

Agenda
Ad Hoc Committee on Rental Registration
March 13, 2019
6:30 PM
Third Floor Conference Room, Lewiston City Hall

The committee is being asked to review and make a motion to send a recommendation to the City Council to adopt the Ad Hoc Committee's on Rental Registration Final Report, including supplemental reports from the Rental Registration, Code and Fire Prevention, and Public Safety/Police subcommittees.

This final report then be presented to the City Council at a workshop.

FINAL REPORT
AD-HOC COMMITTEE ON
RENTAL REGISTRATION
MARCH 2019

MEMBERS OF THE RENTAL REGISTRATION COMMITTEE

David Hediger, Chair, Director of Planning and Code
Jim Lysen, City Councilor Ward 1
Michael Marcotte, City Councilor Ward 7
Tom Maynard, City Building/Plumbing Inspector
Paul Ouellette, City Fire Inspector
Charles Weaver, City Police Officer
Rick Lachapelle, Property Owner
Amy Smith, Property Owner
Chris Aceto, Property Owner
Erin Guay, Vice-Chair, Lewiston Area Public Health Committee
Ronnie Paradis, Chair, Lewiston Area Public Health Committee

Introduction

In May 2018, the Lewiston Area Public Health Committee, in conjunction with staff of the City Planning and Code Enforcement Department, developed a draft rental registration ordinance. This work was undertaken in light of a goal set in the City's comprehensive plan to establish a rental registration program as a mechanism to expand property maintenance and life safety inspection services associated with multifamily dwelling units and to provide information on an annual basis such as emergency contact information for owners and managers.

The registration process proposed would have required information on the total number of dwelling units rented/vacant at time of registration; number of units not immediately available for rental; bedroom counts; rental rates; etc. It proposed an annual fee of \$36 per unit, resulting in \$256,284 in revenue which would be used to create a housing manager inspector position (\$80,000); a new Code Enforcement position (\$74,000); upgrade a part-time administrative assistant position to full-time (\$30,500); and transfer the funding for a current Code Enforcement position from Community Development Block Grant Funds to the General Fund (\$68,274). The net effect would be to increase code enforcement staffing by 2.5 positions.

This proposal was presented to the City Council during a workshop on May 15, 2018. A number of stakeholders appeared at that meeting, including owners of multi-family buildings in Lewiston, to express their opinions on the proposal. While there were some who spoke in favor, a majority of those present expressed opposition.

Given this, the City Council established an Ad-Hoc Advisory Committee on Rental Registration on June 19, 2018 and charged the Committee to investigate whether the City should or should not adopt a rental registration program and to report its findings and recommendations to the City Council. (See Attachment 1 for the full Council Resolve establishing the Committee.) The Committee was composed of eleven members including multi-family property owners, City Councilors, City staff, and representatives of Healthy Androscoggin and the Lewiston Auburn Public Health Committee.

The Committee's initial term ran through December 31, 2018, at which time the Committee submitted an interim report and requested a two month extension to allow it to provide greater detail for its recommendations. This extension was approved by the Council as was a second extension to March 31, 2019.

During these extensions, the Committee worked through three subcommittees focusing on different areas of recommendations. One group worked on a modified rental registration recommendation; a second on issues involving Code Enforcement and Fire Prevention; and the third involving Police, public safety, and disorderly properties. Each of these groups subsequently prepared a report and recommendations covering its substantive areas.

This final report updates and revises the interim report presented in November and includes, as separate attachments, each of the three committee reports.

UPDATED INTERIM REPORT

Recommendation on May 15, 2018 Rental Registration Proposal

At the Committee's September 26th meeting, the following motion was adopted: "To not support the rental registration proposal presented to the City Council in May in the form in which it was presented." The Committee's vote was seven in favor, one abstention (David Hediger). The Committee reached this conclusion based on several concerns including the financial burden that would be placed on landlords, many of whom already face challenges associated with Lewiston's relatively low rents and the age of their properties. Many of the members also indicated that the cost of additional or ramped up code enforcement should not be borne solely by property owners but should be supported through the overall property tax. Other concerns included the already existing burden of governmental regulation, the extent to which this proposal expanded on the initial concept of rental registration where adequate contact information for building owners/managers was the primary goal, and the potential for meeting the City's housing goals through other, less costly mechanisms.

While not supporting the registration system proposed in May 2018, the Committee recognizes and appreciates the need for the City to have on hand accurate contact information in order to easily reach owners and managers of properties in emergency situations or to handle simple issues. As a result, an alternative no-charge registration system is recommended for multi-unit property owners and property managers. That program is presented in the attached report of the Rental Registration Subcommittee.

Goals and Recommendations

While the Rental Registration Committee recommends against adopting the system and fees proposed by Code Enforcement in May 2018, it recognizes that many of the driving forces behind that proposal are valid and that the issues raised by the extent and nature of rental property in Lewiston require that the City, landlords, and tenants work together toward improving the overall rental housing conditions in Lewiston.

Toward this end, the Committee agreed on five major goals:

1. Protect the health and safety of our residents by ensuring the health and safety of our rental properties;
2. Attract and support property owners who are committed to providing healthy and safe housing;
3. Educate and provide resources for the general public so they can assess the health and safety of rental properties and units;
4. Educate and provide resources for owners and renters so they can succeed; hold both accountable for the health and safety of the property;
5. Address inappropriate and illegal activity in and around multi-family properties.

Recommendations on each of these goals are outlined below.

GOAL 1: PROTECT THE HEALTH AND SAFETY OF RESIDENTS BY ENSURING THE HEALTH AND SAFETY OF OUR RENTAL PROPERTIES.

A. Clarify the roles and responsibilities of Fire Prevention and Code Enforcement

The sheer number and age of rental properties in Lewiston and the number of demands placed on Code Enforcement and Fire Prevention require that the two departments have clearly defined functions and priorities. The City faces two competing priorities in its inspection programs. Proactively, there is interest in establishing a routine program that ensures the City is in all rental properties within an acceptable period of time. At the same time, staff must respond quickly to complaints. Further, significant staff time is spent on working toward compliance from a relatively small number of uncooperative owners and dealing with abandoned and hazardous structures. Given these demands, the role, mission, and responsibility of Fire and Code must be clearly defined and understood. The committee recommends the following:

1. The Fire Department, through its engine company inspection program and Fire Prevention Office, should be the primary agency responsible for proactive, scheduled inspections. These inspections should focus on three primary elements designed to protect lives: tenant notification systems (smoke and carbon monoxide detectors), building elements designed to prevent or slow the spread of fire, and the presence of adequate and useable means of egress. In addition, other clear threats to occupant safety and health should be identified.
2. Code Enforcement should be the primary agency responsible for responding to complaints. When responding to complaints, the Code inspector should also review the structure for other potential issues. In addition, it should undertake targeted inspection efforts focused on buildings or areas that present the greatest risk due to such factors as size, density, age, and number of police calls; continue its focus on dangerous structures; and handle the more complex enforcement efforts required when a building owner is not cooperative.

Under this approach, Fire Prevention becomes the City's "first line of defense" against life and safety threats while Code Enforcement handles routine complaints and deals with more protracted and time consuming enforcement efforts.

B. Provide City Staff with Improved Technology

In order for staff to become more efficient, they need to be provided with improved technology. Currently, data cannot be entered in the field but must be manually recorded and later transcribed into the City's automated systems. This increases the time that staff must spend in documenting its inspections and issuing notices of violation. Staff should be provided with the ability to enter this data while in the field.

C. Adopt a Goal to Inspect all Three-Unit and Larger Properties Within a Three-to-Five Year Period

Given certain issues associated with the record keeping systems currently used by the Fire Department, the exact frequency of multi-unit building inspections is unclear. Given this, the Committee provides the following additional recommendations:

1. The Fire Department must improve and automate its record system so that adequate information on inspection frequency and the results of inspections can be accessed. In addition, the software used by Fire and Code must be capable of integration so that each department is aware of the work of the other and to avoid duplication of effort.
2. Communication and coordination must be improved between Fire and Code. If Code has inspected and cleared a property within the desired inspection cycle, fire should defer its inspection to ensure other structures can be addressed, while recognizing that Code and Fire will respond to complaints from recently cleared properties. Consideration should be given to cross training fire and code personnel.
3. The frequency with which Fire inspects a property should be tied to some form of risk analysis. For example, larger and older non-sprinkled buildings should be inspected with a greater frequency than those with fewer units.
4. When Fire identifies a building with significant problems, it should be referred to Code for follow-up to avoid tying up significant engine inspection time on a problem building.
5. Once adequate data is available to determine the actual inspection cycle, and should additional staff be required to meet the inspection goal, the additional staff should be provided in Fire Prevention. Such an additional position, with an initial annual estimated cost of \$65,110, would be tasked with conducting additional inspections, particularly during the winter months when engine companies are unable to do this work due to concerns over fire equipment freeze up.

Additionally, and in order to supplement the inspections performed by the City, the City should investigate the potential for accepting third party building inspection information from such sources as insurance companies and other governmental entities as meeting the periodic inspection requirement. Such information could be voluntarily provided by building owners and entered into the City's automated code enforcement system (i.e. Energov). Before accepting such information in-lieu of city inspections, Code should verify that the inspection standards meet the City's minimum requirements and that such inspections are conducted on an annual basis.

D. Establish a General Assistance Housing Inspection and Tenant Education Program

When the City pays for housing for its General Assistance clients, it has an obligation to ensure that this housing is safe. General Assistance and Code Enforcement should work together to establish a program that ensures such outcomes by requiring that such city supported units be inspected. The City

Administrator has proposed that such a program be started on a test basis. That program should be monitored and its results reported back to the Council to determine whether it can and should become a permanent program given existing resources. In concert with this program, incentives should be provided to tenants who receive city vouchers to attend education sessions covering responsible tenant issues as well as lead safety education.

E. Continue Dangerous Building Enforcement and Demolition Program

Code Enforcement has aggressively implemented a dangerous building program in recent years that has eliminated some of the most dangerous multi-family buildings from the City's inventory. While the number of abandoned and dangerous buildings has declined as the economy improved, this program should be continued as necessary. At the same time, the City should seek out every possible way to save and renovate dangerous and abandoned buildings whenever possible.

F. Implement a Lead Safe On-Line Registry

Lead is and will remain a major health issue in Lewiston. The City is now involved in its third significant lead remediation grant and, as a result, has access to information on units this program has funded to lead free or lead safe standards. Properties built after 1987 would also qualify as lead free, and the City has data on the date of building construction. Given this, the City or one of its partners such as Healthy Androscoggin are in a good position to initiate an on-line registry for lead safe/lead free properties. This registry could be open to other property owners who can provide certification that their property qualifies. The date on which the property was determined to be lead safe or lead free should also be recorded and available. This would provide a source of information to those seeking housing, particularly those with children, and for the City's general assistance clients.

GOAL 2: ATTRACT AND SUPPORT PROPERTY OWNERS WHO ARE COMMITTED TO PROVIDING HEALTHY AND SAFE HOUSING

The initial recommendations in this section of the interim report have been replaced by the recommendations from the Rental Registration Subcommittee that is separately attached.

GOAL 3: EDUCATE AND PROVIDE RESOURCES FOR THE GENERAL PUBLIC SO THEY CAN ASSESS THE HEALTH AND SAFETY OF RENTAL PROPERTIES AND UNITS.

The Committee supports making information about the known condition of multi-family properties available to the public as a resource that can be used when considering where to rent or lease. In addition, more complete information about multi-family properties would be useful to the City for a variety of analytical and

operational purposes. Toward these ends, the Committee recommends the following:

- A. Upgrade the City's current Code Enforcement system (Energov) by, first, enhancing the ability to view all data about a specific property through inquiry by address and, second, implementing the Public Portal element of this software that will provide web based access to Code data by the public.
- B. Assessing should begin to gather additional information about multi-family properties to include the number of units by bedroom size and other useful information.
- C. Adopt a data collection system geared directly toward gathering information useful to the City and the public such as owner and emergency contact information¹.

