

MEMORANDUM

March 29, 2019

TO: Planning, Housing, and Economic Development Committee

FROM: Linda McMillan, Senior Legislative Analyst *LM*

SUBJECT: **Briefing and Discussion: DHCA Housing Code Enforcement**

PURPOSE: Overview Briefing

Expected to Attend:

Tim Goetzinger, Acting Director, Department of Housing and Community Affairs (DHCA)
Chris Anderson, Chief, DHCA Community Development
Dan McHugh, Manager, DHCA Code Enforcement
Ivan Eloisa, Supervisor, DHCA Code Enforcement
Kenneth (Keen) Nichols, Code Enforcement Specialist
Cynthia Lundy, Code Enforcement Specialist
Sharla Quintanilla, DHCA Outreach and Education Specialist

Representatives from the Department of Permitting Services and the Department of Health and Human Services will also be present to respond to questions.

At this session, DHCA will provide the Committee with an overview briefing of the DHCA Code Enforcement program. It will address the requirements for inspections for rental housing (multi-family, single-family, and accessory apartments) and how DHCA responds to complaint-initiated requests for inspections. The presentation will update the Committee on the surge inspection program and “troubled properties.” DHCA will review the most common violations for both multi-family and single-family properties. DHCA will review what violations regarding the parking and storage of automobiles is within the purview of DHCA Code Enforcement. The presentation will discuss how cases of hoarding are addressed once they are discovered. DHCA will review the code enforcement compliance timeline including time provided by DHCA to comply with a violation as well as the court process.

The DHCA website provides significant resources including links to the three main chapters in County law that include maintenance requirements: Chapter 26 - Housing and Building Maintenance, Chapter 48 – Solid Waste, and Chapter 58 – Weeds. The DHCA “A Guide to Code Enforcement” that is available online is attached at © 1-5. The following is a link to the DHCA webpage on Code Enforcement:

<https://www.montgomerycountymd.gov/DHCA/community/code/>

The County has also created a resource within CountyStat that provides information on Code Enforcement, tenant rights, and data on multi-family inspections and results. The following is a link to this webpage. DHCA will be showing the Committee some of the feature of the online resources as a part of the presentation.

<https://stat.montgomerycountymd.gov/stories/s/54rw-g6jz>

Code Enforcement Budget

The County Executive’s FY20 budget recommends \$4,114,312 in expenditures and 35.5 FTEs for the Code Enforcement program. The Executive has recommended an increase to ensure that two vacant code enforcement inspectors will be filled. The cost of Code Enforcement is covered through license fees and charges to the Solid Waste Fund and Permitting Services. As a part of the approval of Bill 19-15, which significantly increased the requirements for multi-family inspections, fourteen new positions were created and funded:

- Code Enforcement Inspector Supervisor
- Nine (9) Code Enforcement Inspectors
- Tenant Outreach and Education Specialist
- IT Technician
- Principal Administrative Aide
- Program Specialist for Licensing



**DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS (DHCA)
AND THE
DEPARTMENT OF PERMITTING SERVICES (DPS)
PRESENT**

**A Guide to
CODE ENFORCEMENT**

Code enforcement in DHCA and DPS is generally initiated through complaints. This means that both agencies rely on citizens to identify and report possible code violations.

This guide explains how to file a complaint. The guide covers the following:

DHCA

- ❖ Accessory Apartments
- ❖ Storing of Unused Vehicles on Residential Property
- ❖ Accumulations of Solid Waste
- ❖ Grass and Weeds in Excess of 12"
- ❖ Deteriorated Structures
- ❖ Public Nuisance

DPS

- ❖ Signs
- ❖ Sediment Control Violations
- ❖ Building/Electrical Work Without A Permit
- ❖ Zoning Violations:
 - . Illegal Uses/Activities
 - . Right of Way
 - . Occupancy Limits

The Department of Housing & Community Affairs

One of the Department of Housing and Community Affairs' most important responsibilities is the preservation and improvement of housing and property standards through the enforcement of the Montgomery County Code. Chapter 26, Housing and Building Maintenance Standards, Chapter 48, Solid Waste and Chapter 58, Weeds. To report any suspected violations of the following conditions, call 311 inside the county or 240-777-0311 outside the county or on some cell phones.

ACCESSORY APARTMENTS - An accessory apartment is a private self-contained living area within an existing dwelling or within a subordinate building on the property. A Special Exception from the Montgomery County Board of Appeals is required before an accessory apartment can be constructed in a residential area. Accessory apartments are inspected annually for continued compliance with the requirements for the Special Exception and for life safety and health issues.

ACCUMULATIONS OF SOLID WASTE - Examples of solid waste are: garbage, medical waste, debris from building construction, ashes, junk, dead animals, dead or felled trees, uprooted tree stumps, tree limbs, bushes, plants, leaves, grass, garden trimmings, unused vehicles, machinery, bottles, cans, waste paper, cardboard, boxes, containers, tires, appliances, furniture, automobiles, trucks and recreational equipment, any or all of which is in a state of disrepair or are not operational.

GRASS AND WEEDS IN EXCESS OF 12" - Generalized growth of any weed or any generalized plant growth more than 12" high within 15' of any property boundary is not permitted. Generalized plant growth does not include trees, ornamental shrubs, flowers or garden vegetables.

DETERIORATED STRUCTURES - Examples of deterioration are; gutters and downspouts that are loose or leaking; flaking and/or peeling paint on exterior wood trim; missing or dilapidated roof shingles, missing or damaged siding, cracked and chipped concrete walkways or steps.

PUBLIC NUISANCE - Examples of public nuisances are:

- ❖ Vacant and unsecured buildings, unprotected or abandoned wells, open shafts, open basements, excavations, unsafe fences, unsafe stairways and unsafe steps;
- ❖ Structures which are unsanitary, littered with rubbish or garbage, used for outdoor storage or abandonment of appliances [for more than two (2) days], or equipment, which poses a threat of injury or danger to life;
- ❖ Severely deteriorated, dilapidated, structurally unsafe or fire-damaged buildings or dwellings;
- ❖ Sanitary sewage and plumbing facilities that are not functioning properly;
- ❖ Any condition that results in substantial damage to another property;
- ❖ Any condition that is unsafe, dangerous or unhealthful to occupants, neighbors, employees, or visitors, guests and tradesmen.

STORING OF UNUSED VEHICLES ON RESIDENTIAL PROPERTY - It

is unlawful to store unused vehicles for more than 30 days on private property. An unused vehicle is defined as: A device in, on, or by which a person or property may be transported on a public street which is:

- a) inoperable or, if operable, not currently registered by a government agency which registers vehicle of that type in Maryland, and
- b) not completely enclosed in a garage or other building.

To report an unused vehicle on **private property**, contact 311 inside the county or 240-777-0311 outside the county or on some cell phones.

The Department of Permitting Services

The Department of Permitting Services is responsible for providing the highest quality of public service in the area of licenses and permits while ensuring compliance with Montgomery County's development and construction standards, as required by the Montgomery County Code, Chapter 8, Building Codes, Chapter 17, Electrical Code and Chapter 59, Zoning.

BUILDING/ELECTRICAL WORK WITHOUT PERMIT - Building permits are required for all new construction and additions to existing structures. Other projects requiring a permit include: bay windows, garages, sun rooms, decks and dormers; alterations, such as kitchen or bathroom remodeling, finishing an attic or basement, or reconfiguring a floor plan; minor structural repairs or replacement; and fence, retaining wall, shed and pool construction.

An **Electrical Permit** is required for work that involves installing, repairing, or maintaining any electrical wiring or device designed for conducting, consuming or converting electrical current.

