits anyone but single families from dwelling in houses located in R-1 zones and more narrowly defines a family as being a single family unit related by blood, marriage or adoption. -effective 8/1/06			
Tuscaloosa, AL University of Alabama		2 (6 Apr 2005)				Implemented (6 Apr 2005) A second amendment would change occupancy regulations to allow up to five unrelated people to live
			5 (in a "University" district)			

	Formerly 3 (2003)	Exemptions for Owner- Occupants (3 rented rooms or less)	Rental license required
Arizona			together in a University district. It would also change occupancy rules so that only two unrelated people could live together in residences in historic districts with the exception of historic district properties where three unrelated people live together now.
Tempe, AZ Arizona State University	3	Exemptions for Owner-Occupants	Rental housing code (registration required)
Arkansas			
Little Rock, AR University of Arkansas at Little Rock	4	No exemption	Rental property inspection program
California			
Davis, CA University of California, Davis		<i>Does not apply</i>	<i>Unregulated (program no longer in effect)</i>
San Bernardino, CA State University - San Bernardino		Exemptions for Owner-Occupants	<i>Rental inspection ordinance inactive (not currently funded)</i>
San Francisco, CA San Francisco State University	10	No exemption	Rent control ordinance
San Jose, CA San Jose State University	Sole occupancy limit is California's housing code, which uses a square footage formula rather than the number of rooms	<i>Does not apply</i>	Must register as a business owner Requires a Housing Occupancy Permit for tri-plex and larger structures, has a routine and complaint response inspection and has a rent control program for those built before September 7, 1979.
Santa Barbara, CA University of	No	<i>Does not apply</i>	<i>Unregulated</i>

California - Santa Barbara			<i>Does not apply</i>	<i>Unregulated</i>
Santa Cruz, CA University of California - Santa Cruz				
Colorado				
Boulder, CO University of Colorado at Boulder	3		Exemptions for Owner- Occupants (with conditions)	Rental Housing Inspection & Licensing Program
Fort Collins, CO	3		<i>Does not apply</i>	<i>Unregulated</i>
Colorado State University				
Greeley, CO University of Northern Colorado	2		<i>Does not apply</i>	<i>Unregulated</i>
Delaware				
Newark, DE University of Delaware	3 (in some zones 4)		Owners who live in their single- family type houses ... may take in three (3) roomers or boarders. Non-owner occupied by zoning district 3 - RH, RT, RS 4 - RR 3 - RD 4 - RM In certain instances properties in Newark are deed restricted to limit the number of renters to less than the number permitted in relevant zoning districts.	
Florida				
DeLand, FL Stetson University	2			Court ruling that upholds the city's right to prohibit more than two unrelated people from occupying a single-family house (<u>31 Mar 2005</u>)

Gainesville, FL University of Florida	3	No exemption (with exception)	Landlord Permit Ordinance (registration required)
Tallahassee, FL Florida State University	3	<i>No response</i>	Rooming House Ordinance
Georgia			
Athens, GA University of Georgia	2	<i>Does not apply</i>	Rental registration policy ruled unconstitutional by Clarke County Superior Court (Feb 2004)
Atlanta, GA Emory University	3	<i>Does not apply</i>	<i>Unregulated</i>
Milledgeville, GA Georgia College & State University	3 (15 Nov 2006)		
Statesboro, GA Georgia Southern University	3	<i>Does not apply</i>	<i>Unregulated</i>
Hawaii			
Honolulu, HI University of Hawaii at Manoa	5	<i>Does not apply</i>	<i>Unregulated</i>
Idaho			
Moscow, ID University of Idaho	6	<i>Does not apply</i>	<i>Unregulated</i>
Illinois			
Evanston, IL Northwestern University	3		
Normal, IL Illinois State University	2	No exemption	International Property Maintenance Code (Housing inspection and licensing)
Urbana- Champaign, IL University of Illinois at Urbana- Champaign	4	<i>Does not apply</i>	<i>Unregulated</i>
Indiana			
Bloomington, IN Indiana University-	3	Exemptions for Owner- Occupants	Rental registration

