



GHCA Voices of The Village Task Force – Landlords, Rentals, and Regulations

Town of Barnstable Proposed Ordinance Changes and Additions



- **It started with a question...**how can we improve Hyannis...take back our village, our neighborhood, and our Town...?
- In April 2011, over 300 residents came together to help GHCA understand what concerns and issues they felt were impacting the Quality Of life in their village(s), and Town...
- As a result, we were able to identify key areas to focus on where we believed we, as a community, could make a difference...
- And so began the *Voices of the Village...*



- We created 5 Task Forces made up of GHCA members and residents of the town.

- ✓ Police, Drugs, Crime



- ✓ Supporting Our Youth



- ✓ Neighbors Helping Neighbors



- ✓ Marketing Hyannis



- ✓ Landlords, Rentals, & Regulations



- *As the task forces worked on issues, some of them completed their tasks, and others combined efforts...*



- **Marketing Hyannis** helped to create the GHCA website, and worked closely with Police Dept. to help make their website more user friendly.



- **Police Crime & Drugs** began identifying some troubled areas, walked the neighborhoods, and helped to reinstate the officer in the Classroom project.



Voices of the Village

- **Neighbors Helping Neighbors - Led by Pat Richards** created a detailed “*How To*” manual on not only creating a Neighborhood Watch, but getting to know your neighbors better, taking back their neighborhoods one neighbor at a time.



- This manual is available for all; they even have requests for other villages & other towns as well.

- **Supporting Our Youth – Led by Moira Bundschuh** started off running and they are still going strong. They have created their own non-profit status to increase their opportunities for contributions and donations.

- The mentoring and after school homework help programs at the HYCC are phenomenal.
- They are always looking for volunteers hysoytaskforce@gmail.com



Voices of the Village

- **Landlords-Rentals & Regulations – Led by Laura Cronin** - began listening to the issues facing both renters and landlords



- We collaborated with residents, property managers, and Town departments (Police, Regulatory, Public Health), identifying the key issues, and learning about the process.



- First one we dealt with was who can I call to ask a question without getting the run around or no answer at all?



- We helped to create the [Citizen Resource Line 508-862-4925](tel:508-862-4925)
 - Their success rate is >98%, bringing closure to all calls.
 - If they don't know the answer when you call, they will call you back until it's resolved.



- Landlords-Renters & Regulations - continued



- Problem tenants, illegal rental properties, and criminal activity going unchecked were the top issues.
- We found many of the problems or issues they faced were around enforcement of existing ordinances... and that's where we began...



- The following are some proposed changes and/or additions to existing ordinances; and proposed two new ordinances to fill gaps and address challenges where we have no tools to work with.

- We worked with the Town Legal Staff over many months developing the language and legality of what we were trying to achieve.



- insuring safer neighborhoods and preserving quality of life in our community.



- Existing CH 59– Comprehensive Occupancy

- This ordinance defines who is a legal occupant in a residence.

- The existing ordinance defines it to be:

- *OCCUPANT — Any person who has attained the age of 22 who has resided in a residential dwelling for any length of time.*

- This excludes any “occupant” 18 – 22 , from the legal count of occupants in the residence.
- Our proposal is to lower the age to 18 to be more in line with the reality of the renters, who are entering into leases at the age of 18.
- Lowering the age would help to minimize the potential of having overcrowding in residences of 18 – 22 year olds; especially during the summer.



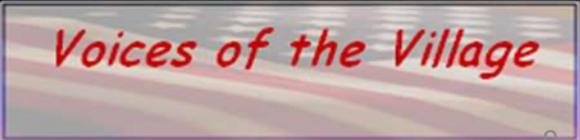


- Existing CH 170 – Rental Code

- This ordinance outlines the penalties for non-compliance with existing rental codes
- Currently, it reads \$100 for Rental Code Violation.
- Our proposal is to increase the penalty in this section it be the maximum under MGL of \$300.
- Increasing the fine to \$300, is consistent with other like penalties.



- *Special Note: Included in this proposal to the Council is a recommendation from the Town Legal staff to remove the number of vehicle requirements from this ordinance. This is not a request from our Task Force.*





- Existing CH 133 – Noise Ordinance



- Noise is one of the #1 reasons the Police are called to address neighbor disputes, but go unresolved due to the crowded courts and violators waiting out the system.
- The current Noise Ordinance holds only the renter liable for the violation.



- Our proposal is to add the property owner into the penalty assessment if the property is identified as a having chronic noise problem.
- Property owners would be notified, in writing, if the police have been called to a location twice in a 12 month period; with a documented noise violation, informing them their tenants have repeatedly violated the town's Noise Ordinance.





- Existing CH 133 – Noise Ordinance - continued



- After 3 or more documented violations within a 12 month period, the owner of the property will be assessed the cost to the Town for responding to each subsequent violation of the Town’s Noise Ordinance.