A Historic **Area Work Permit** is required for any work that changes the exterior features of any historic site or any historic building located within any Historic District, or designated in the Historic Atlas as an historic site.

If you suspect that work is being performed without a building, electrical or historic area work permit, contact DPS, by calling 311 inside the county or 240-777-0311 outside the county or on some cell phones.

RIGHT OF WAY - Right of way violations typically involve non-standard driveway aprons, illegal curb cuts, and construction debris and utility company construction in the right of way. To report suspected right of way violations, contact DPS by calling 311 inside the county or 240-777-0311 outside the county or on some cell phones.

SIGNS - There are three types of signs permitted in Montgomery County: permanent, limited duration and temporary. All signs are regulated by their type, the general zoning classification where they are located and their size and placement on the property.

A sign permit is required for any permanent sign posted on private property for more than 30 days and any limited duration sign posted on private property or in the public right-of-way. Temporary signs are permitted only on private property and must not be displayed for more than 30 days.

Certain signs are prohibited. Examples include: roof signs, obstructive signs, unsafe signs, signs that move (banners, pennants, streamers, balloons, etc.), signs attached to traffic devices or utility poles, and signs placed unlawfully in the public right-of-way.

To report any suspected illegal signs, contact DPS by calling 311 inside the county or 240-777-0311 outside the county or on some cell phones.

SEDIMENT CONTROL VIOLATIONS - Sediment control complaints typically involve construction and earth moving activities. Normally, these complaints involve concerns of grading without proper permits or sediment run-off onto private property, streams, public roads and right-of-ways.

ZONING VIOLATIONS (Illegal Uses/Activities & Occupancy Limits) - Zoning complaints typically involve allegations of improper uses/activities in residential, business, and other zones and violations of building restrictions such as setbacks, lot coverage, and height limits. In addition, the Zoning Ordinance restricts the number of unrelated persons who may reside in a residential dwelling. To report suspected zoning violations, contact, 311 inside the county or 240-777-0311 outside the county or on some cell phones

HOW TO REPORT A COMPLAINT

The Department of Housing & Community Affairs

When you contact the counties call center by calling 311 inside the county or 240-777-0311 outside the county or on some cell phones, please provide the following information:

- Your name, address and phone number (not required; anonymous complaints are accepted),
- The address and/or location of the property where you have observed a possible code violation,
- The property owners' or occupants' names, if known.

You may also submit this information in writing or through the DHCA website:
<http://www.montgomerycountymd.gov/311>

IF YOU WISH TO HAVE YOUR NAME AND PERSONAL INFORMATION REMAIN CONFIDENTIAL, PLEASE CLEARLY STATE THIS REQUEST DURING YOUR TELEPHONE CALL TO DHCA OR IN YOUR WRITTEN COMPLAINT.

What Happens Next? A case will be opened for investigation and assigned to an inspector. If you wish to follow up on a complaint you can visit <http://www.montgomerycountymd.gov/eproperty> and enter the address of the complaint. This will allow you to follow up on the progress of the investigation.

If violations are found, a Notice of Violation will be mailed to the property owner requiring compliance by a certain date. A Notice of violation may also be posted on the site. The amount of time allowed for code compliance varies based upon the type of violation and the time necessary for making repairs or corrections. Generally, 30 days are required for the correction of non-emergency violations. Emergency violations must be corrected within 24 hours.

The property will be re-inspected to determine whether violations have been corrected.

If Violations Remain Uncorrected various civil and criminal penalties, including substantial fines, can be imposed. The County also has the right to clean up a property and charge the property owner for costs incurred. For additional information, visit the DHCA website at:
<http://www.montgomerycountymd.gov/dhca/>

The Department of Permitting Services

When you contact the counties call center by calling 311 inside the county or 240-777-0311 outside the county or on some cell phones, please provide the following information:

- Your name, address and phone number (not required; anonymous complaints are accepted).
- The exact address and/or location of the property where you have observed a possible code violation.

You may also submit this information in writing.

IF YOU WISH TO ENSURE YOUR NAME AND PERSONAL INFORMATION ARE KEPT CONFIDENTIAL. PLEASE CLEARLY STATE THIS REQUEST DURING YOUR TELEPHONE CALL TO DPS, OR IN YOUR WRITTEN COMPLAINT.

What Occurs After Filing A Complaint? Complaints are assigned to Zoning/Building Investigators/Inspectors who, if they find violations, instruct the violators to take corrective action. If a violation is not corrected within a reasonable time, various civil and criminal penalties, including substantial fines, can be imposed. The department keeps complainants' names confidential.

Will The Results Of An Investigation Be Available? The Investigator will inform you of important developments in the case and its final outcome.

How Long Will the Investigation Take? Normally, an investigation begins within one to three days from receipt of the complaint. Investigation time varies according to workload and/or complexity of the complaint.

For additional information, visit the DPS website at <http://permittingservices.montgomerycountymd.gov/>

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Department of Housing and Community Affairs
HOUSING CODE ENFORCEMENT
OVERVIEW
April 1, 2019

DHCA is Committed to Protecting Tenant Rights!



- We are working on a daily basis to promote a rental housing marketplace is fair for both tenants and landlords.
- **DHCA's Code Enforcement Section** is responsible for inspecting rental properties for unsafe housing conditions and protecting tenant rights.
- Through the enactment of **Bill 19-15**, improved resources and authority to do our job, we have expanded our efforts in ways that benefit all stakeholders.

New Tools

At the direction of County Executive Marc Elrich, DHCA launched a new interactive housing code website as well as the **“Troubled Property Analysis”**

- Providing interactive maps, a progress report on DHCA's two-year inspection surge, housing code statistics including violation details, useful links to tenant rights information and the Troubled Property Analysis.
- The designation of troubled properties is intended to assist DHCA in prioritizing where to focus its limited housing code inspection resources among the more than 680+ multifamily rental properties in Montgomery County.

In addition to a **more extensive inspection process**, Bill 19-15 includes several other improvements in tenant rights and protections.

- Greater clarity and flexibility with leases
- Expanded options for DHCA to deal with landlords who do not make mandated repairs in a timely manner
- Guarantees of free meeting places to gather and form tenant organizations.

AGENDA



Our Mission



Program Enhancements & Accomplishments



Inspections and New Regulations



Complaints/Compliance/Enforcement



Code Enforcement Collaboration

OUR MISSION AND GOAL

**To preserve and improve the
quality of life in Montgomery
County by ensuring
that our neighborhoods and
housing
stock are safe and maintained
in good condition.**



How are we working towards achieving our mission?

Our housing code inspectors (30 FTEs)

- Investigate potential code violations in residential and commercial properties
- Perform mandated inspections for rental properties
- Educate residents and property owners about their rights and responsibilities in the area of property maintenance as per the following chapters within Montgomery County's Code ...

26: Housing and Building Maintenance

22-96: Smoke Detector

48: Solid Waste

49: Snow Removal

58: Weeds

29-22: Inspection of Rental Housing

Executive Regulations: 5-17 Troubled Properties, 2-17 Re-inspection Fees, and 3-18 Repair & Deduct



FY 18 Program Accomplishments

July 1, 2017- June 30, 2018

County Stat Reported Outcomes FY18	
Number of MC 311 Service Requests	10,877
Total Cases Created*	8,352
Cases Resulting in No Citation	8,059
Cases Resulting in Citations	293
Voluntary Compliance Rate	96.5%
Total Site Inspections	30,217
* Total case number includes City of Takoma Park. Each multifamily rental complex inspection represents one case.	