GOAL 4: EDUCATE AND PROVIDE RESOURCES FOR OWNERS AND RENTERS SO THEY CAN SUCCEED; HOLD BOTH ACCOUNTABLE FOR THE HEALTH AND SAFETY OF THE PROPERTY

Managing rental properties in Lewiston can be a challenge given their age, condition, and the economics of the rental market. Owners/managers are faced with a wide variety of challenges, including complying with the various codes and requirements associated with operating multi-family properties. The City should look for ways to provide both owners and renters with the information they need to succeed and to ensure the health and safety of these properties. Therefore, the Committee Recommends:

- A. Providing building owners with a simplified code/fire prevention checklist to allow them to self-inspect for compliance, perhaps accompanied by or as a part of a code/fire compliance booklet providing information on areas of frequent violation.
- B. On a trial basis to determine level of interest, the City should offer a training class for landlords/property managers covering city code requirements and how to meet them.
- C. Provide an incentive for general assistance clients to attend a tenant training class to cover their responsibilities as tenants and what they can/should do to maintain their units in a safe and healthy condition.
- D. Involve Healthy Androscoggin in outreach efforts to the portion of the population at risk from the presence of lead in housing.
- E. Pursue higher General Assistance rental payments to assure landlords of adequate rental income to assure the health and safety of the property.

GOAL 5: ADDRESS INAPPROPRIATE AND ILLEGAL ACTIVITY IN AND AROUND MULTI-FAMILY PROPERTIES.

Excessive inappropriate and illegal activity in a neighborhood is detrimental to the residents of the area and those who own buildings there. Such behaviors make it

¹ The vote of the Committee on Goal 3 Recommendation 3 was 8-1, member Aceto opposing.

difficult to recruit or retain good tenants, driving down rental rates and occupancy levels. This leads to a potential downward cycle of declining building income, the inability to maintain properties, and higher vacancy rates. It is in the interest of both building owners and tenants that their properties are in a safe and quiet neighborhood. While the Police Department currently has a standard operating procedure under which the owners of certain properties are contacted and asked to work with the police to address resident problems, the current guidelines may not be sufficient to effectively address issues of safety and quiet enjoyment. As a result, the Committee recommends:

- A. Strengthening the current Disorderly Property Standard Operating Procedure. Under the current policy, a unit within a building must hit a certain number of police calls for service for a certain category of calls prior to initiating Police contact with the property owner. As a result, a building with a large number of calls may not receive an intervention because the calls either cannot be tracked to one particular unit in the building or they are spread out between many units. To address this, a second standard should also be applied based on the total number of calls to a property potentially scaled to the number of units in that property. This may require evaluating the need for additional personnel to support this effort.
- B. Consider notifying property owners of all police calls for service to a property
- C. The Police Department should continue and expand when possible certain current programs including the targeted enforcement efforts periodically undertaken in the downtown including targeting drug enforcement efforts and the community resource team.
- D. On a longer term basis, the City should investigate the potential of integrating police calls for service into the City's on-line GIS system.
- E. Consider adopting a city ordinance that would penalize tenants who vandalize property.

GOAL 6: AGGRESSIVELY SEEK AND PURSUE FEDERAL, STATE, AND PRIVATE FUNDS TO ASSIST WITH MULTI-FAMILY HOUSING IN LEWISTON.

The Committee recognizes that significant investment is required to improve the safety and quality of portions of our multi-family housing stock and that our relatively low rents make it difficult for certain owners to undertake significant investments in their properties. Addressing lead concerns alone has been estimated to cost \$63,000,000 city wide. As a result, the City must continue to aggressively pursue alternative sources of funding to support needed reinvestments in our housing stock.

Supplemental Committee Reports

Supplemental reports from the Rental Registration, Code and Fire Prevention, and Public Safety/Police subcommittees are attached.

Other Information

Throughout the Committee's tenure, additional information has been provided that we believe can be useful to the City Council and the public as the City works to address housing health and safety issues and to work toward implementing the recommendations included in this report. That information is appended.

Attachments:

Supplemental Committee Reports

Council Resolve Establishing Committee

May 2018 Rental Registration Proposal

August 14, 2018 Memo from City Administrator, Background Information Requests

August 24, 2018 Memo from City Administrator, Disorderly Property Process

Registration Program for Multi-Family Properties Lewiston, Maine (4th Draft, 3/4/2019)

The purpose of the Registration Program for Multi-Family Properties is to collect and share information so the City and its residents, including both owners and renters, have accurate, complete, and transparent data about Lewiston's Multi-Family housing stock. Information priorities include:

- Accurate inventory of housing unit quantity and configuration.
- Accurate and complete ownership, management, and contact information for every unit.
- Accurate assessment of the health and safety of every unit.

Definitions:

- Legal Owner: The individual or legal entity, such as an LLC or LP, who holds the deed to the property.
- Business Operator: The specific individual with a legal ownership stake who makes major financial, maintenance, and policy decisions. A Business Operator may own multiple properties, and may have ownership stakes in multiple legal entities.
- Property Manager: An individual or business entity that maintains and repairs the physical property, and often manages tenant relationships and routine finances. In some cases the Property Manager is the Business Operator; in other cases the Property Manager is a Property Management Company.
- Property Management Company: An individual or business entity that has no ownership stake in a property, but serves as Property Manager on behalf of and at the direction of one or many Business Operators.
- Emergency Contact: The individual or business entity that responds 24/7 to emergency calls from tenants and public safety personnel.
- Multi-Family Property: A structure that contains 3 or more residential housing units.

Registration Requirements:

1. Registration is mandatory for all Multi-Family Properties in Lewiston.
2. Registration requires Business Operators and Property Management Companies to provide detailed information to the City annually.
3. Business Operators will receive a hardcopy Certificate of Registration for each registered Multi-Family property, which includes the Emergency Contact information. A copy of this certificate shall be permanently and prominently posted at each property.
4. The City shall determine the exact set of data to be collected from Business Operators (see examples on Page 4); the City may collect this type of information:
 - a. Ownership, management, and contact information for each property.
 - b. Configuration and condition information for each property.
5. The City shall determine the exact set of data to be collected from Property Management Companies; the City may collect this type of information:
 - a. Ownership, management, and contact information of the Property Management Company.
 - b. A list of all Lewiston Multi-Family Properties currently under management. For each property, the name and business address of the Legal Owner and the Business Operator.

6. Registration Fees:
 - a. No registration fees shall be collected from Business Operators or Property Management Companies.
7. Registration Incentives:
 - a. Incentives apply to Business Operators who either:
 - i. Register in the first 60 days of the standard registration period and have no outstanding Notices of Violation; OR
 - ii. Purchase a Multi-Family Property after the annual registration period and register the property within 60 days of the purchase date.
 - b. Eligible Business Operators receive this incentive:
 - i. The City is already planning a rollout of Smart Water Meters, which will allow Business Operators to understand, correct, and ultimately save money on water use issues. The City will prioritize properties for meter installation according to registration date; for example, properties belonging to the first Business Operator who registers will be first on the installation list.
8. Penalties for Late or Non-Registration:
 - a. Business Operators and Property Management Companies who do not register within the 60-day period are publicly listed as “Unregistered” and incur a fine to be determined by the City for the period of time that they remain unregistered.
9. Registration benefits:
 - a. The Public has access to accurate and transparent information about the Multi-Family housing stock, which will:
 - i. Help renters, owners, housing agencies, and investors make better decisions when selecting housing.
 - ii. Reduce the volume of data requests to the City, which saves staff time and resources currently spent managing and responding to those requests.
 - b. The City can use registration status as an indicator of high risk properties, and may choose to prioritize inspections accordingly, for example:
 - i. Unregistered with active violations
 - ii. Unregistered with no active violations
 - iii. Registered with active violations
 - iv. Registered with no active violations
 - c. Registered Business Operators:
 - i. Are shown as Registered in the public database.
 - ii. Are eligible to apply for City incentives and assistance, such as rehabilitation loans and lead abatement funds.
 - iii. May be eligible for other funding offered by other sources, such as Efficiency Maine.
 - iv. May be subject to fewer inspections if they routinely pass inspections and have no history of violations. This frees up valuable inspection resources to focus on high risk properties.
 - d. Unregistered Business Operators and Property Management Companies:
 - i. Are shown as Unregistered in the public database.
 - ii. Are not eligible to apply for City incentives or assistance.
 - iii. Are prioritized for inspections.

Scope and Timeline:

- The Scope of the Registration Program is:
 - All Multi-Family properties in Lewiston (approximately 1,000)
- The Timeline of the Registration Program is:
 - All Business Operators and Property Management Companies can register starting January 1, 2020.
 - On-time Registration ends on February 29, 2020.
 - Unregistered Business Operators and Property Management Companies begin to incur fines as of March 1, 2020.

Document History

Previous Versions	<p>1st Draft: Program Outline Reviewed by committee, feedback collected at 1/23/2019 meeting.</p> <p>2nd Draft: Program Proposal Contains program only, recommendations moved to a separate document. Added Data Details. Reviewed by committee, feedback collected at 2/13/2019 meeting</p> <p>3rd Draft: Program Proposal Updated to include feedback from 2/13/ 2019 meeting. Registration fees removed, data details updated to show optional vs. required.</p>
This Version	<p>4th Draft: Program Proposal Updated to include feedback from 2/27/2019 meeting. Document was unanimously approved pending the minor edits that appear in this version (shown in yellow highlight)</p>
Submitted on	3/4/2019
Submitted to	Lewiston’s Ad Hoc Advisory Committee on Rental Registration
Submitted by	Program Design Subcommittee: Erin Guay, Jim Lysen, Ronnie Paradis, Amy Smith
Submitted for	Publication in the Final Report of the Committee.
Future drafts	None planned.
Final document	Will be a component of the Final Report of the Committee, to be approved in the final 3/13 Committee meeting. Committee will submit the Final Report to the City Council by (date TBD) and will present the report at a City Council Meeting (date TBD).

Appendix: Registration Data Examples for Business Operators

At time of Registration, the Business Operator signs a statement attesting to data accuracy. Some data is “Required,” some data is “Optional,” to be determined by the City. Data that the City explicitly collects and stores as “Confidential” will NOT be published in the Public database. Note that “Confidential” data may be accessible via a FOAA request.