Bloomington			
West Lafayette, IN Purdue University	3	No exemption	Rental housing inspection program
Iowa			
Ames, IA Iowa State University	3	No exemption	Rental housing code (letter of compliance required)
Cedar Falls, IA University of Northern Iowa	4	Exemptions for Owner-Occupants	Minimum Rental Housing Code
Iowa City, IA University of Iowa	3	Exemptions for Owner-Occupants	Rental housing inspection
Kansas			
Lawrence, KS University of Kansas	3	Exemptions for Owner-Occupants	Rental licensing
Kentucky			
Lexington-Fayette, KY University of Kentucky		<i>Does not apply</i>	<i>Unregulated</i>
Louisville, KY University of Louisville	5	<i>Does not apply</i>	<i>Unregulated</i>
Maine			
Orono, ME University of Maine	5	<i>Does not apply</i>	<i>Unregulated (under discussion)</i>
Portland, ME University of Southern Maine	16	<i>Does not apply</i>	<i>Unregulated</i>
Maryland			
Baltimore, MD Johns Hopkins University	2 (in a single-family house)		In Baltimore County, no more than 2 unrelated people may live together in a single-family dwelling. Houses converted into apartments units are included. In that case, only two per apartment are allowed.
	4		In Baltimore City, the codes are more complex, but in basic, no more than 4 unrelated people may live together in a single-family dwelling.

**College Park,
MD**
Univerity of
Maryland

rent-control plan that would likely limit the rent of single-family homes to a maximum of \$1,800 a month or 1 percent of the house's taxable value, whichever number is greater
(29 Mar 2005)

landlord Alan Tyler, along with several student tenants, are suing the College Park City Council in an attempt to block a rent stabilization ordinance. Enacted in 2005, the ordinance sets a ceiling on rent of 1 percent of a single-family home's value, and Tyler has accused the city of overstepping its jurisdiction. (5 Mar 2007)

Salisbury, MD
Salisbury
University

from 4 to 2 - 2002
from 2 to 3 -
2005

What Does 4-3 Mean For Salisbury Residents?
Three years after lowering the number of unrelated people allowed to live in a housing unit from 4 to 2, this college town is bumping the occupancy limit up from 2 to 3
WMDT - 6 Oct 2005

Massachusetts

Amherst, MA
University of
Massachusetts-
Amherst

4

Does not apply *Unregulated*

Boston, MA
Boston
University and
others

?

**Exemptions for
Owner-
Occupants** **Housing Division
Rental Re-inspection
Ordinance (PDF)**

Michigan

Ann Arbor, MI
University of
Michigan - Ann
Arbor

4

**Exemptions for
Owner-
Occupants** **Housing inspection
(PDF) (applies to rental
and owner-occupied
dwellings)**
*(routine
inspections not
required for
owner-occupied
properties)*

**East Lansing,
MI**
Michigan State
University

2

No exemption **Rental housing
license program**

<p>Mt. Pleasant, MI Central Michigan University</p>	<p>2</p>	<p>Exemptions for Owner-Occupants (except owner-occupied duplexes)</p>	<p>Rental housing license program</p>
<p>Minnesota</p>			
<p>Mankato, MN University of Minnesota - Mankato</p>	<p>2</p>		
<p>Winona, MN Winona State University</p>	<p>3 (reduced from 5)</p>		<p>No more than 30 percent rental properties allowed on any city block (Dec 2005)</p>
<p>Mississippi</p>			
<p>Hattiesburg, MS University of Southern Mississippi</p>	<p>City considering 2 fall 2006</p>		<p><u>Cities struggle with rental regulations</u> American - 15 Sep 2006 ...HATTIESBURG, MS - Probably the most controversial ordinance deals with rental housing and would make it illegal for property owners to rent a home in a single-family residential area to two or more renters who are not related by blood, marriage or living as a couple.</p>
<p>The other two ordinances deal with parking cars on lawns and quiet hours within the city...</p>			
<p>Oxford, MS University of Mississippi</p>	<p>5</p>	<p>Does not apply</p>	<p><i>Unregulated</i> considering limits of 3 unrelated tenants will be set on houses in areas zoned RA and a limit of 4 unrelated tenants for houses zoned RB, such as duplexes (1 Sep 2004)</p>
<p>Missouri</p>			
<p>Columbia, MO University of Missouri-Columbia</p>	<p>3</p>	<p>No exemption</p>	<p>Rental Unit Conservation Law (regulates licensing of rental properties)</p>