FY 19 Accomplishments

July 1, 2018- June 30, 2019



The “Troubled Properties” surge inspections have identified 23,764 violations of which 22,054 have been corrected to date.



We have completed 90% of the surge inspections for 73,000 multifamily rental units under Bill 19-15, to generate a preliminary “Troubled Properties” list



Surge inspections of 858 units were completed at the Enclave apartments in 3 days

Frequency and Type of Inspections

Inspection of 680+ Multifamily Rental Properties (73,000+ units)

- As needed to investigate complaints
- Triennially (Compliant Properties)
- Biennially (At Risk Properties)
- Annually (*Troubled Properties)

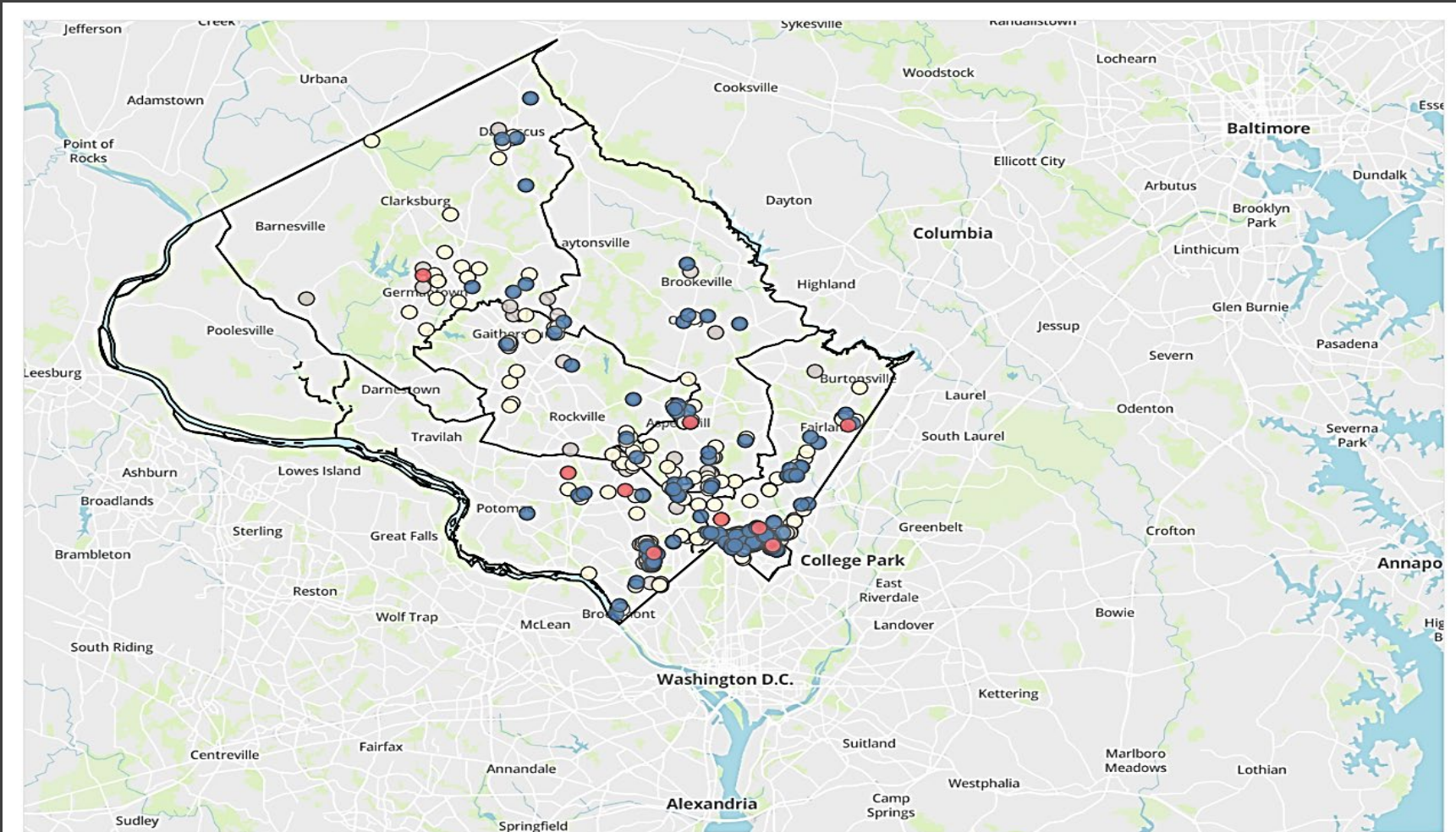
*Approximately 94 properties identified to date



Inspections for the following property types are conducted to address MC 311 complaints...

- Single Family Homes
- Condominiums, Townhomes, and Duplexes
- Accessory Apartments and Registered Living Units
- Vacant Lots
- Commercial Buildings

Multifamily Inspection Frequency



- Inspection Frequency**
- Annual Inspection
 - Triennial Inspection
 - More Frequent Inspection
 - Pending Inspection

“Troubled Properties”

Chapter 29 of the Montgomery County Code defines a “Troubled Property” as a multifamily rental property with “numerous and or severe” housing code violations cited which may contain one or more of the following issues...

- Rodent or insect infestation affecting 20 percent or more of the units
- Extensive and visible mold growth on interior walls or exposed surfaces
- Windows that do not permit a safe means of egress
- Pervasive or recurring water leaks causing chronic dampness, mold growth, or property damage in more than one unit
- Lack of one or more working utilities that were not shut-off due to tenant non-payment

New Multifamily Regulations

- **Executive Regulation 5-17 “Troubled Properties”** is one of three new regulations to ensure the safety of multifamily properties



- **Executive Regulation 02-17 “Establishing Inspection Fees”** requires multifamily property owners to correct housing code violations before the 3rd inspection or pay more for each subsequent inspection in addition to civil citation fines.



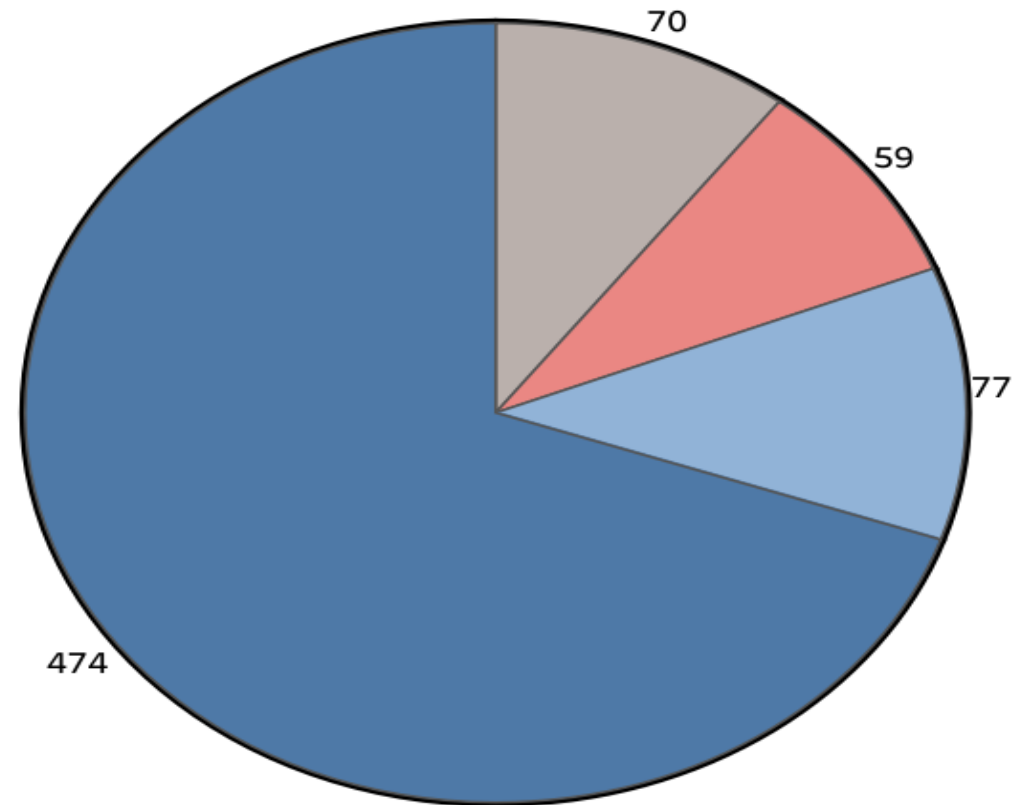
- **Executive Regulation 3-18 “Repair and Deduct”** authorizes the DHCA Director to allow tenants to use a certified contractor to repair a violation and deduct up to one month’s rent if the landlord does not make timely repairs.