CONTACT INFO	Required	Optional	Confidential	Corporate Sample	Individual Sample
Legal Owner					
Name				JLW Property Stewards, LLC	Gregory Jones
Charter #				20185219DC	
Clerk/Agent Name				Nathaniel Huckel-Bauer	
Clerk/Agent Mailing Address				Drummond & Drummond One Monument Way Portland, ME 04101	100 Horton Street Lewiston, ME 04240
Clerk/Agent Email Address				nhuckel-bauer@ddlwa.com	gregoryjones@gmail.com
Clerk/Agent Phone				207-774-0317	207-415-3333
Business Operator					
Name				Amy Smith	Gregory Jones
Business Mailing Address				PO Box 383, Lewiston, ME	100 Horton Street
Business Email Address				amy@jlstewards.com	
Business Phone				207-415-4245	
Personal Mailing Address				11 Kellogg St, Portland, ME	
Personal Email Address				amysmith@gmail.com	gregoryjones@gmail.com
Personal Phone				207-444-5555	207-415-3333
Property Manager					
Business Name				Focus Property Management	
Business Owner Name				Jack Abbott	Gregory Jones
Business Mailing Address				123 Main St, Lewiston	100 Horton Street
Business Email Address				focusproperties@gmail.com	
Business Phone				207-666-5555	
Properties Under Mgmt				List of Addresses	100 Horton Street
Emergency Contact					
Name				Jack Abbott	Gregory Jones
Email Address				focusproperties@gmail.com	
Phone				207-666-5555	207-415-3333

PROPERTY + UNIT INFO Required Optional Confidential Sample

PROPERTY + UNIT INFO				
Property	Required	Optional	Confidential	Sample
Address				51-53 Howard Street
Number of Units				4
Heating Fuel				Natural Gas
Hot Water Fuel				Natural Gas
Age of Heating System				2016
Electrical				Circuit Breakers
Siding				Vinyl
Windows				Vinyl
Roof				Flat Membrane
Lead History				Abated 2016
Parking				Driveway - 4 spaces
History of Accepting Vouchers				Yes - Section 8, GA

Unit 1				
Unit 1	Required	Optional	Confidential	Sample
Unit Address				51 Howard Street, Apartment 1
Level/Floor				1
# Bedrooms				2
# Bathrooms				1
Square Footage (Approx)				1250
Heat Delivery				Radiators
Cooking Fuel				Electricity
Refrigerator				Yes
Range				Yes
Microwave				No
Dishwasher				Yes
Laundry				Yes - Shared
ADA Accessible				No
Occupancy				Occupied
Rent Amount				\$800
Rent Includes Utilities				Yes - Heat, Hot Water
Lease				Yes - Expires 3/31/2019

Supporting Recommendations for “Registration Program for Multi-Family Properties”

Lewiston, Maine (3rd Draft, 3/4/2019)

Information Sharing

- **All** registration information shall be available to City officials and departments who are responsible for upholding housing standards to ensure timely contact and communication with Business Operators, Property Management Companies, and Emergency Contacts.
- **Most** registration information shall be publicly available via a 24/7 online database, including business phone numbers and business email addresses, **as soon as practicable**.
- The City and community stakeholders shall provide resources for Business Operators so they can proactively:
 - Prepare for all Code and Fire inspections (i.e., published inspection checklist)
 - Identify and address lead risks.
 - Offer leases that are fair and balanced, adhere to Maine state law, and clearly communicate both renter and owner expectations; provide information on corresponding educational opportunities.
 - Understand and access programs and funding that can result in improved health and safety of properties.
- The City and community stakeholders shall provide resources for Renters so they can:
 - Identify lead risks, report them without penalty, and protect their family while living with known lead risks.
 - Understand and access programs and funding that can result in improved health and safety of their homes.

Implementation Details and Recommendations

- **City designates one employee** to be the “Multi-Family Property Business Partner” – a single individual who can help Business Operators navigate programs, resources, education, etc. related to owning and operating rental properties.
- Non-Profit Healthy Homeworks **may** provide the data publishing platform and property data maintenance at no cost to the City **for 2 or more years**.
- City Council creates a Standing Committee on Housing; the committee is designed to be inclusive and balanced, and to represent the interests of all stakeholders. An example composition:
 - Lewiston’s Multi-Family Property Business Partner
 - Representatives from the LA Public Health Committee
 - **Representatives from local health-related Non-Profits**
 - Tenants
 - Business Operators
 - Property Management Companies
 - Other community stakeholders to be determined.
- City improves data collection quality and efficiency by funding and rolling out a tablet-based data input program for field employees. **[cross-training sentence deleted]**
- Identify metrics so we can measure the effectiveness and impact of these efforts and report them annually to all stakeholders, for example:
 - # of inspections resulting in violations

- # of inspections resulting in no violations
- # of violations
- average time until violations corrected
- # of re-inspections
- Number of registrants
- **[number of incentives deleted]**
- Number of penalties/ amount of penalties served.
- Financial metrics:
 - Time saved by new processes
 - Time saved by sharing data publicly
 - Time saved not tracking down owners/contact information
 - **[special ed costs deleted]**

Document History

Previous Versions	<p>1st Draft: Program Outline Reviewed by committee, feedback collected at 1/23/2019 meeting. The Outline was subsequently split into 2 documents, one on the Program itself, and this document limited to only supporting recommendations.</p> <p>1st Draft: Supporting Recommendations for MUR Property Registration Program. Objections re: over-reach at 2/13/2019 meeting.</p> <p>2nd Draft: Supporting Recommendations for MUR Property Registration Program. Updated to remove information related to other sub-committee recommendations, prepared for committee review and voting on 2/27/2019.</p>
This Version	<p>3rd Draft: Supporting Recommendations for Multi-Family Property Registration Program. Updated to include feedback from 2/27/2019 meeting. Document was unanimously approved pending the minor edits that appear in this version (shown in yellow highlight).</p>
Submitted on	3/4/2019
Submitted to	Lewiston's Ad Hoc Advisory Committee on Rental Registration
Submitted by	Program Design Subcommittee: Erin Guay, Jim Lysen, Ronnie Paradis, Amy Smith
Submitted for	Publication in the Final Report of the Committee
Future drafts	None planned.
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Lewiston Fire/Planning and Code Enforcement Subcommittee Recommendations on Implementation of Committee Goals

3/8/2019

Upon review of the Ad-hoc Advisory Committee on Rental Registration's goals and recommendations, Lewiston's Fire and Planning and Code Enforcement Departments (LFD/CEO) provide the following comment and recommendations:

1. Committee goal/recommendation: The Committee desires for the Fire Department, through its engine company inspection program and Fire Prevention Office to be the primary agency responsible for proactive, scheduled inspections, focusing on three primary elements designed to protect lives: tenant notification systems (smoke and carbon monoxide detectors), building elements designed to prevent or slow the spread of fire, and the presence of adequate and useable means of egress.
 - LFD/CEO recommendation: Engine companies and Fire Prevention staff currently utilize an Inspection checklist focusing on the three referenced primary elements designed to protect lives. A more proactive approach with scheduled inspections may occur with a Fire Inspector, a position dedicated to inspection of both residential and commercial (commercial units are not currently inspected). This position is not the same as the two current inspector/investigator positions which currently respond fire investigations and non-compliance issues raised by engine companies or Code Enforcement. This would be new position budgeted through the Fire Department. This position should be considered as there is too much reliance and expectation is being placed upon engine companies for inspections. Inspections currently are limited two days per week, seven-to-eight months per year, when not responding to a call for service.
2. Committee goal/recommendation: The committee recommends Code Enforcement be the primary agency responsible for responding to complaints, review the entire structure for other potential issues when responding to complaints, and undertake targeted inspection efforts focused on buildings or areas that present the greatest risk.
 - LFD/CEO recommendation: Code already assumes the role of being responsible for responding to complaints. Inspections include the unit requesting service as well as any common areas within the unit. Current staffing levels may be able to accommodate this task. However, should engine companies or fire inspections occur more regularly, it is anticipated that Code Enforcement will be contacted more frequently for assistance. Furthermore, responding to complaints received on a daily/weekly basis may slow efforts in targeted areas. Staff believes there is value and supports focusing on properties due structures size, density, age, and number of police calls. Improvements will be needed in compiling existing city data into GIS to determine areas of attention. Long term, depending upon what the City Council implements for a program will determine the need for additional staffing.

3. Committee goal/recommendation: Adopt a goal to inspect all three-unit and larger properties within a three-to-five year periods along with making improvements to Fire and Code Enforcements software so adequate information on inspection frequency and the results of inspections can be accessed.
 - LFD/CEO recommendation: A Fire Inspector, a position dedicated to inspection of both residential and commercial (commercial units are not currently inspected) may be needed. It is believed this position would be able to complete annual inspections of three-unit and larger properties within a four-to five year period. Otherwise, there is concern regularly scheduled inspections associated with a registration program will fall behind. Fire is in the process of adopting new software (Emergency Response). Engine companies and investigators will have tablets to use in the field. This information will somehow need to be integrated into either Code's existing software (Energov) or possibly an integrated GIS system. There may be a need for additional staffing to manage the data (for Fire and Code). This position may also assist in managing regularly scheduled inspections. The integration of data must be further explored to determine the best and most effective means of sharing information. However, full implementation of the Fire's existing software into Energov or an integrate GIS system is expected to take 18-24 months, with funding requested for FY2020.
4. Committee goal/recommendation: Communication and coordination must be improved between Fire and Code.
 - LFD/CEO recommendation: The departments currently communicate very well with each other. However, the department may considering crossing training between staff to assist each department on what key items to look for and when to defer to another department or staff. Integrated software would assist Fire and Code Enforcement in determining whether an inspection should be deferred.
5. Committee goal/recommendation: The frequency with which Fire inspects a property should be tied to some form of risk analysis.
 - LFD/CEO recommendation: Staff agrees that a risk analysis to eliminate threats to occupant safety and health in specific areas of the community would be beneficial. Existing city data will need to be compiled into GIS to determine areas of attention. Additional staff should not be needed, but coordination with MIS and GIS staffing will required.
6. Committee goal/recommendation: When Fire identifies a building with significant problems, it should be referred to Code for follow-up to avoid tying up significant engine inspection time on a problem building.
 - LFD/CEO recommendation: Engine companies defer noncompliance items to the fire inspector/investigator after a second failed inspection. However, with anticipated additional inspections, existing staffing will not be able to keep up with additional case load. Another Fire Inspector is recommended. Refer to Recommendation #1.
7. Committee goal/recommendation: Once adequate data is available to determine the actual inspection cycle, and should additional staff be required to meet the inspection goal, the additional staff should be provided in Fire Prevention. Such an additional position, with

an initial annual estimated cost of \$65,110, would be tasked with conducting additional inspections, particularly during the winter months when engine companies are unable to do this work due to concerns over fire equipment freeze up

- LFD/CEO recommendation: staff supports additional staffing if there is a desire to meeting registration inspection goals.
8. Committee goal/recommendation: Providing building owners with a simplified code/fire prevention checklist to allow them to self-inspect for compliance, perhaps accompanied by or as a part of a code/fire compliance booklet providing information on areas of frequent violation.
 - LFD/CEO recommendation: Staff supports this recommendation. Fire already has a checklist of sorts. Code should develop something similar. No additional staff anticipated. To better inform the residents and property owners of what city staff are requiring for code compliance. Minimal costs associated with creating and printing new documentation expected.
 9. Committee goal/recommendation: On a trial basis to determine level of interest, the City should offer a training class for landlords/property managers covering city code requirements and how to meet them.
 - LFD/CEO recommendation: Assistance will be needed in getting-the –word out about classes. Staff from Fire and Code would present information. There may be able to partner with contractors, housing advocacy groups, etc. Training may occur once every six-to-twelve months. Should include commercial properties and not be limited to residential properties. No additional staff needed; however, additional overtime funding may be necessary.

Public Safety/Police Sub-Committee Recommendations on Implementation of Committee Goals Regarding: *Address Inappropriate and Illegal Activity in and Around Multi-Family Properties*

3/8/2019

1. In regards to strengthening the current Disorderly Property Standard Operation Procedure (SOP), the sub-committee recommends adjusting the current call for service (CFS) threshold. Currently, the SOP's threshold is five (5) calls for service to any residential unit, disorderly in nature, constitutes grounds to be considered a disorderly property. The recommendation is to adjust this number, on a trial basis, to five (5) calls for service during a month to any residential property, regardless of the number of units in the building. While some consideration was given to adjusting this number up or down based on the number of units in a building, setting the limit at five calls is intended to simplify the process of identifying problem properties and recognizing that the number of calls can be an indicator of problems/issues that the landlord should be made aware of. At the same time, we recognize that the Police Department can then exercise some discretion on the extent of landlord response that will be expected. Five calls for service for a three unit structure might require a greater landlord response than five calls for service from a ten unit structure where the calls come from five different units. In addition, on a quarterly or semi-annual basis, the Police Department should identify those buildings that have had an excessive number of calls for service during the period and provide that information to Code Enforcement where it can be correlated with Code's information as a step toward identifying buildings that are problematic and which should be inspected to determine if behavioral problems have impacted life safety and building maintenance code issues.
2. Regarding notifying every property owner in the city of every CFS to their property the sub-committee recommends no action on this due to the following:
 - There already exists a program that is accessible to the public, to include property owners that show all CFS city wide. The program is run by Lexis Nexis and is called *Raids Community Crime Map*. This map is updated daily and property owners can use any number of filters to monitor properties and receive alerts for any/all Police responses to their properties. The use of the program is very simple and with more publicity/education could be taken advantage of by landlords and save the City any additional costs of implementing new resources.
3. The sub-committee recommends continued enforcement and targeted details to address issues in the downtown area.