St. Louis, MO University of Missouri - St. Louis	3	<i>Does not apply</i>	<i>Unregulated</i>
Montana			
Bozeman, MT University of Montana	4		
Nevada			
Las Vegas, NV University of Nevada - Las Vegas	4	<i>Does not apply</i>	<i>Unregulated</i>
New Jersey			
New Brunswick, NJ Rutgers University		Exemptions for Owner-Occupants	Rent Control Ordinance
New York			
Binghamton, NY State University of New York at Binghamton	2		
Brockport, NY State University of New York at Brockport	3 (if property built after <u>1993</u>)		inspection every three years
Buffalo, NY SUNY at Buffalo		Exemptions for Owner-Occupants	Rental licensing program
Geneseo, NY State University College at Geneseo	4		require an inspection every three years for rental properties. system for registering landlords (27 Feb 2005)
New Rochelle, NY College of New Rochelle Monroe College Iona College	3		
Oneonta, NY State University of New York at Oneonta	3		
Syracuse, NY Syracuse University	5 currently proposal by the Southeast University Neighborhood Association to reduce the number of unrelated adults	<i>Does not apply</i>	<i>Unregulated</i>

permitted in a rental unit from five people to three -
A Full House Over Housing
University-area Issues draw crowd to City Hall
Post-Standard - 2 Mar 2007

New Mexico			
Albuquerque, NM University of New Mexico - Main Campus	5	<i>Does not apply</i>	<i>Unregulated</i>
North Carolina			
Chapel Hill, NC University of North Carolina at Chapel Hill	4	No exemption	Rental licensing program
Durham, NC Duke University	3		
Greensboro, NC University of North Carolina at Greensboro	4	<i>No response</i>	<i>No response</i>
Greenville, NC East Carolina University	3		<u>City files suits against landlords for violations</u> Daily Reflector - 2 Mar 2007 ... GREENVILLE, NC - The city of Greenville has filed lawsuits against the owners of seven rental properties as part of stepped-up enforcement of a zoning ordinance limiting occupancy to no more than three unrelated people.
Raleigh, NC North Carolina State University	4	<i>Does not apply</i>	<i>Unregulated</i>
North Dakota			
Grand Forks, ND University of North Dakota	4	<i>Does not apply</i>	<i>Unregulated</i>
Ohio			
Athens, OH Ohio University	3 renters per house in R-1		

Bowling Green, OH Bowling Green State University	3		
Kent, OH Kent State University	2		Limit of 2 unrelated unless dwelling is licensed as a boarding house
Oxford, OH Miami University	4	Exemptions for Owner-Occupants eliminated 2004	Rental licensing program
Toledo, OH Toledo of University Oklahoma	3		
Edmond, OK University of Central Oklahoma	5	<i>Does not apply</i>	<i>Unregulated</i>
Oklahoma City, OK Oklahoma City Community College	5	<i>Does not apply</i>	<i>Unregulated</i>
Oregon			
Corvallis, OR Oregon State University	5	No exemption	Rental Housing Program
Eugene, OR University of Oregon	5	<i>Does not apply</i>	<i>Unregulated</i>
Portland, OR Portland State University	6	<i>Does not apply</i>	<i>Unregulated</i>
Pennsylvania			
Annville, PA Lebanon Valley College	5	5 currently proposed rules would lower the number of unrelated people who can live in a house from five to three, require rental licensing and inspections, and impose penalties for tenants' disruptive conduct (2 Mar 2007)	
Kutztown, PA Kutztown University	2	500 linear feet separation required between student homes	§ 225-25.1. Student home. [Added 5-9-1995 by Ord. No. 5-1995])
Lower Merion,	3		