Executive Regulation 5-17 “Troubled Properties”

- Established a methodology for designating **“Troubled Properties”** based on the **severity and quantity of violations**.
- Required **surge inspections of 680+ multifamily rental properties by July 2019** to establish a list of “Troubled Properties”.
- Provided more resources to address properties with **“health and safety”** issues and properties with **“numerous code violations”**
- Increased the **public’s access to information** about the current condition of multifamily rental properties on the “Troubled Properties” web page <https://stat.montgomerycountymd.gov/stories/s/54rw-g6jz>

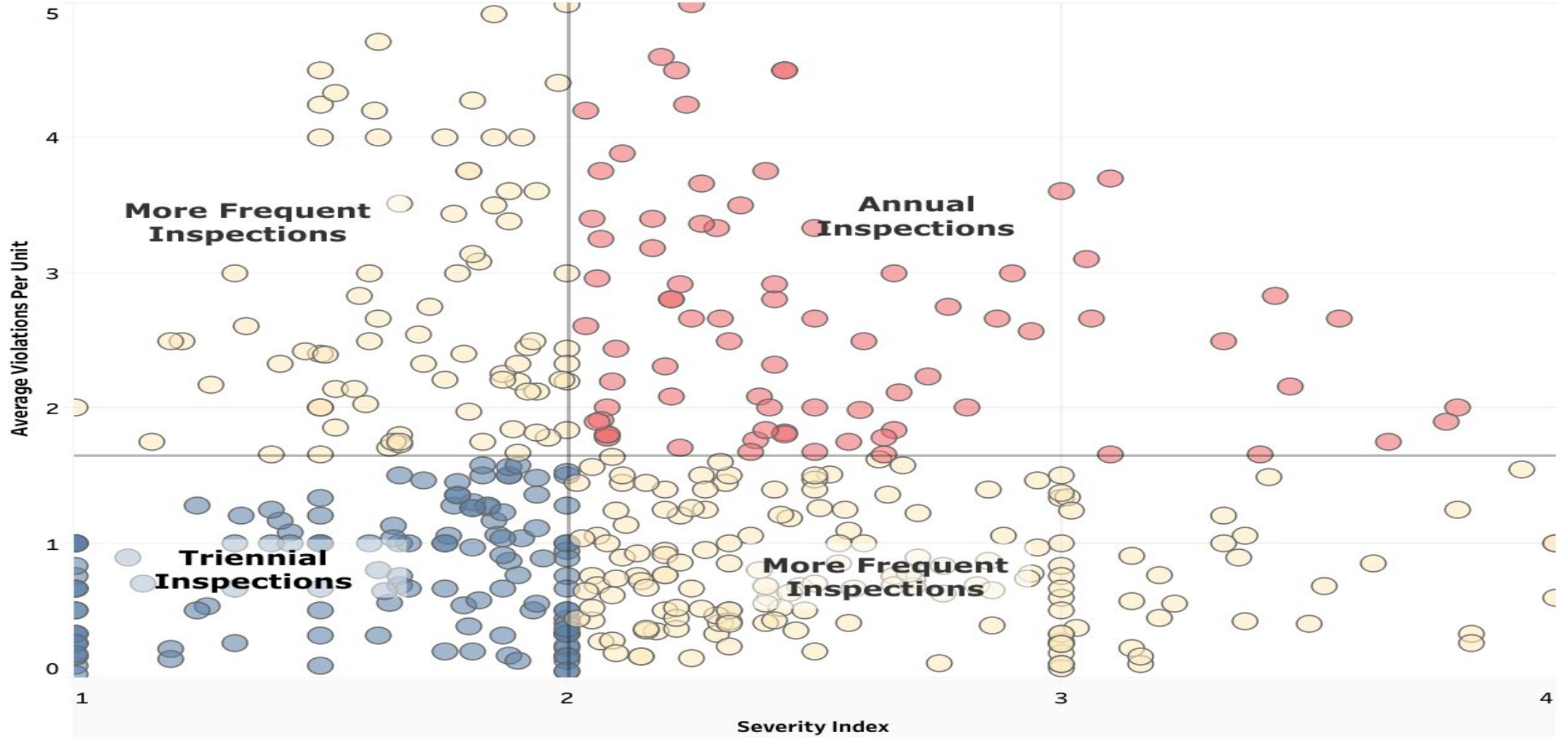
Progress of Surge Inspections



Inspection Status

-  Pending Inspection
-  Scheduled Inspection
-  Inspection in Progress
-  Inspected

Troubled Properties- Summary of Inspection Results



Troubled Properties Analysis

data.montgomerycountymd.gov

Table Preview View Data Create Visualization

Licen...	Com...	Stree...	City	Zip C...	Case ...	Longi...	Latit...	First ...	Tent...	Inspe...	Com...	Unl
109956	Thayer & ...	915 SILVE...	SILVER SP...	20910		0	0				0	
21574	Eaves Wa...	0000 Mar...	Gaithersb...	20878	149256	0	0	10/10/2018	07/02/2021	3	1	
108315	Quest Arc...	13615 CO...	SILVER SP...	20904	146174	0	0	04/06/2018	08/01/2019	1	1	
50466	The Roth...	20120 Ro...	Montgom...	20886	150518	-77.19098...	39.18617...	10/10/2018	08/22/2021	3	1	
18134	Greenwo...	8201 Gre...	Takoma P...	20912	139481	-77.00034...	38.99162...	04/19/2017	02/24/2020	3	1	
36446	Hughes H...	10720 Ge...	Silver Spri...	20902	146616	-77.04878...	39.03115...	05/18/2018	03/13/2021	3	1	
17009	Greenwo...	8403 Gre...	Takoma P...	20912	139512	-77.00096...	38.99426...	04/06/2017	02/27/2020	3	1	
17708	Houston ...	805 Hous...	Takoma P...	20912	139562	-77.00114...	38.99100...	03/16/2017	02/27/2020	3	1	
17327	Manor Ap...	25801 Wr...	Damascus	20872	146573	-77.21008...	39.28007...	04/02/2018	03/12/2021	3	1	
18219	Bonifant ...	941 Bonif...	Silver Spri...	20910	143631	-77.02549...	38.99407...	09/22/2017	09/06/2020	3	1	
16955	Courts Of...	700 Sligo ...	Silver Spri...	20910	140996	-77.01671...	38.99039...	07/13/2017	05/09/2020	3	1	
18019	Easley Str...	731 Easle...	Silver Spri...	20910	138927	-77.02088...	38.99445...	02/21/2017	01/24/2020	3	1	
85492	Aurora A...	5401 Mc ...	Rockville	20852	146686	-77.10835...	39.04903...	04/25/2018	03/15/2021	3	1	
17759	Houston ...	904 Hous...	Takoma P...	20912	139605	-76.99992...	38.99170...	06/14/2017	03/01/2020	3	1	

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Single Family Complaint Inspections



Inspection

Inspectors determine...