- By including the property owner in the fines, we have closed the gap where transient tenants “wait out” the fine process, and puts the burden on property owners to have accountability for who they rent to.



- **NEW! CH 54** – Building Property Maintenance

- The purpose and intent of this ordinance is to address nuisances, such as deteriorated structures, vacant buildings, extreme overgrowth of vegetation, trash, debris and stagnant pools of water which cause and contribute to blight within neighborhoods and commercial areas;
- ...and which adversely affect the value of adjacent and surrounding property; and impair the health, safety and general welfare of the inhabitants of the town.
- Currently, there is nothing on the books that we can enforce an abandoned or neglected property owner to bring it up to minimal accepted standards.
- Modeled after other cities and towns in MA who, like Barnstable, have seen a rise in the amount of foreclosed, abandoned, or neglected properties in recent years.
- Our proposal is to set the minimum standards for property owners; who abandon their responsibilities for allowing their properties to come into extreme disrepair.



• **NEW! CH 54** – Building Property Maintenance - continued

• **What this ordinance Is Not:**

- It is not intended to be used against law abiding taxpayers, who are trying to make ends meet, and their properties are the best they can manage or afford.



It is not intended to be used for elderly property owners who are struggling to maintain their homes.

It is not intended to address home where toys, and other signs of “Life” are happening in their yard.

- We are not trying to dictate how high someone’s grass should be.

• **What It Is:**

- It is a tool our enforcement teams can use when properties are intentionally neglected or allowed to deteriorate to the point where they bring down the value and quality of life in our neighborhoods.
- Boarded up windows and abandoned properties, invite other activities that further bring down the value of the surrounding homes, who are trying to salvage every penny left on their already declining property values.
- Neglected properties prey on our residents who are trying to find affordable housing, it’s time we say **NO** to landlords making money off the backs of hard working residents; and not bringing their properties up to a better minimal standard.



- **NEW! CH 160** – Chronic Problem Properties

- The purpose and intent of this chapter is to define a coherent method of addressing the adverse effects on the health, safety, welfare, and quality of life of residents arising from properties where illegal activity occurs on a regular basis;
- ...with the result that these properties have become chronic problem properties in the neighborhood, and for the Town.
- Currently, there is nothing on the books which allows us to enforce any property owner to take responsibility for the tenants they place in their units.
- Modeled after the City of Boston, this ordinance would provide a mechanism to charge back the costs the town incurred in repeatedly answering calls to particular problem properties.



- NEW! CH 160 – Chronic Problem Properties - continued

- Chronic problem properties within the town of Barnstable cause a financial burden by the numerous calls for service to the properties because of the illegal activities that repeatedly occur or exist on such properties.

- Fresh Holes neighborhood had over 2,500 calls to that area last year; if we assess \$100 call = that's \$250,000 a year of our Town's resources for that one area.

- Our proposal is to hold accountable those who own or control such properties and who allow their properties to be used for illegal activity;



- **NEW! CH 160** – Chronic Problem Properties - continued

- How will it work?



- After two documented criminal activity calls within a 12 month period, the Chief of Police would mail a copy of this ordinance and copies of the all-calls report relating to the police responses to the property owner by certified mail.
- After the 3rd documented incident within 12 month period, the Chief of Police will notify, in writing, the property owner of his decision to assign police response, which now identifies this as a *Chronic Problem Property*, and they will be assessed the costs it will take to secure the safety and well being of the residents in this area.
- Any unpaid bill for police response, including interest and/or collection costs, shall be added to the real estate tax on the property and collected as part of that tax.



• Next Steps?



- Having these proposed ordinance changes and additions approved, makes Barnstable the leading edge of protecting their residents Quality Of Life, buy saying you can't come here, buy low, rent high, at the expense of it's residents.

- Understanding that there is already a heavy burden on our judicial system, and many of the existing fines and assessments take a back seat to, and are usually thrown out in, our courts; we propose that the Town of Barnstable instate a **Municipal Hearings Officer**, so we can move these through our local jurisdiction and keep them out of the crowded courthouse.

- Assures adjudication within a reasonable amount of time.
- Allows for an appeal process.

Puts the town in control of enforcing and collecting the fees for violations.



Voices of the Village



• What's Next for the Task Force?

- We will continue to work with the residents on problem properties.



- We are already building a portfolio of locations that residents have identified and want to address so we can help them take back their neighborhood.
- We will monitor and follow up on the ordinances to ensure they are being enforced and track the progress of improvement through the villages.
- The *Voices of The Villages* are strong, and we want to do whatever it takes to make Barnstable a great place to live.





- Citizen Resource Line: 508-862-4925
- Greater Hyannis Civic Association:
 - Email – GreatHyannis@aol.com
 - Website: www.hyanniscivic.com
 - Address: PO Box 783, W. Hyannisport MA 02672
- Supporting Our Youth :
 - Email: hysoytaskforce@gmail.com
 - Phone: 508-258-9111