4. Much the same as #2, the sub-committee recommends no further action in regards to implementing Police CFS in the city's on-line GIS System. This is already happening in the Raids Community Crime Map.
5. Regarding adopting a city ordinance to penalize tenants who vandalize property; the sub-committee recommends that the City and more particularly, the Police Department, continue to explore current ordinances/laws/possibilities to develop an ordinance/law that would hold tenants accountable for vandalism to rental units, much the same as property owners are held accountable for their infractions.



COUNCIL RESOLVE

Resolve, Establishing an Ad-Hoc Advisory Committee on Rental Registration

Whereas, the City has discussed the possible implementation of a rental registration program for some time and such a program is recommended in the City's comprehensive plan; and

Whereas, recently, a subcommittee of the Lewiston Area Public Health Committee has worked with staff to develop a program that was subsequently presented to the City Council at a workshop; and

Whereas, at that workshop, a variety of individuals spoke for and against all or various elements of the program; and

Whereas, it has become clear that additional thought and evaluation was required prior to the City Council reaching a decision as to whether or not such a program should be adopted and, if adopted, what that program should consist of; and

Whereas, the Council is now interested in establishing a group made up of various interested parties to undertake such an effort;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that

There is hereby established an Ad-Hoc Advisory Committee on Downtown neighborhood Action.

1. Purpose.

The purpose of this committee shall be to investigate whether the City should or should not adopt a rental registration program and to report its findings and recommendations to the City council. The Committee is hereby charged with defining and agreeing on program goals, establishing resource and staffing requirements to meet these goals, recommending whether such a program should be pursued and the nature of that program, and determining how such program should be funded and implemented.

2. Duties. The committee shall

- a. Discuss and define the goals of such a program;
- b. Outline the resources and staffing levels required to meet these goals

- c. Recommend whether such a program should be adopted by the City Council and, if so, to specify the nature of that program
 - d. If recommended, to determine how such a program should be funded and implemented
3. Composition and Appointment. The Committee shall be composed of seven regular members to be appointed by the Mayor as follows:
 - a. Three individuals who own multi-family properties in Lewiston;
 - b. The Director of Planning and Code Enforcement;
 - c. An employee from the City's Code Enforcement Division;
 - d. An inspector from the City's Fire Prevention Office;
 - e. A representative of the Police Department familiar with issues related to multi-family housing;
 - f. A representative of Healthy Androscoggin;
 - g. A representative of the Lewiston Auburn Public Health Committee

In addition, up to two members of the City Council may be appointed by the Mayor as ex-officio members.

The Mayor shall designate one member of the Committee to serve as Committee Chair.

4. Vacancies. Should a vacancy occur on the Committee, the vacancy shall be filled by the Mayor in accordance with the requirements of section 3 above.
5. Term. The Committee shall submit its final report and recommendations no later than December 28, 2018, at which time it will cease to exist unless its tenure is extended by action of the City Council.
6. Staff Support. The City Administrator and/or his designee shall be responsible for supporting the work of the committee and handling the Committee's logistics.
7. Quorum. A majority of the members of the committee shall constitute a quorum.

MEMORANDUM

TO: Mayor Shane Bouchard
Members of the City Council
FR: Gildace J. Arsenault, Director of Planning and Code Enforcement
RE: Rental Registration
DT: May 7, 2018

Attached please find a copy of a proposed draft rental registration ordinance along with an excerpt from Legacy Lewiston that contains a goal for the implementation of a rental registration program for multifamily structures.

As you may be aware, the Lewiston Area Public Health Committee (LAPHC) established a subcommittee to pursue a rental registration ordinance and, to this end, Code Enforcement Officer Nick Richard and I worked with that subcommittee. A draft rental registration ordinance was developed by Nick and, on April 10, 2018, David Hediger, Nick, and I met with LAPHC to discuss rental registration. This draft ordinance will need more work as we further refine our approach to rental registration and, at some point if it is the wish of the City Council to formally consider adopting a program, it will need legal review by the City Attorney. In addition, a protocol will need to be developed for the administration of rental registration.

The first question you may ask is, what is rental registration as identified as a goal in Legacy Lewiston? The comp plan does not define rental registration; however, given my history in working on the comp plan, it is my understanding that rental registration was recommended as a mechanism to expand property maintenance and life safety inspection services associated with multifamily dwelling units and to generate revenue to help pay for it. It may also have value in providing information on an annual basis such as emergency contact information for owners and managers of registered rental housing. Registration requirements could also require data on the total numbers of dwelling units rented at the time of registration, number of vacancies at the time of registration, units not available for occupancy at the time of registration but which will be available in the near future, bedroom counts, rental rates, etc. This information could be very

helpful for the City in that we do not have good data regarding rental and vacancy rates at this time.

If the Council chooses to enact a rental registration ordinance, then it may consider registration being required for multifamily structures containing three or more dwelling units and for any rental dwelling units contained in mixed use structures. This would result in approximately 7,119 dwelling units in 1,102 individual buildings. We are not recommending registration for one and two-family dwellings.

Legacy Lewiston suggests a registration fee of \$10 to \$25; however, given the anticipated labor intensive nature of annual registration along with the cost to provide additional staff, fees in that range would be insufficient to take housing inspection services to the desired level where all registered units would be inspected every three to four years. If the Council chooses to initiate a rental registration program, it may wish to consider an annual registration fee of \$36.00 per dwelling unit per year with increased fees charged for late registrations. A \$36 per unit registration fee should result in a revenue stream of approximately \$256,284.

Currently, we have four (4) code enforcement officers (CEO's). One is a sanitarian/CEO engaged in food service and other licensing functions along with being the lead CEO addressing solid waste (primarily curb side solid waste). The other three (3) CEO's wear many hats; however, the majority of their time is spent on enforcing the provisions of the International Property Maintenance Code (IPMC), much of which involves addressing downtown housing.

I have not prepared a detailed budget at this time; however, if annual revenues are projected at \$256,284, the following is what the Council may wish to consider:

Eliminate the use of Community Development Block Grant (CDBG) funding for the cost of the one code enforcement officer position now funded by CDBG at a total cost of \$68,274 allowing those CDBG funds to be used for housing rehabilitation, lead abatement, etc. This CDBG funded position would then be funded via rental registration fees.

Create a CEO/housing manager/inspector position at a total cost of approximately \$80,000. The creation of this position should free up some of time of the Director of Planning and Code Enforcement, which will permit the director to expend more time on planning initiatives, an area that is significantly understaffed.

Create a CEO position at a total cost of approximately \$74,000.

The Department of Planning and Code Enforcement currently has a full time administrative assistant and a half-time administrative assistant. Funding could be used to employ two full time administrative assistants at an added cost of approximately \$30,500. Two full time administrative assistants could provide invaluable assistance to the CEO's resulting in greater inspection activity.

The above expenditures for added staff services would result in a balance of approximately \$3,510 that could be used for supplies, etc.

The proposed roll-out of this initiative could move forward as follows:

Initial City Council workshop on rental registration on May 15th.

If the Council wishes to pursue rental registration, staff will make any final changes that may be warranted to the draft ordinance and will request a legal review by the City Attorney.

Once the legal review has been undertaken and any legal recommendations are incorporated, staff will begin developing policies and procedures that will be essential in administering rental registration. I recommend that the Council should then conduct a second workshop, likely in September, prior to scheduling a first reading on rental registration that could occur on or about October 2nd.

Thank you.

Article XVII. Rental Registration

Sec. 22-460. Purpose.

Sec. 22-461. Applicability.

Sec. 22-462. Definitions.

Sec. 22-463. Registration required.

Sec. 22-464. Application requirements for mixed-use structure or multifamily dwelling.

Sec. 22-465. Fees.

Sec. 22-466. Administration.

Sec. 22-467. Conflict with other ordinances.

Sec. 22-468. Severability.

Sec. 22-469. Inspection of rental units.

Sec. 22-470. Penalty for violation of article.

Secs. 22-471--22-479. Reserved.

Article XVII. Rental Registration

Sec. 22-460. Purpose and intent.

The purpose of this chapter is to protect the health, safety, and general welfare of the people of the City of Lewiston, hereafter referred to as the "City", by recognizing that the provision of rental housing is a business, classifying and regulating such as a rental housing business, establishing a permanent mode of protecting and regulating the living conditions and life safety of residents of the City who rent dwellings, require the disclosure of the ownership of such property, to make owners and persons responsible for the maintenance of property more accessible and accountable with respect to the premises, and to provide a means for imposing registration fees separate from property taxes to help the City defray the cost necessary for housing inspections, enforcement of these regulations, and to ensure that the information relating to rental properties is available online. Further, the purpose of this chapter is to:

Correct and prevent conditions that adversely affect the life, safety, welfare and health of occupants of rental housing.

Preserve the value of land and buildings throughout the City.

Ensure that safe housing is provided to citizens of all income levels.

Work towards increasing property and building values to reinforce positive neighborhood identities.

Eliminate substandard and deteriorating rental housing.

Enforce standards for the maintenance of existing residential buildings to prevent blighting conditions.

It is not the intent of the City to intrude upon the contractual relationship between tenant and landlord. The City does not intend to intervene as an advocate of either party, or to act as an arbiter, or to be

receptive to the complaints from a tenant or landlord not specifically and clearly relevant to the provisions of this article. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal rights as are available to them without the intervention of the City.

Sec. 22-461. Applicability.

This article shall apply to any mixed-use structure or multifamily dwelling located within the City of Lewiston.

Sec. 22-462. Definitions.

For purposes of this article, the following definitions shall apply unless the content clearly implies otherwise:

Department means the Planning and Code Enforcement Department.

Dwelling unit means a room or group of rooms, containing at least three hundred (300) square feet of living area, designed and equipped exclusively for use as living quarters for one (1) family, including provisions for living, sleeping, cooking, and eating. The term shall not include hotel or motel rooms or suites, rooming house rooms, or similar accommodations.

Mixed-use structure means a building containing one (1) or more dwelling units and nonresidential space. Said nonresidential space must be permitted in the underlying zoning district.

Multifamily dwelling means a building containing three (3) or more dwelling units, such buildings being designed for residential use and occupancy by three (3) or more families living independently of one another, with the number of families not exceeding the number of dwelling units and which is not a single-family attached dwelling.

Sec. 22-463. Registration required.

In accordance with this chapter, it shall be unlawful to permit occupancy of any mixed-use structure or multifamily dwelling within the City of Lewiston, in whole or in part without the building first being registered. The registration shall be valid for one (1) year beginning July 1 and ending the following June 30.

Sec. 22-464. Application requirements for mixed-use structure or multifamily dwelling.

This section governs the application requirements for a mixed-use structure or a multifamily dwelling. All applications for registrations under this article shall be filed with, and in a form satisfactory, to the Department. Such application shall include, but is not limited to the following:

- (1) Applications must be submitted for each mixed-use structure containing at least one (1) residence and for each multifamily dwelling.
- (2) Applications must be submitted by July 1 of every year. If applications are submitted after July 1 the fee shall be increased as outlined in the schedule of fees established by the Lewiston City Council. There shall be a grace period in the year 2018 of three (3) months to submit applications by no later than October 1, 2018 without penalty; thereafter, the fee shall be increased as outlined in the schedule of fees established by the Lewiston City Council.
- (3) Name, address, date of birth and contact information, including a phone number of the owner and/or principals and all other entities and/or persons having a legal interest in the property and the individual(s) hired by the owner to manage these operations, if any.
- (4) Back-up emergency contact information in cases where owner or manager cannot be reached.