- If the property is a rental or owner occupied
 - When an interior inspection and/or exterior inspection is required
 - How to gain access via the occupant or schedule an inspection with the property owner/agent or to conduct an exterior inspection if unsuccessful
 - When multiple visits are required to confirm the correction of violations
- If interior access is gained, we conduct an inspection with owner/agent or occupant.
 - Check for unsafe areas such as rooms without proper egress, smoke and carbon monoxide alarms, illegal accessory apartment and number of occupants.
 - Measure and record room sizes and number of occupants per room, ask the occupant who stays in each room and their relationship to the tenant named in the lease or owner if owner occupied.

Accessory Apartments (in-law suite/2nd dwelling)

Class 3 License Requirements

- ✓ Located in a 5 yr. old+ single-family home 300 feet from other registered AA's in an approved zone or a referral may be obtained to request conditional use
- ✓ Owner occupied with a separate entry
- ✓ Must be less than 50% of principal dwelling's floor area, or 1200 sq. feet, whichever is less
- ✓ Adequate well/septic and parking/driveway
- ✓ Comply with MD Real Property Data square footage and number of bathrooms
- ✓ May be a new construction or existing AA (basement, max. 800 sq. ft. addition, or separate building on a lot that is at least an acre)
- ✓ Drawing details (rooms, location of appliances, location of windows and doors, separation from owners' portion of the residence, etc.)
- ✓ Property address research for recorded permits with WSSC and the Department of Permitting Services (DPS)
- ✓ Obtain list of plumbing fixtures and location from WSSC, if available
- ✓ Review all permits issued by DPS and note any unfinalized and/or un-issued permits

Inspection Process

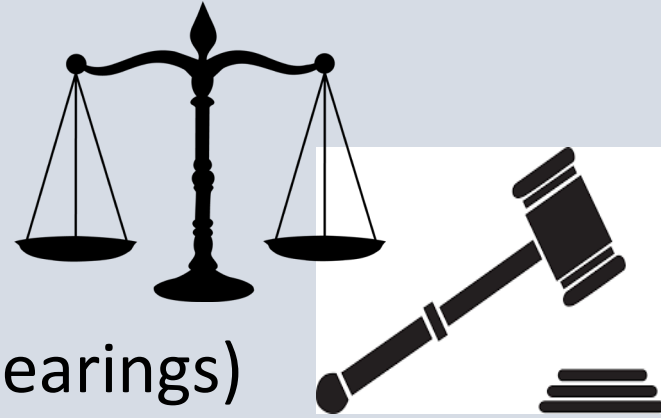
- Inspect the entire residence with property owner
- Verify properly operating smoke and carbon monoxide alarms
- Measure the square footage of an existing apartment
- Confirm driveway square footage and square footage of any existing garage(s) and/or carport(s)
- Document observed code violations and issuance of an emergency field notice for life/safety issues (if applicable)

Preliminary Inspection Report

- Clarify any discrepancies observed with WSSC and DPS permits
- The report is sent to the owner with a copy of a stamped drawing and copies of unfinalized or un-issued permits
- The owner has (30 days for an existing unit or up to 180 days for new construction) to correct documented deficiencies

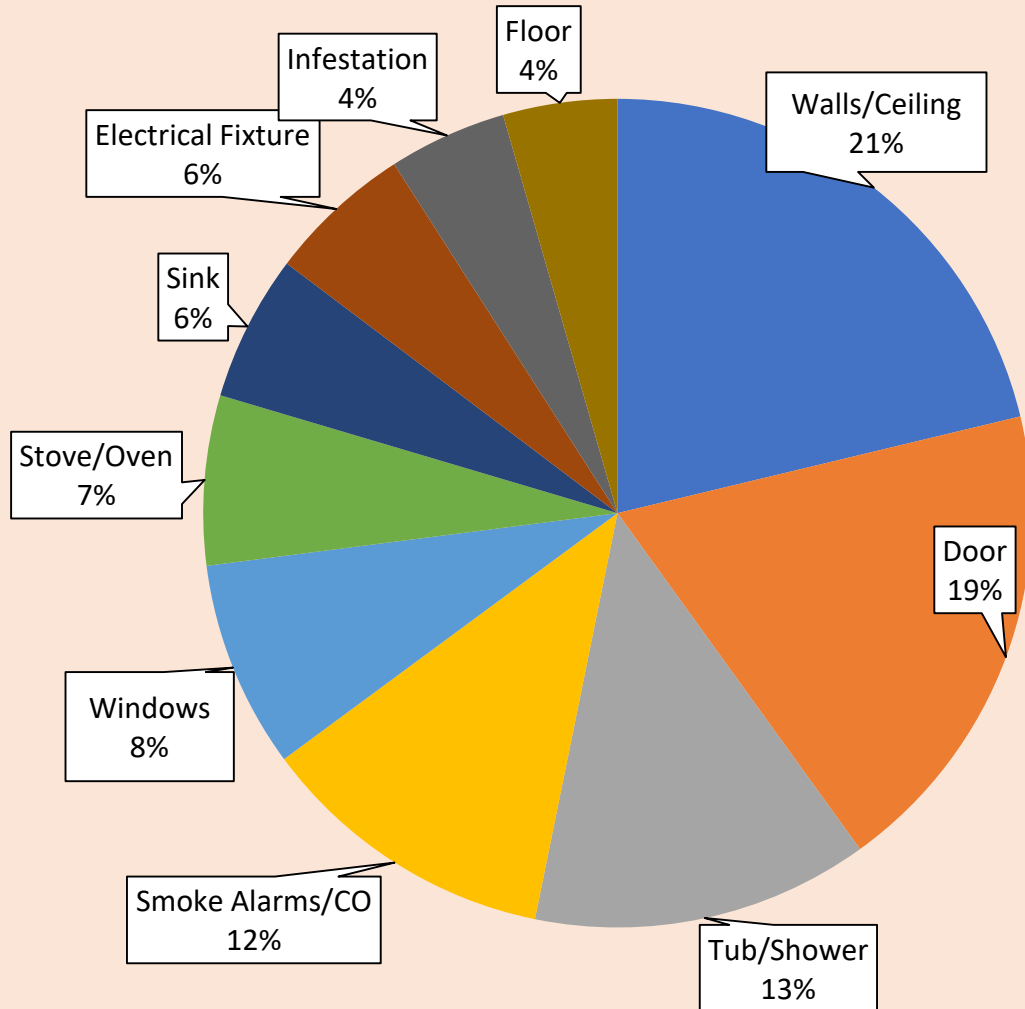
Special Inspections

- Court ordered inspections (landlord-tenant hearings)
- Adoption and foster care home inspections
- Neighborhood inspection sweeps
- Federally funded and inclusionary zoned rental units