PA Bryn Mawr College			
Philadelphia, PA Temple University	3	Exemptions for Owner-Occupants <i>(licenses are required only for income-producing rental units)</i>	Rental licensing program
Reading, PA Albright College	3 and off-campus student houses to be no closer than 800 feet from each other		
State College, PA Pennsylvania State University	3	restriction does not apply to properties at which three-unrelated people lived before 1979	
Selinsgrove, PA Susquehanna University	3		
York, PA York University	2		
West Chester, PA West Chester University of Pennsylvania	4		considering change to 2 <u>(17 Sep 2004)</u>
South Carolina			
Columbia, SC University of South Carolina	3		
South Dakota			
Brookings, SD South Dakota State University	3	Exemptions for Owner-Occupants	Rental Housing Inspections & Licensing
Sioux Falls, SD U of SD, Augustana College	3		
Tennessee			
Nashville, TN	3	<i>Does not apply</i>	<i>Unregulated</i>
Texas			
Arlington, TX The University of Texas at Arlington		<i>Does not apply</i>	<i>Unregulated</i>
Austin, TX	6	<i>Does not apply</i>	<i>Unregulated</i>

University of Texas at Austin	(10 under special conditions)		
Bryan, TX College Station, TX Texas A&M University	4 <u>Considering 2</u> (10 Oct 2006)		
	<i>Residential Neighborhood Conservation</i> Those who already have more than two unrelated roommates in a neighborhood conservation district are "grandfathered," and can continue living there until the property is sold or leased.		
Lubbock, TX Texas Tech University	2	<i>Does not apply</i>	<i>Unregulated</i>
San Marcos, TX Texas State University - San Marcos	2 (2 Feb 2005)		
Utah			
Logan, UT	3	<i>Does not apply</i>	<i>Unregulated</i>
Provo City, UT	2-3	Exemptions for Owner-Occupants	Rental Dwelling Business Licensing
Salt Lake City, UT University of Utah	3	No exemption	Rental licensing program (3 or more units only)
Virginia			
Blacksburg, VA Virginia Tech	3	Exemptions for Owner-Occupants	Rental permit program
Charlottesville, VA University of Virginia	4		limit the number of unrelated adults living together from four to three in some near-UVA single-family neighborhoods like JPA, Venable, and Lewis Mountain. (<u>19 Mar 2003</u>)
Fairfax, VA	4	Exemptions for Owner-Occupants	Rental Occupancy Program
Williamsburg, VA William and Mary University	3		

		Exemptions for Owner-Occupants (for 1 or 2 rented rooms)	Rental inspection program
Vermont			
Burlington, VT University of Vermont	4		
Washington			
Bellingham, WA	3	<i>Does not apply</i>	<i>Unregulated</i>
Seattle, WA University of Washington	8	<i>Does not apply</i>	<i>Ordinance repeal 1996</i>
Spokane, WA Washington State University Spokane		<i>Does not apply</i>	<i>Unregulated</i>
Wisconsin			
Eau Claire, WI University of Wisconsin-Eau Claire	3-4 , depending on the zoning district, 5 if the property has a rooming house license	<i>Does not apply</i>	Housing maintenance code applies to all residential properties
Madison, WI University of Wisconsin - Madison	2	family plus 4	<i>Housing code applies to all buildings</i>
Milwaukee, WI University of Wisconsin - Milwaukee	4		

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