- (5) The location of the premises for which registration is sought identified by city tax map number and street address and a copy of the property deed.
- (6) The following information regarding the structure to be registered:
 - (a) Number of dwelling units by floor and bedroom count.
 - (b) Number of units occupied at time of application submittal.
 - (c) Number of vacant units that are available for occupancy, which satisfy codes.
 - (d) Number of vacant units that will be available for occupancy during the coming year.
- (7) A nonrefundable application fee.
- (8) If property is transferred to a new owner, the new owner shall, within thirty (30) days, apply for a registration, for which the fee shall be waived.

Sec. 22-465. Fees.

(a) Payment of fees. Registration shall not be issued until the fees prescribed by the Lewiston City Council have been paid.

(b) Schedule of fees. A fee for each registration shall be paid as required in accordance with the schedule as established by the Lewiston City Council.

Sec. 22-466. Administration.

Rental registration applications shall be filed and reviewed by the Department to determine if the application is complete and if the property has no outstanding debts or liens levied against it, then the registration shall be granted. If the application is not deemed complete, or has outstanding debts or liens levied against it the registration shall be denied by the city clerk.

Sec. 22-467. Conflict with other ordinances.

Whenever the regulations of this Code conflict with those of another ordinance, the stricter shall apply.

Sec. 22-468. Severability.

(a) If any provision of this Code is declared invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to that provision of this Code directly involved in the controversy which gave rise to the judgment and shall not affect or impair the validity of any other provision of this Code.

(b) Nothing in this Code shall be construed to affect any suit or proceeding now pending in any court or any rights arising prior to its enactment pursuant to provisions of law then in effect.

Sec. 22-469. Inspection of rental units.

The Department along with the Lewiston Fire Department and any other agent authorized by the Department shall conduct inspections of residential units registered under this article in an organized manner, on an as needed basis, or in conjunction with their normal course of work. If the unit(s) is found to be deficient or does not meet the requirements of the applicable codes as adopted, a Notice of Violation shall be issued in accordance with the applicable codes.

Sec. 22-470. Penalty for violation of article.

Any person or entity that shall violate a provision of this article or shall fail to comply with any of the requirements thereof shall be liable for one or more citations as set forth in Chapter 1, Section 1-8 and Chapter 50, Section 50-36 of the Code of Ordinances of the City of Lewiston. In lieu of or in addition to the issuance of citations, the department may initiate a land use complaint pursuant to Rule 80K of the Maine Rules of Civil Procedure and 30-A M.R.S. § 4452 et seq. as amended.

Secs. 22-471—22-479 Reserved.



EXECUTIVE DEPARTMENT

**Edward A. Barrett, City
Denis D'Auteuil, Deputy City**

August 14, 2018

To: Members of the Rental Registration Committee
Fr: Edward A. Barrett, City Administrator
Su: Background Information Requests

At the initial meeting of the Rental Registration Committee, members of the Committee expressed an interest in receiving certain background information. What follows attempts to provide some of that information.

GENERAL INFORMATION ON PROPERTIES IN LEWISTON

Property Mix

The split between single family and multiple unit residential buildings in Lewiston is about 76% single unit and 24% multiple unit. In terms of total residential unit count, however, 42.6% of our units are in single family homes while 57.4% are rental. As is the case in some of Maine's other service center communities, the majority of our population (50.8% per census data) lives in rental housing.

SUMMARY -- BUILDING SIZE BY UNIT COUNT

BUILDING TYPE	NUMBER	% BUILDINGS	UNITS	%
SINGLE FAMILY	6,712	76.0%	6,712	42.6%
DUPLEX	1092	12.4%	2184	13.9%
TRIPLEX	386	4.4%	1158	7.3%
FOURPLEX	174	2.0%	696	4.4%
5-9 UNITS	363	4.1%	2376	15.1%
10-14 UNITS	58	0.7%	647	4.1%
15-19 UNITS	12	0.1%	305	1.9%
20+ UNITS	30	0.3%	1683	10.7%
TOTAL	8,827	100.0%	15,761	100.0%

Property Age

One of the major issues related to rental properties in Lewiston is the overall age of our housing stock. This is particularly relevant to lead concerns since the lead paint was wide-spread in residential properties constructed prior to 1979. The following chart breaks down the age of our 3 unit or larger rental properties.

SUMMARY THREE UNIT BUILDINGS BY YEAR BUILT

CONSTRUCTION YEAR	# BUILDINGS	% of TOTAL	# UNITS	# BEDROOMS	UNITS/BLDG	BEDROOMS/UNIT
Pre-1900	352	34.3%	1979	3,443	5.62	1.74
1900-1924	400	38.9%	2352	4372	5.88	1.86
1925-1949	140	13.6%	811	1393	5.79	1.72
1950-1978	79	7.7%	802	1646	10.15	2.05
1979-1999	48	4.7%	632	1274	13.17	2.02
2000-Present	8	0.8%	152	287	19.00	1.89
TOTAL	1027	100.0%	6728	12,415		
PRE 1979	971	94.5%	88.3%			

Overall, almost 95% of our three-unit and larger multi-family structures were built prior to the elimination of lead paint. This represents 88.3% of our total rental units. (An interesting side note appears to be that since 1950, the size of our rental buildings has increased significantly. I suspect this is due to a number of factors including construction costs and federal housing policy.)

Building age can and does impact the economics of our rental market. Older properties can easily become obsolescent, either functionally or economically, due to maintenance and utility costs and factors such as ease of access to upper stories. This can lead to higher costs and vacancy rates.

Lead Concerns

The City has received three lead remediation grants that we estimate will have cleared 420 units by the end of the current grant program. Given the 5,142 pre-1979 units, 420 units represent about 8.2% of the total. If the post 1979 units are counted as lead safe, the total increases to 1,204 or about 17.9%. The actual percentage of lead safe units is likely higher than this given that we do not have data on the number of units that have been privately renovated where lead has been addressed. Nevertheless, there are clearly a large number of units that have not been addressed. We should also acknowledge that "lead safe" is not "lead free" and that if units are not appropriately maintained over time, new lead hazards can emerge.

Based on our most recently completed grant, the average cost to address lead concerns was \$12,405 per unit, not including instances where temporary relocation is required or other related work (e.g., roof repairs) was needed. Assuming 75% of our current rental units require remediation at an average cost of \$12,500 per unit, the total cost to achieve city-wide lead safe status would be over \$63,000,000. It is clear that lead will remain an issue in Lewiston for many years to come and that education and screening programs will be needed to minimize negative impacts.

INSPECTION PROGRAM

The primary rental inspection program operated by the City is through the Fire Department and is conducted by our engine companies. The focus of the program is on the life safety code, not the building or property maintenance code, although there are overlapping areas among these codes.

The inspection program is aimed at all properties with three units or greater. A summary showing the number and type of inspections is attached as is a copy of the Department's inspection form.

In the most recent two full years. The department has averaged inspecting 190 buildings per year. Given the 1,023 buildings that require inspection, at this rate each building would be inspected once every 5.4 years. If inspections were limited to buildings with 4 or more units, the inspection cycle could be reduced to roughly 3.4 years.

Some questions that the Committee might wish to consider include the appropriate inspection cycle time, what size units should be inspected, and whether inspections should be guided by some form of risk analysis such as age, number of units, installed fire safety systems, setbacks from other surrounding properties, etc.

GENERAL ASSISTANCE VOUCHERS

Number of Vouchers

The City's general assistance program primarily provides rental housing to its clients. In recent years, the average number of rental vouchers per month has ranged from 238 in City fiscal year 2018 to 351 in 2017, a number more typical of recent history¹. Assuming the City is "renting" 351 apartments in a given month, this represents about 5.1% of the available units in buildings with 3 or more units. If duplexes are included, the percentage falls to 3.9%. At the more recent level of 238 per month, the city percentages fall to 3.5% and 2.6% respectively.

Value of Vouchers

As a starting point, please keep in mind that the General Assistance Program is effectively state mandated and regulated and administered locally. The value of a voucher is, therefore, established in accordance with the regulations issued by the State Department of Health and Human Services. Under state regulations, the housing maximums are calculated based on bedroom size while overall maximum levels for all assistance (housing, utilities, food, personal supplies, etc.) are calculated based on household size. A household of 3, for example, is eligible for an overall level of monthly assistance of \$915 while a heated 3 bedroom unit has a maximum allowable rent of \$1079. When the allowable rent exceeds the monthly maximum, the monthly maximum of \$915 governs. Because the city is also required to pay for electricity for the unit, that amount is also deducted reducing the rental amount to \$840. We are also required to allow \$4 per month for food, leaving the family of 3 with \$836 for rent. The heated two bedroom maximum is \$838. For purposes of comparability, the HUD fair market rate for a two bedroom is \$847 and the standard Section 8 payment is \$889. In this instance, therefore, the GA voucher is \$49 below the Section 8 payment.

The variance between the amount of a GA voucher and Section 8 will vary based on household and unit size. If, for example, the household size above was 4 (2 adults and 2 children) renting a 2 bedroom unit, the overall maximum would increase to \$1169 with an \$847 rental payment.

¹ The recent year has seen a fairly dramatic reduction in the number of refugee/immigrant placements in Lewiston due to changes in federal policy. While asylum seekers continue to arrive, it is not clear what the future trends for this group will be. These factors have likely resulted in the decline in units rented last year.

Attached is a chart that shows the GA voucher rates based on number of persons and bedrooms.

Also attached is data covering the last two fiscal years that shows the landlords who have received rental vouchers and the number of monthly vouchers they have received.

Demolitions

One other City initiative in recent years has been addressing hazardous structures through our demolition program. This most recent effort began in 2010 and, since then, has resulted in 78 city demolitions eliminating 228 housing units at a total cost of just over \$2.5 million. During this same period, only 71 new units have been added to our inventory, resulting in a net loss as a result of the City's program of 157 units. This does not include private demolitions, which have addressed about another 200 buildings in the same period. We unfortunately do not have an actual unit count on private demolitions. Assuming the same average unit count per building as those done by the City (2.9), this could represent as many as an additional 584 dwelling units.

These efforts have clearly impacted both the quantity of units and the overall condition of rental housing in the community.



CITY OF LEWISTON

Edward A. Barrett
City Administrator

August 24, 2018

To: Rental Registration Committee
Fr: Ed Barrett
Su: Disorderly Property Process

In 2014, the City Council considered adopting a disorderly property ordinance that was similar to ones adopted in a number of other communities. The intent of the proposal was to address recurring disorderly conduct in a dwelling that disturbs the peace and tranquility of others and detracts from the quality of life of the area.

After discussion and in light of opposition from building owners, the Council instead supported the Police Department adopting a Standard Operating Procedure (attached) addressed at the same issues but excluding penalties that building owners would be subject to for failure to take effective measures to address the problems. A copy of the most recent version of the proposed ordinance is also attached.

Officer Weaver will be available at the meeting to discuss the policy and how it is working.

A TALE OF ONE PROPERTY

Earlier this year, a local landlord who has made a significant investment in an adjacent property contacted the City Council to complain about the negative impacts his tenants and property were experiencing due to behavioral and building issues at an adjacent property and the frequency with which police were responding both to that property and to the immediate area for incidents involving residents of that property. Note that the attached documentation redacts the address and ownership of this property since it is not my intent to point at any individual property or owner but rather to use this property as one example.

Over a roughly two year period, police responded to this property 85 times. Not all of these calls were crime related, although about half of them involved some form of criminal activity or disturbance. In spite of the frequency of police calls, the property apparently did not reach the threshold for a disorderly property during this period. See the attached memo from Officer Weaver outlining why the property did not meet this threshold.

The property had met the threshold once in early 2016. Please also see the attached information from Officer Weaver regarding that event and its outcome.