Common Multifamily Violations

Top 10 Violations



1. Walls/Ceiling



2. Door



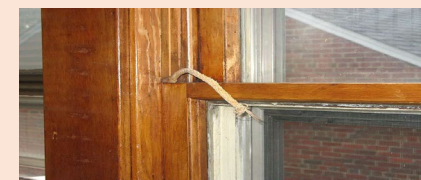
3. Tub/Shower



4. Smoke/CO Alarm



5. Windows



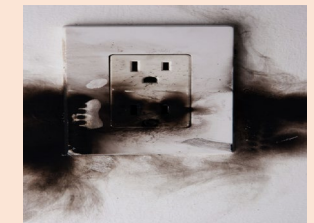
6. Stove/Oven



7. Sink



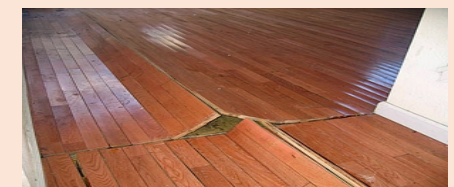
8. Electrical Fixture



9. Infestations

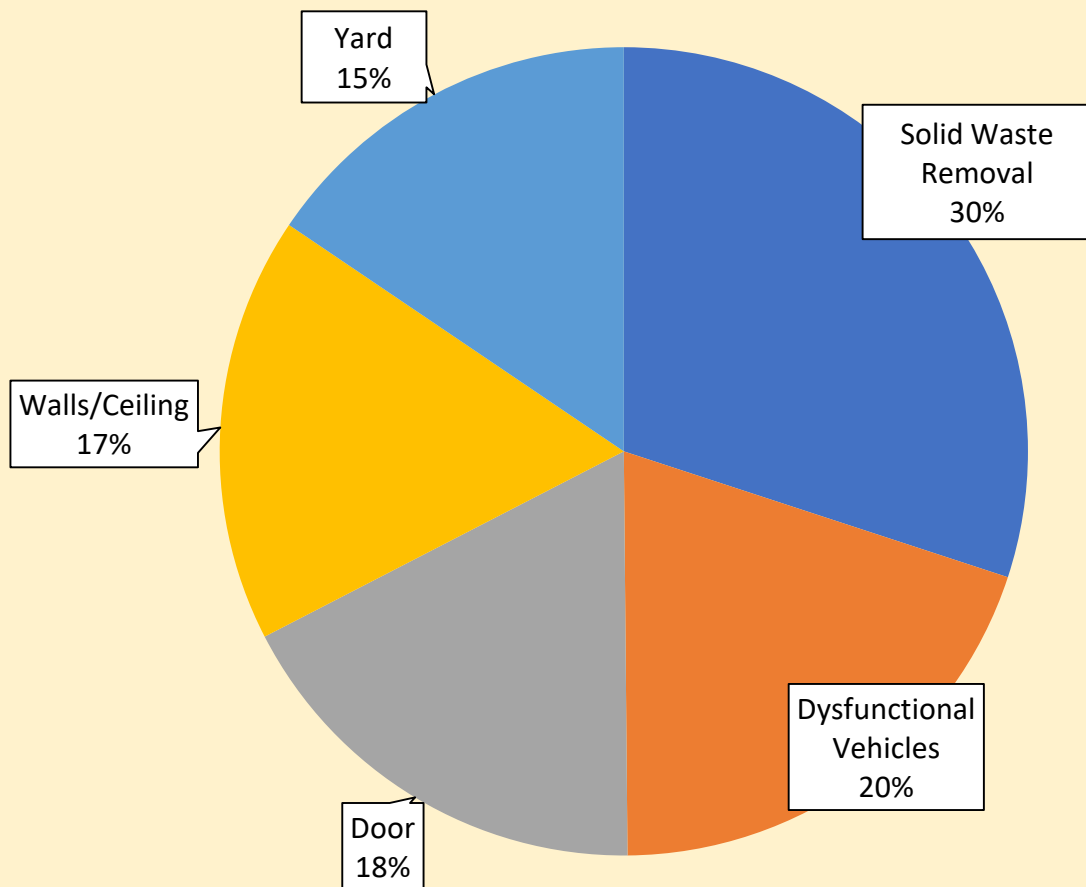


10. Floor



Non-Multifamily Common Violations

Top 5 Violations



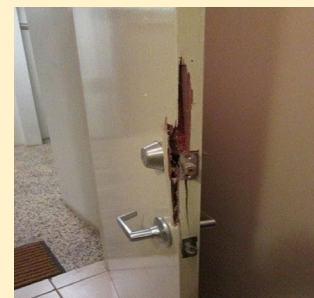
1. Solid Waste Removal



2. Inoperable Vehicles



3. Door



4. Walls/Ceiling



5. Yard

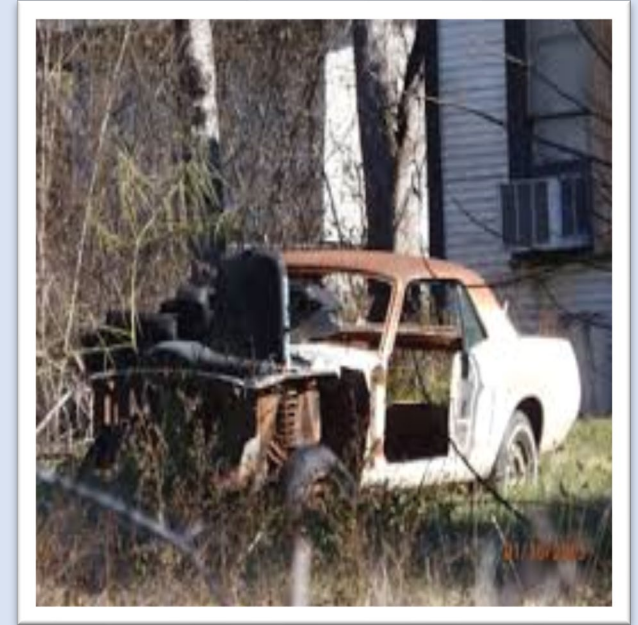


Vehicle Violations

- **Dysfunctional/unused vehicle** on private property
- A motor vehicle or trailer in, on, or by which any person or property may be transported on a public street, that is:
 - (a) inoperable or, if operable, not currently registered by a government agency which registers vehicles of that type in Maryland, and
 - (b) not completely enclosed in a garage or other building.
- **Dysfunctional/unused vehicles on a public street is enforced by the Montgomery County Police (Abandoned Autos Section)**

Parking in a driveway requires 160 sq. ft of surfaced areas in the front yard for every vehicle