Due to the complaint received, Code Enforcement also visited the property and found numerous violations. Note that based on the complaint, the Code Officer contacted the Police Department to determine whether it was safe to inspect the property without a police presence. The Notice of Violation is attached along with a series of subsequent emails between the property owner

and Code. While the property owner has been cooperative, I find it worth noting that the owner, upon going through the property, expresses concern over the extent of the tenant caused damage that the owner was not aware of prior to being contacted by the City.

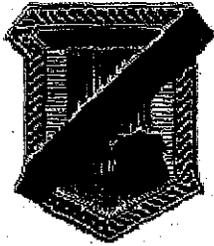
ISSUES FOR COMMITTEE CONSIDERATION

While the situation described above may not be totally representative of the problems we face, it is certainly not the only property of its nature in our community. The behavior associated with such properties contributes to the negative perception of areas within our downtown residential neighborhood, impacts the desirability of renting there, and affects property values and rental rates. It raises the following questions/issues that the Committee may wish to consider.

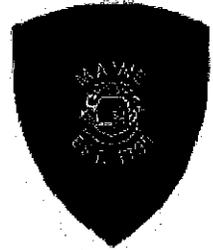
Is the current disorderly property policy adequate to identify properties that should be addressed? Should the policy be adopted as an ordinance including fines and penalties for failure to address problems? Why, in this instance, did a responsive owner not know about what was happening at and around the property and are there ways to address such situations through landlord education/information programs? And, finally, how much responsibility should the City be required to take on in addressing such situations as opposed to the landlord?

I is seriously worth considering the amount of time and effort the Police Department and Code Enforcement have devoted to this one property. This is far out of proportion to the level of effort required for most properties in the city; however, it is not unique or unusual given what we see daily.

RESPONSE TO “DISORDERLY” PROPERTIES



*Lewiston Police Department
Lewiston, Maine*



**STANDARD OPERATING
PROCEDURES**



RESPONSE TO “DISORDERLY” PROPERTIES

I. PURPOSE II. POLICY III. DEFINITIONS IV. PROCEDURE V. ENFORCEMENT

I. PURPOSE

The purpose of this Standard Operating Procedure is to protect the health, safety, and welfare of the residents of the City of Lewiston by reducing the recurrence of disorderly conduct in dwellings that disturbs the peace and tranquility of others.

II. POLICY

The mission of the Lewiston Police Department is to promote an atmosphere of partnership with the community toward the common goal of protecting life and property while enhancing the overall quality of life through mutual trust, respect, and the fair, equitable enforcement of laws while carefully safeguarding the dignity of all. The City has a substantial and compelling interest in protecting neighborhoods affected by conduct that unlawfully disturbs the peace and/or constitutes a nuisance because such conduct adversely affects the health, safety, and welfare of citizens and diminishes the quality of life in neighborhoods where it occurs. Such disorderly conduct and its impact should be abated. This written policy outlining a response to “Disorderly” Property is required because other prohibitions and penalties under state law and the City’s code of ordinances have not adequately eliminated or controlled chronic, disorderly or nuisance activity in the City. The enactment of this policy as a standard operating procedure is intended to alleviate the deleterious impact of chronic, unlawful or nuisance activity in dwelling places and neighborhoods by authorizing early and constructive intervention by the Lewiston Police Department.

RESPONSE TO “DISORDERLY” PROPERTIES

III. DEFINITIONS

A. “Disorderly Conduct”

“Disorderly Conduct” is any conduct that would have a tendency to unreasonably disturb the health, safety, or peaceful enjoyment of the community, the neighborhood or an ordinary individual in the vicinity, including but not limited to: loud music; boisterous parties; sounds emanating from within a structure which are annoying outside the building; loud noise or fights within a building or in its vicinity involving owners or tenants of a building or their invitees (excluding incidents involving domestic violence); owners, tenants or invitees being intoxicated in shared areas within the building such as hallways, stairways, or on public ways in the vicinity of the building; the arrest and conviction of owners, tenants or invitees for activities which constitute either a crime or civil infraction under either state or local law; other *similar activities* in a building or in areas outside of but in the vicinity of a building; or other conduct proscribed pursuant to 17-A M.R.S. § 501-A.

Similar Activities include, but are not limited to:

- Drug related criminal activity;
- Prostitution;
- Violations of conditions of bail, parole, or probation;
- Alcohol abuse which threatens the health, safety, or right to peaceful enjoyment of the premise by other residents/tenants; and
- Tenant(s) fleeing to avoid prosecution, custody, or confinement after conviction of a crime.

B. “Disorderly Property”

A "disorderly property" is any property on which there is located a building that houses one or more dwelling units or any bed and breakfast establishment, hotel, motel, lodging or rooming house or other structure that provides residential accommodations at which property the police have found, on five (5) or more occasions in any thirty (30) day period or fifteen (15) or more occasions in the preceding year, that the owner, a tenant, or a tenants' co-habitees, guests or invitees, or other occupants have engaged in disorderly conduct.

- For the purpose of this policy, disorderly behavior violations as defined will be documented by a specific address such as apartment number, single family home address, or boarding house room number within a given building. Penalties and documentation will be associated with the specific address of buildings outlined/defined in the “disorderly property” definition in this ordinance.

RESPONSE TO “DISORDERLY” PROPERTIES

The Police Chief or his/her designee shall have the sole discretion in determining whether conduct is disorderly and whether a building constitutes a “disorderly property”.

IV. PROCEDURE

A. Administration

1. The Police Department shall document and monitor the recurrence of disorderly conduct at residential buildings or structures in the City as defined under the “disorderly property” definition of this policy.
2. Whenever there have been five (5) or more occurrences of disorderly conduct at a residential property in any thirty (30) day period or fifteen (15) or more occurrences of disorderly conduct in the preceding year, the police department may notify an owner of such property of the circumstances of the disorderly conduct and the identity(ies) of its perpetrators, if known.

B. Official Notice

1. Whenever the Police Chief or designee has declared a building to be a disorderly property, this shall cause an owner of the property to be notified of such declaration and of the events which form the basis for that designation. The notice shall request the owner or the owner’s representative to meet with the Police Chief or his designee(s) within five (5) business days from the date of the notification to identify ways in which the problems which have been identified will be eliminated.

C. Meeting

1. At the time of the disorderly property meeting, the owner shall be requested to provide to the city the following documentation:
 - a. A copy of the names of all tenants or other persons authorized to reside or presently residing in the building(s) on the property and the units they occupy;
 - b. Contracts with any property manager or other person responsible for the orderly operation of the property;

In addition, the owner will be asked to take effective measures to address the disorderly property to be implemented within one (1) week of said meeting unless another date is agreed upon by the City and the owner.

Draft Not Adopted

August 12, 2013

Lewiston Disorderly Property Ordinance.

Purpose; Findings.

The purpose of this Disorderly Property Ordinance is to protect the health, safety, and welfare of the residents of the City of Lewiston by reducing the recurrence of disorderly conduct in dwellings that disturbs the peace and tranquility of others. The City has a substantial and compelling interest in protecting neighborhoods affected by conduct that unlawfully disturbs the peace and/or constitutes a nuisance, because such conduct adversely affects the health, safety, and welfare of citizens, and diminishes the quality of life in neighborhoods where it occurs. Such disorderly conduct, and its impact, should be abated. This Disorderly Property Ordinance is required because other prohibitions and penalties under state law and the City's code of ordinances have not adequately eliminated or controlled chronic, disorderly or nuisance activity in the City. The enactment of this ordinance and its occasional amendment is intended to alleviate the deleterious impact of chronic, unlawful or nuisance activity in dwelling places and neighborhoods by authorizing early and constructive intervention by the Lewiston Police Department.

Definitions.

"Disorderly conduct" is any conduct that would have a tendency to unreasonably disturb the health, safety, or peaceful enjoyment of the community, the neighborhood or an ordinary individual in the vicinity of said building, including, but not limited to: loud music; boisterous parties; sounds emanating from within the structure which are annoying outside the building; loud noise or fights within the building or in its vicinity involving tenants of the building or their invitees (excluding incidents involving domestic violence); tenants or invitees of tenants being intoxicated in shared areas within the building such as hallways, stairways, or on public ways in the vicinity of the building; the arrest and conviction of tenants or their invitees for activities which constitute either a crime or civil infraction under either state or local law; other *similar activities* in the building or in areas outside of but in the vicinity of the building itself; or other conduct proscribed pursuant to 17-A M.R.S. § 501-A.

Similar Activities include but are not limited to:

- Drug related criminal activity.
- Prostitution.
- Violations of conditions of bail, parole, or probation.
- Alcohol abuse which threatens the health, safety, or right to peaceful enjoyment of the premise by other residents/tenants.
- Tenant(s) fleeing to avoid prosecution, custody, or confinement after conviction of a crime.

A "disorderly property" is any property on which there is located a building that houses one or more dwelling units, or any bed and breakfast establishment, hotel, motel, lodging or rooming house or other structure that provides residential accommodations, at which property the police have found to have occurred, on five (5) or more occasions in any thirty (30) day period, or fifteen (15) or more occasions in the preceding year, that the owner, a tenant, or a tenants' co-habitees, guests or invitees, or other

occupants have engaged in disorderly conduct.

- For the purpose of this ordinance; violations of the disorderly behavior defined will be documented by specific address such as apartment number, single family home address, or boarding house room number within a given building. Penalties and documentation will be associated with the specific address of buildings outlined/defined in the "disorderly property" definition in this ordinance.

For the purpose of this ordinance the Police Chief, or his/her designee, shall have sole discretion in determining whether conduct is disorderly, and whether a building constitutes a disorderly property.

Administration; Notice.

1. The Police Department shall document and monitor the recurrence of disorderly conduct at residential buildings, or structures as defined under the "disorderly property" definition of this ordinance, in the City.

2. Whenever there have been five (5) or more occurrences of disorderly conduct at a residential property in any thirty (30) day period, or fifteen (15) or more occurrences of disorderly conduct in the preceding year, the police department may notify an owner of such property of the circumstances of the said disorderly conduct, and the identity(ies) of its perpetrators, if known.

3. Whenever the Police Chief or designee has declared a building to be a disorderly property, the City shall cause an owner of the property to be notified, of such declaration and of the events which form the basis for that designation. The notice shall require the owner to meet with representatives of the Police, the Police Chief, or his designee(s) within five (5) business days from the date of the notification to identify ways in which the problems which have been identified will be eliminated.

4. At the time of the disorderly property meeting, the owner shall be obligated to provide to the city the following documentation:

1. A copy of the names of all tenants or other persons authorized to reside or presently residing in the building(s) on the property and the units they occupy;

2. Contracts with any property manager or other person responsible for the orderly operation of the property;

In addition, the owner will agree to take effective measures to address the disorderly property, which measures shall be memorialized in a written agreement with the City at the conclusion of the meeting with the City and shall be implemented within one (1) week of said meeting unless another date is agreed upon by the City. Failure to enter into such an agreement at the conclusion of the meeting will be deemed a violation of this code and the City may file a complaint in district court seeking all compensatory and equitable relief permitted by law, to include the fine amounts outlined in the "Enforcement" section of this ordinance.

If the same property should be classified as a disorderly property on a subsequent occasion, then the city is under no obligation to meet with the owner but may proceed directly with a complaint to the district court seeking all compensatory and equitable relief permitted by law, to include the fine amounts outlined in the "Enforcement" section of this ordinance.

Enforcement

If the owner (a) refuses to enter into an agreement with the City to address the disorderly property, (b) takes ineffective measures to address the disorderly property as determined by the City, or (c) fails to implement the agreement reached with the City to address the disorderly property the City may file a legal action against the owner seeking any and all damages and remedies to which it is entitled pursuant to state and local laws. The first violation of this ordinance will result in a \$100 fine being imposed against the owner. The second and all subsequent violations will result in a maximum fine of \$500. The imposition of a penalty for violation of any ordinance shall not excuse the violation or permit to continue; such violation shall be remedied within a reasonable time, and for each ten days that the violation is permitted to continue a separate offense will accrue.

Police Calls - One Property, Two Years.

CallNum	Reason/Ext	CallTime	CallDate	Month
16-52142	POL - DOMESTIC SAFETY CHECK	1923	6/14/2016	June
16-53155	POL-Request to Locate/Notify	1216	6/17/2016	June
16-54838	POL-Burglary MV	1027	6/22/2016	June
16-59884	POL-NOISE-DISTURBANCE	0002	7/6/2016	July
16-62613	POL-DISTURBANCE - DISORDERLY	2235	7/13/2016	July
16-63390	Psychiatric Problem - Alpha Ov	2220	7/15/2016	July
16-73362	Traffic Accident	1156	8/13/2016	August
16-81086	POL-Other Non Criminal	1043	9/3/2016	September
16-81638	POL-Criminal Trespass	0050	9/5/2016	September
16-83241	POL-Accident	1414	9/9/2016	September
16-89572	POL-Admin Paperwork	0927	9/27/2016	September
16-91908	POL-Suspicious Person/Veh	1935	10/3/2016	October
16-101779	POL-Request to Locate/Notify	0159	11/3/2016	November
16-104908	POL-DISTURBANCE - DISORDERLY	2348	11/12/2016	November
17-5736	POL-Narcotic/Drug VIO	1958	1/19/2017	January
17-11013	POL-PCF Medical/Mental	1609	2/6/2017	February
17-17252	POL-Vehicle Stop	0336	2/26/2017	February
17-18041	POL-Other Non Criminal	1330	2/28/2017	February
17-18143	POL-Threatening	1934	2/28/2017	February
17-19190	POL-Criminal Trespass	0324	3/4/2017	March
17-23690	POL-Assault	0150	3/19/2017	March
17-24429	POL-DISTURBANCE - DISORDERLY	1614	3/21/2017	March
17-30646	POL-DISTURBANCE - DISORDERLY	1917	4/10/2017	April
17-30653	POL-DISTURBANCE - DISORDERLY	1935	4/10/2017	April
17-33580	POL-Criminal Trespass	1608	4/18/2017	April
17-34245	POL-Criminal Trespass	1416	4/20/2017	April
17-36589	POL-Narcotic/Drug VIO	0011	4/28/2017	April
17-37249	POL-PCF Medical/Mental	2240	4/29/2017	April

17-40065	POL-Police Information	1551	5/8/2017	May
17-40139	POL-Other Non Criminal	2011	5/8/2017	May
17-40143	POL-Criminal Trespass	2016	5/8/2017	May
17-40409	POL-Wellbeing Check	1433	5/9/2017	May
17-59822	POL-Hazardous Conditions	1650	6/30/2017	June
17-61314	POL-Fireworks Violations	2303	7/4/2017	July
17-65067	POL-DISTURBANCE - DISORDERLY	2349	7/14/2017	July
17-67167	POL-DISTURBANCE - DISORDERLY	2049	7/20/2017	July
17-67936	POL-Vehicle Stop	0224	7/23/2017	July
17-72956	POL-DISTURBANCE - DISORDERLY	2011	8/6/2017	August
17-75766	POL-Field Interview	0044	8/15/2017	August
17-77594	POL-DISTURBANCE - DISORDERLY	0938	8/20/2017	August
17-77605	POL-DISTURBANCE - DISORDERLY	1019	8/20/2017	August
17-77622	POL-Threatening	1114	8/20/2017	August
17-77729	POL-DISTURBANCE - DISORDERLY	1849	8/20/2017	August
17-77738	POL-DISTURBANCE - DISORDERLY	1913	8/20/2017	August
17-80126	POL-Domestic	1812	8/27/2017	August
17-81482	POL-Warrant	0708	8/31/2017	August
17-81986	POL-NOISE-DISTURBANCE	1518	9/1/2017	September
17-89462	POL-Abandoned N G 911 Call	1758	9/21/2017	September
17-90795	POL-Missing Person	1500	9/25/2017	September
17-96163	POL-Children Troubles	2216	10/11/2017	October
17-101672	POL-Children Troubles	1742	10/29/2017	October
17-107500	POL-Domestic IP	1207	11/15/2017	November
17-110793	POL-Police Information	0839	11/27/2017	November
17-110904	POL-Retrieve Property	1510	11/27/2017	November
17-118958	POL-DISTURBANCE - DISORDERLY	0210	12/24/2017	December
17-118971	Falls	0351	12/24/2017	December
17-120604	ingestion/poisoning - Omega Ov	1512	12/29/2017	December
18-5111	POL-Police Information	0714	1/17/2018	January

18-6026	POL-Suspicious Condition	2049	1/19/2018	January
18-6563	falls - Alpha Override	1703	1/21/2018	January
18-8088	POL-Assist Other Dept	1132	1/26/2018	January
18-9810	POL-Warrant	2347	1/31/2018	January
18-11180	POL-DISTURBANCE - DISORDERLY	1612	2/5/2018	February
18-11820	POL-Domestic	1529	2/7/2018	February
18-12233	Psychiatric Problem	2318	2/8/2018	February
18-14041	POL-Other Non Criminal	1713	2/14/2018	February
18-19419	POL-Narcotic/Drug VIO	0842	3/3/2018	March
18-21787	POL-Abandoned N G 911 Call	1838	3/10/2018	March
18-22142	POL-DISTURBANCE - DISORDERLY	0035	3/12/2018	March
18-23083	POL-Abandoned N G 911 Call	2234	3/14/2018	March
18-27843	POL-Criminal Trespass	1232	3/29/2018	March
18-29466	POL-Other Non Criminal	0843	4/3/2018	April
18-29530	POL-DISTURBANCE - DISORDERLY	1110	4/3/2018	April
18-29541	POL-DISTURBANCE - DISORDERLY	1148	4/3/2018	April
18-34107	Unconscious/fainting	1540	4/16/2018	April
18-34112	POL-Field Interview	1601	4/16/2018	April
18-37550	POL-Criminal Trespass	1949	4/25/2018	April
18-38581	POL-Warrant	1902	4/28/2018	April
18-38590	POL-Warrant	1931	4/28/2018	April
18-43757	POL-Wellbeing Check	1342	5/12/2018	May
18-44082	POL-Wellbeing Check	1527	5/13/2018	May
18-45401	POL-Landlord Tenant Troubles	1146	5/17/2018	May
18-45492	POL-DISTURBANCE - DISORDERLY	1626	5/17/2018	May
18-45910	POL-Abandoned N G 911 Call	1721	5/18/2018	May
18-46296	MOTOR VEHICLE COLLISION DELTA	1906	5/19/2018	May

From: Charles Weaver
Sent: Tuesday, June 12, 2018 11:51 AM
To: Brian O'Malley
Cc: Randy St.Laurent
Subject: RE: [REDACTED]

Hi Chief,

I took a look at the Calls for Service to [REDACTED] in order to address the concerns from the city/citizens. While I understand the concern when I am looking at designating a property as "Disorderly" there are a number of factors that I have to consider. Fortunately, I access the numbers through IMC and am able to see everything about each and every Police response/call disposition. When I look at these calls and am considering the 5 call threshold for designation there have been a number of considerations that have kept [REDACTED] from being designated:

1. Our Disorderly SOP is broken down to dwelling units – therefore a property may have been responded to multiple times, however it must be an individual dwelling unit.
2. There are several instances where the address is used, however the disorderly issue has nothing to do with the building or dwelling unit.
3. Calls have been started for the address due to outside individuals causing an issue i/e. criminal trespass, squatters.
4. Another reason the property wasn't designated is because I also have to look at the call disposition and Officer's call notes – I saw numerous occasions that Officers responded for a disturbance which was deemed "unfounded" or the Officer found behavior not to be disturbing in nature.
5. One of the biggest reasons [REDACTED] did not meet the threshold is because many of the disturbance calls were due to a domestic related issue, which are not taken into account for disorderly purposes. While the initial call to the Officer states "disturbance" Officers investigated the calls and found that the disturbance came from a souring domestic relationship – which I do not count toward the 5 call threshold.
6. The final consideration which I saw was that many of our responses over the last year have been medical in nature and would therefore not contribute the CFS numbers.

Despite it's lack of "designation" I have kept up with [REDACTED] and much the same as in 2016, have found the property owner's to be very proactive in their management of the property. Despite the above listed criteria, there were some calls for service that would be counted as disorderly. [REDACTED]

[REDACTED] have followed up with me to address these issues and to stay informed about their property. Furthermore, they have evicted the previous tenants of apt. #3 that were associated with many of the medical and Police responses (whether the response qualified or not). Thus far in the month of June there has been only 1 CFS to the property for an individual not associated with the address. I have urged [REDACTED] to contact me directly should he require any further assistance.

Charlie Weaver
Lewiston Police Department
Office: 207-513-3010

[REDACTED]

Throughout the month of March 2016 it became apparent that [REDACTED] would be designated a disorderly property as there were five calls for service to the property that were disorderly in nature. The problems were primarily created by the raucous nature of two tenants who were consistently fighting, playing loud music and disturbing the peace.

I noted the calls for service and took initial steps to correct the problems at [REDACTED]. I first made contact with the property owner who was advised of the continued Police response and nature of complaints. He responded with a notice to the tenants to cease such behavior which was not well received. After multiple follow-ups with the property owner, he informed me that he had moved forward with the eviction process and was in fact evicting both problem tenants.

As of April 1st, both tenants had vacated the property. Since that time, as of May 4th, 2016, there have been three calls for service to the property; two of which were medical in nature and did not require Police action. The reduction in calls for service to the property is a direct reflection of the landlord's proactive response to the disorderly behavior occurring in the building. At this time, [REDACTED] is no longer designated a "Disorderly Property" and is a great example of results that have been achieved with Police and property owner collaboration and proactive response.

It was later brought to my attention that another local property owner (owning adjacent properties to [REDACTED].) was voicing concerns about the continued disturbances that were on going at [REDACTED]. I immediately looked into this by referencing LPD call logs and recalled that since April, Police had responded to the property on only three different occasions. I attempted to relay this information and explain the successes achieved at [REDACTED] to the irate property owner but was met with a profanity ridden tirade that ended with him hanging up the telephone. Furthermore, I looked into the number of calls to the Police placed by the concerned property owner and noted that he had not contacted the Police a single time throughout 2016; for any reason including voicing concerns about the property in question. At this point I continue to look at [REDACTED] as a great example of success achieved through the disorderly property initiative and will continue to monitor future progress.

Benjamin Westman

From: Derrick St. Laurent
Sent: Wednesday, April 4, 2018 8:41 AM
To: Benjamin Westman
Subject: RE: [REDACTED] Known Issues

You should be all set. We are commonly there at night due to the drunks hanging out there causing problems. You should be fine during the day, if something comes up just give us a call.

From: Benjamin Westman
Sent: Wednesday, April 04, 2018 8:39 AM
To: Derrick St. Laurent
Subject: RE: [REDACTED] Known Issues

Great ☺. Should I request a police presence if I go?

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: Derrick St. Laurent
Sent: Wednesday, April 4, 2018 8:38 AM
To: Benjamin Westman
Subject: RE: [REDACTED] Known Issues

[REDACTED] is one of the worse (if not the worse) buildings downtown. It has been like that since I started.