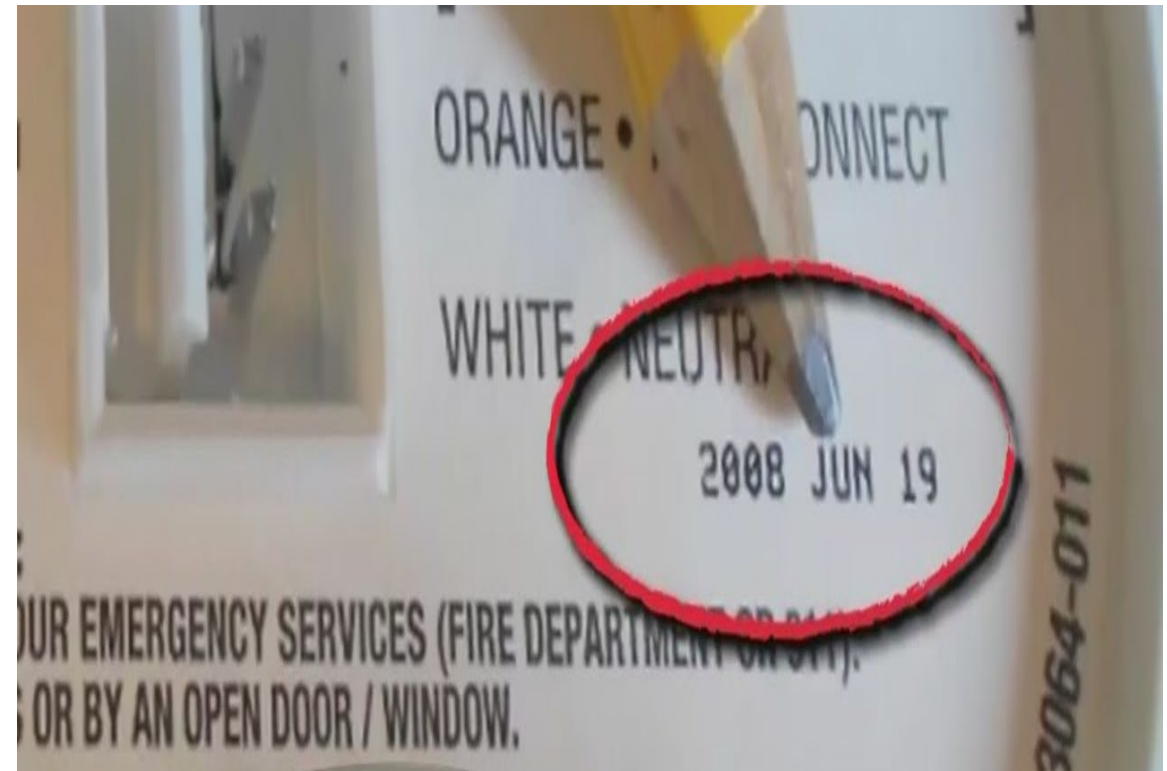
- **A maximum percentage of 30-35 percent of covered surface areas of the front yard can be covered depending on your zone (DPS is the lead department)**
- Temporary yard parking is permitted and cannot damage the grounds. Special events require a parking permit through DPS such as golf events





Solid Waste Accumulation

Smoke and Carbon Monoxide Alarms



Mold

Light



Heavy



Severe



Tall Grass and Weeds





Severe Hoarding

Hoarding

- Can be difficult to address and may require condemnation and the relocation of the occupant.
- Complaints are usually received from family members or property managers
- The Montgomery County Task Force on Hoarding Behavior presented a report in 2011 showcasing our collaborative efforts
- Our main partners include, HHS, DFRS, MCP- Animal Services, etc.
- HHS addresses the needs of the occupant and our inspectors address the structure.
- Hoarding severity levels are shown in the photos
- Level 6 and above could be grounds for immediate condemnation.
- We work with other departments to gain access to these units and may apply for an administrative search warrant subject to approval by a District Court Judge.



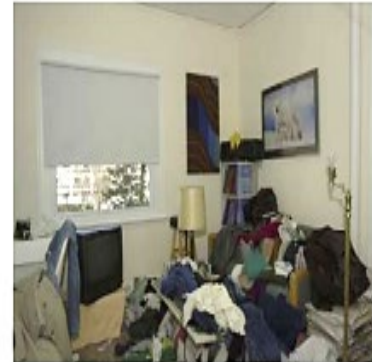
1



2



3



4



5



6



7



8



9



Unsafe and Overcrowded Dwelling

Habitability and Household Occupancy



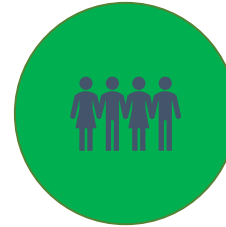
DWELLING UNIT

A BUILDING OR PORTION OF A BUILDING PROVIDING COMPLETE LIVING FACILITIES FOR **NO MORE THAN ONE HOUSEHOLD**, INCLUDING, AT A MINIMUM, FACILITIES FOR COOKING, SANITATION, AND SLEEPING.



IMMEDIATE FAMILY

A PERSON'S PARENT, SPOUSE, CHILD, OR SIBLING



HOUSEHOLD

A SINGLE PERSON **OR ANY NUMBER OF PEOPLE** RELATED BY BLOOD, MARRIAGE, ADOPTION, OR GUARDIANSHIP UP TO **5 UNRELATED PEOPLE**

2 UNRELATED PEOPLE AND ANY CHILDREN, PARENTS, SIBLINGS, OR OTHER PERSONS RELATED TO EITHER OF THEM BY BLOOD, ADOPTION, OR GUARDIANSHIP

EXCLUDES ANY GROUP OF INDIVIDUALS WHOSE ASSOCIATION IS SEASONAL IN NATURE OR RELATED TO A CRIMINAL OFFENSE



SLEEPING AREA

EVERY ROOM OCCUPIED FOR SLEEPING PURPOSES BY **ONE** OCCUPANT MUST CONTAIN AT LEAST **70 SQUARE FEET** OF HABITABLE SPACE

EVERY ROOM OCCUPIED FOR SLEEPING PURPOSES BY **TWO OR MORE** OCCUPANTS MUST CONTAIN AT LEAST **50 SQUARE FEET** OF HABITABLE SPACE FOR **EACH ADDITIONAL OCCUPANT**.

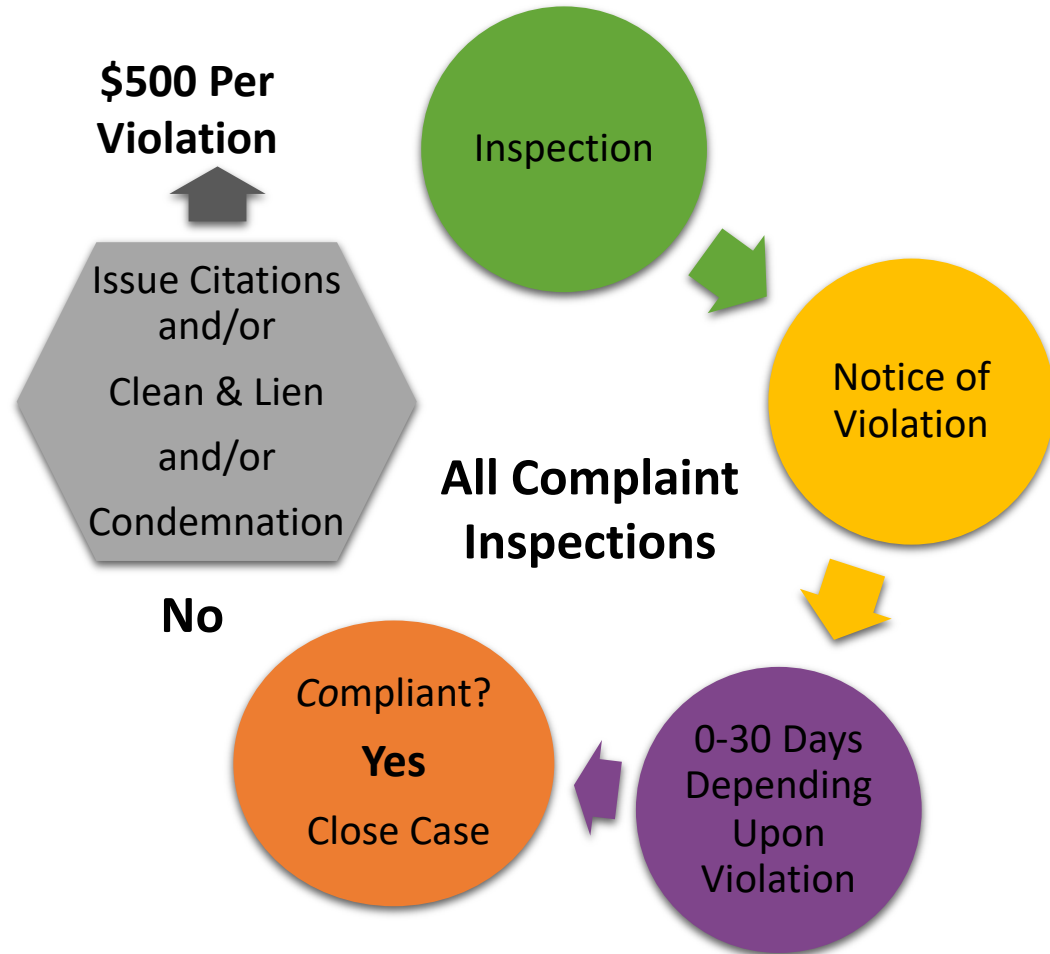


HABITABLE ROOM

A ROOM OR ENCLOSED FLOOR SPACE USED OR INTENDED TO BE USED FOR LIVING, SLEEPING, COOKING, OR EATING.