From: Benjamin Westman
Sent: Wednesday, April 04, 2018 8:36 AM
To: Derrick St. Laurent
Subject: [REDACTED] Known Issues

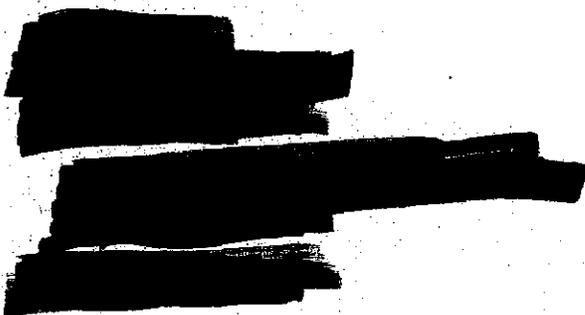
Derrick,
Can you tell me if this address has any known problems. The abutting landlord states all sorts of issues go on there.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street

CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
NOTICE OF VIOLATION
Code Case: 3575-2018
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

April 23, 2018



On April 4, 2018, the property located at [REDACTED] came to the attention of the Planning and Code Enforcement Department. Upon inspection, the building and property was found to be in violation of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, and Chapter 38, Article II, Section 38-26 as per the Code of Ordinances of the City of Lewiston, hereafter referred to as the Code. In accordance with the Code, the violations requiring abatement include but are not limited to the following:

International Property Maintenance Code

302.3 Sidewalks and driveways

All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

Corrective Action: The rear portion of the driveway has section of concrete sticking out of the ground. Remove the concrete to a point so the asphalt and concrete are level with each other.

Compliance Date: May 23, 2018

304.1 General

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. In addition,

304.2 Protective treatment, states that, "All exterior surfaces, including but not limited

to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. Furthermore, **304.6 Exterior walls**, states that, "All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration."

Corrective Action: The exterior of the property has several areas that have chipping and peeling paint. Remove all defective paint and repaint all surfaces.
Compliance Date: June 1, 2018

304.10 Stairways, decks, porches and balconies

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads. In addition, **304.12 Handrails and guards**, states that, "Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition."

Corrective Action: The front steps and rear porches are missing proper handrails. Install a graspable hand rail to the existing guards.
Compliance Date: May 23, 2018

304.13 Window, skylight and door frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. In addition, **304.13.1 Glazing**, states that, "All glazing materials shall be maintained free from cracks and holes." Furthermore, **304.13.2 Openable windows**, states that, "Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware." Lastly, **304.14 Insect screens**, states that, "Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition."

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

Corrective Action: Several windows throughout the property are broken, missing screens, have broken locks and broken sash pins. Repair or replace all windows and components as needed.

Compliance Date: May 23, 2018

304.15 Doors

All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

Corrective Action: The front building entrance door has large gaps around the edges and a broken closure arm. Eliminate the gaps to prevent the elements from entering the building and repair or replace the closure arm.

Compliance Date: May 23, 2018

304.16 Basement hatchways

Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

Corrective Action: The basement access hatch is deteriorated. Repair or place the hatch.

Compliance Date: May 23, 2018

304.18.1 Doors

Doors providing access to a dwelling unit, rooming unit or housekeeping units that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a lock through of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. In addition, **305.6 Interior doors**, states that, "Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware."

Corrective Action: Multiple entrance doors throughout the property do not have door knobs and/or deadbolts, also a number of interior doors within the units are broken. Install new hardware and replace any broken doors.

Compliance Date: May 23, 2018

305.1 General

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units

or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. In addition, **305.3 Interior surfaces**, states that, "All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected."

Corrective Action: The walls throughout individual units at the property have holes, deteriorated flooring, and some bathrooms missing shower paneling. Repair all damaged walls, replace all deteriorated flooring and replace all damaged/missing shower paneling.
Compliance Date: May 23, 2018

305.4 Stairs and walking surfaces

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair. In addition, **305.5 Handrails and guards**, states that, "Every handrail and guard shall be firmly fastened and capable of supporting normal imposed loads and shall be maintained in good condition." In addition, **307.1 General**, states that, "Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (106 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, or ramp or other walking surface. Exception: Guards shall not be required where exempted by the adopted building code."

Corrective Action: The interior common stairs are missing proper handrails. The front common stairs have deteriorated sheet metal on the riser boards. Install graspable hand rails on the interior common stairs and remove the sheet metal from the front common stairs.
Compliance Date: May 23, 2018

308.1 Accumulation of rubbish or garbage

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage. In addition, **308.2 Disposal of rubbish**, states that, "Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers." Furthermore, **308.2.1 Rubbish storage facilities**, states that, "The owner of every occupied premise shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish." I should also note, **308.3 Disposal of garbage**, states that, "Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers." Lastly, **308.3.1 Garbage facilities**, states that, "The owner of every dwelling shall supply to the occupants in each dwelling unit an approved

leak proof, covered, outside garbage container."

Corrective Action: The property has a pile of garbage and debris on the rear of the property. Remove all garbage and debris from the property and ensure each tenant is supplied with a trash container that has a lid that is able to be secured.
Compliance Date: May 23, 2018

309.1 Infestation

All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation. In addition, **309.4 Multiple occupancy**, states that, "The owner of a structure containing two or more dwelling units including rooming houses shall be responsible for pest elimination in the public or shared areas of the structure, the exterior property as well as the individual dwelling units, or rooming units." Furthermore, **309.5 Occupant**, states that, "The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure. Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination."

Corrective Action: The property has cockroaches throughout multiple units. Have the property treated by a third party pest company and submit the service invoice to this office.
Compliance Date: May 23, 2018

403.5 Clothes dryer exhaust

Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions. Exception: Listed and labeled condensing (ductless) clothes dryers,

Corrective Action: The dryer vents for the units are improperly vented. Reroute the vents to ensure they exhaust to the exterior of the building.
Compliance Date: May 18, 2018

504.1 General

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. In addition, **506.1 General**, states that, "All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system."

Corrective Action: The basement has an open trap from a previous washer hookup. The drain line must be capped off to prevent sewer gas from entering the building. The bathroom faucet in apartment five (5) has significant corrosion. Replace the faucet.

Compliance Date: May 23, 2018

603.1 Mechanical appliances

All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

Corrective Action: The furnace does not have the proper protective casing over the fuel supply line. Install the correct protective cover.

Compliance Date: May 23, 2018

604.1 Facilities required

Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605. In addition, **604.3 Electrical system hazards**, states that, "Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard."

Corrective Action: The building has several lights and outlets that are broken, missing protective covers or hanging by wires. Repair or replace all electrical components that are defective.

Compliance Date: May 23, 2018

704.1 General

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the applicable National Fire Protection Association Codes as per Chapter 38, Article II, Section 38-26(a) of the Code Ordinances of the City of Lewiston. In addition, 704.2 Smoke alarms and carbon monoxide detectors, states that, "Single- or multiple-station smoke alarms shall be installed and maintained in accordance with Chapter 38, Section 38-26 (c) of the Code of Ordinances of the City of Lewiston. Carbon monoxide detectors shall be installed and maintained in accordance with Title 25 M.R.S.A. § 2468."

Corrective Action: Multiple units are missing smoke and carbon monoxide detectors. Replace all missing units and ensure all units throughout the entire building are working.

Compliance Date: Immediately and on-going

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and fifteen dollars (\$215.00), the third is four hundred and twenty-five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

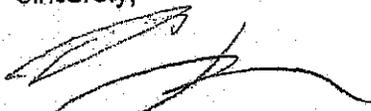
In Lieu of or in addition to the issuance of citations this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. 4452 et seq. as amended. A judgment from such a lawsuit in the City's favor can result in a court order that any violations be abated, the imposition of a fine of up to two-thousand five-hundred dollars (\$2,500.00), per violation per day, and the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning/Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollars (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the content or terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the International Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Please contact this office or me should you have any questions or concerns.

Sincerely,



Benjamin Westman, Code Enforcement Officer

C: Gildace J. Arsenault, Director of Planning & Code Enforcement

Code Case: [REDACTED]

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

Be advised: The EPA's Lead Renovation, Repair and Painting Rule (RRP) requires that the firms performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities and preschools built before 1978 have their firm certified by EPA (or an EPA authorized state), use certified renovators who are trained by EPA Approved training providers and follow specific lead-safe work practices to prevent lead contamination. This included in-house staff and many types of outside contractors.

Benjamin Westman

From: Benjamin Westman
Sent: Friday, June 1, 2018 8:03 AM
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
I have nothing in the code to prohibit them.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Thursday, May 31, 2018 7:55 PM
To: Benjamin Westman
Subject: [REDACTED]

Hello Benjamin. We are progressing nicely at [REDACTED]. We appreciate the additional time as there was definitely a lot of items on the list. I do have a question. In regard to window screens. We have some that are missing and cannot find replacements that fit. Is an adjustable screen acceptable??? Thank you. [REDACTED]

[REDACTED]
Sent from my iPhone

On May 11, 2018, at 8:18 AM, Benjamin Westman <BWestman@lewistonmaine.gov> wrote:

[REDACTED]
I can find nothing in the code that requires a door on a closet.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Thursday, May 10, 2018 8:22 AM
To: Benjamin Westman
Subject: Re: [REDACTED]

Good morning Ben,

[REDACTED] has a question re: [REDACTED]do closets require doors?

Thank you!!

[REDACTED]

From: Benjamin Westman <BWestman@lewistonmaine.gov>
Sent: Monday, May 7, 2018 3:23 PM
To: [REDACTED]
Subject: RE: [REDACTED]

[REDACTED] can grant you an extension until June 23, 2018. I will re-inspect on June 25, 2018. If all items are not complete the NOV will be sent over to our attorney to initiate an 80K lawsuit. As for the tenants causing damage to the unit I cannot advise you on what to do with them. You would want to consult your own attorney.

I have attached the photo of the damaged shower paneling. As best I can tell of the photos I took it is from apartment 2 on the first floor on the left hand side.

Thank you,

Benjamin Westman
Code Enforcement Officer
Planning and Code Enforcement Department
City of Lewiston
27 Pine Street
Lewiston, ME 04240-7201
Phone 207.513.3126 ext. 3227
TDD/TTY 207.513.3007
www.lewistonmaine.gov

From: [REDACTED]
Sent: Monday, May 7, 2018 1:23 PM
To: Benjamin Westman
Subject: [REDACTED]

Good afternoon Ben,

Oh my goodness. We went to property yesterday and went through apartment by apartment. It is unbelievable the damage tenants cause. Most of the units need a lot of minor repairs but Apartment 4 is a total wreck. Her dogs and kids have destroyed that unit. What do you do when tenants don't keep their apartments clean/habitable? It is in their leases to keep home clean, but how do you enforce??

Anyway, we did manage to get a few things completed:

Concrete sticking out of the ground in back yard has been knocked down and filled in
Front steps have graspable hand rail...we are working on the back porches right now
Front entrance door closure arm has been fixed and door repaired...we will be adding weather stripping as well

Common stairway to third floor apartment, we added a handrail

Common stairway to second floor, have removed sheet metal and fixed some risers

We have brought 2 truck loads of trash to dump

Washer drain has been capped

We have contacted our plumber/heating tech to address the furnace oil line and plumbing issues i.e. Apartment 5 bathroom faucet and broken drain in Apartment 3 bathroom.

We would like to request an extension until June 23rd. There are so many repairs to be done, it is very overwhelming mentally and financially. Looking at everything yesterday was very disheartening. We want to get it done right and we will, it will just take time. We appreciate your patience and understanding.

Oh one question....in re: to shower walls/panels missing. We checked all showers yesterday and not seeing any missing panels. Some showers were filthy, but panels were there. Was there a particular unit you are referring to? Third floor units maybe with the eaves?? Please let us know.

Thank you for working with us. We appreciate it. Please feel free to contact us anytime.

[REDACTED]

207-240-5478

207-312-4373

[REDACTED]

From: Benjamin Westman <BWestman@lewistonmaine.gov>

Sent: Monday, April 9, 2018 8:05 AM

To: [REDACTED]

Subject: RE: [REDACTED]

[REDACTED]

The property has a number of maintenance issues such as broken windows, deteriorated flooring, missing door knob, etc. I have not had a chance to work up the notice but hope to get it out today. I will email you a copy as well now that I have your email. On a side note per LPD this property is one of the worst buildings in town for calls for disturbances. I'm not sure what the root cause of the issues are but I wanted to let you know.