HABITABLE ROOM DOES NOT INCLUDE ANY BATHROOM, WATER CLOSET, LAUNDRY ROOM, PANTRY, FOYER, HALLWAY, CLOSET, RECREATION ROOM, PRIVATE WORKSHOP, HOBBY ROOM, STORAGE SPACE, OR EMERGENCY SHELTER.

Voluntary Compliance & Enforcement



Typical Time Lines for Compliance

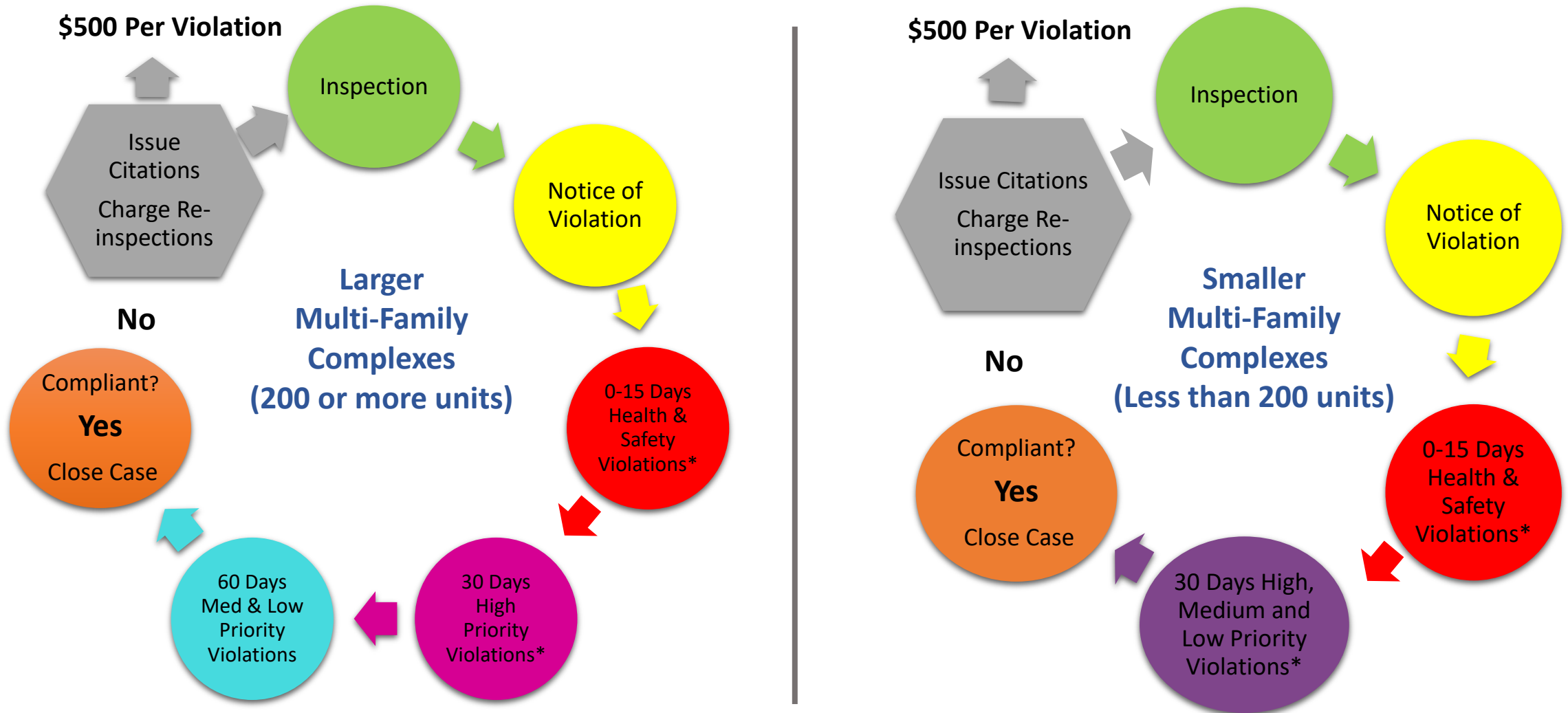
0-72 Hours— Lack of required utilities, missing or inoperative smoke alarms, lack of/or improper sanitary facilities, structural hazards, unsecured vacant buildings, snow/ice removal, severe mold, severe hoarding affecting egress or any egregious **health and safety violations** that are dangerous to the life, health, property and safety of the public or occupants of a property

10 Days— Overgrown weeds, solid waste, inoperative vehicles

30 Days— All **non health and safety** related violations, this includes general property maintenance conditions (e.g. peeling paint, missing fencing boards, non hazardous plumbing issues etc.)

Mandatory Inspection of Multi-family Complexes

Voluntary Compliance & Enforcement



*Citations may be issued anytime in the process if non-complaint



Civil Citations/Fines

UNIFORM CIVIL CITATION

WITNESS
 RELATED CITATION →

District Court of Maryland for
 Montgomery County DHCA

County/Municipality/State of Maryland Agency

Defendant's (Last) Name First Middle

City SILVER SPRING MD 20901 Apt. No.

DOB Height Weight Sex Race Hair Eyes
 Telephone No. Day Telephone No. Night

Based on personal knowledge of the undersigned officer the attached affidavit, the defendant is charged with Failure to remove, repair, and/or register unused vehicle. Location: Exterior. Item: Automobile/Vehicle. Condition: General Condition (Ref. DHCA # 331184)

at [redacted] at [redacted] AM PM on 2 / 5 / 2016
 (DHCA Case# [redacted])

SILVER SPRING Montgomery County, MD in violation of: Md. Ann. Code Municipal Infraction/County Ordinance/Public Local Law/Local Code COMAR
 Document/Article MCC 26 Section 9 Sub Section (a) Paragraph (13)

Each day a violation continues is a separate infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation.
 Defendant's Signature Mailed Certified Restricted and Regular

INSTRUCTIONS

YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you.
 YOU MAY PAY A FINE of \$ 500.00 by 02-25-2016 to the District Court
 Payment of the fine will not close the case if abatement action is pending.
 Office of the County Attorney
 101 Monroe Street, 3rd Floor, Rockville, MD 20850 and AVOID TRIAL.
 This will be deemed an admission of guilt and a trial date will not be set.

YOU MAY ELECT TO STAND TRIAL. DO NOT SEND PAYMENT OF FINE. Notify
 Office of the County Attorney in writing by 02-25-2016
 at 101 Monroe Street, 3rd Floor, Rockville, MD 20850
 The District Court will mail you a notice of your trial date and location. AT TRIAL the Court may impose a fine up to \$ 1000 plus court costs.

IN ADDITION, Montgomery County is seeking abatement of this infraction.
 You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs. Payment of the preset fine will not satisfy the abatement action and an Order of Abatement may still be entered against you.

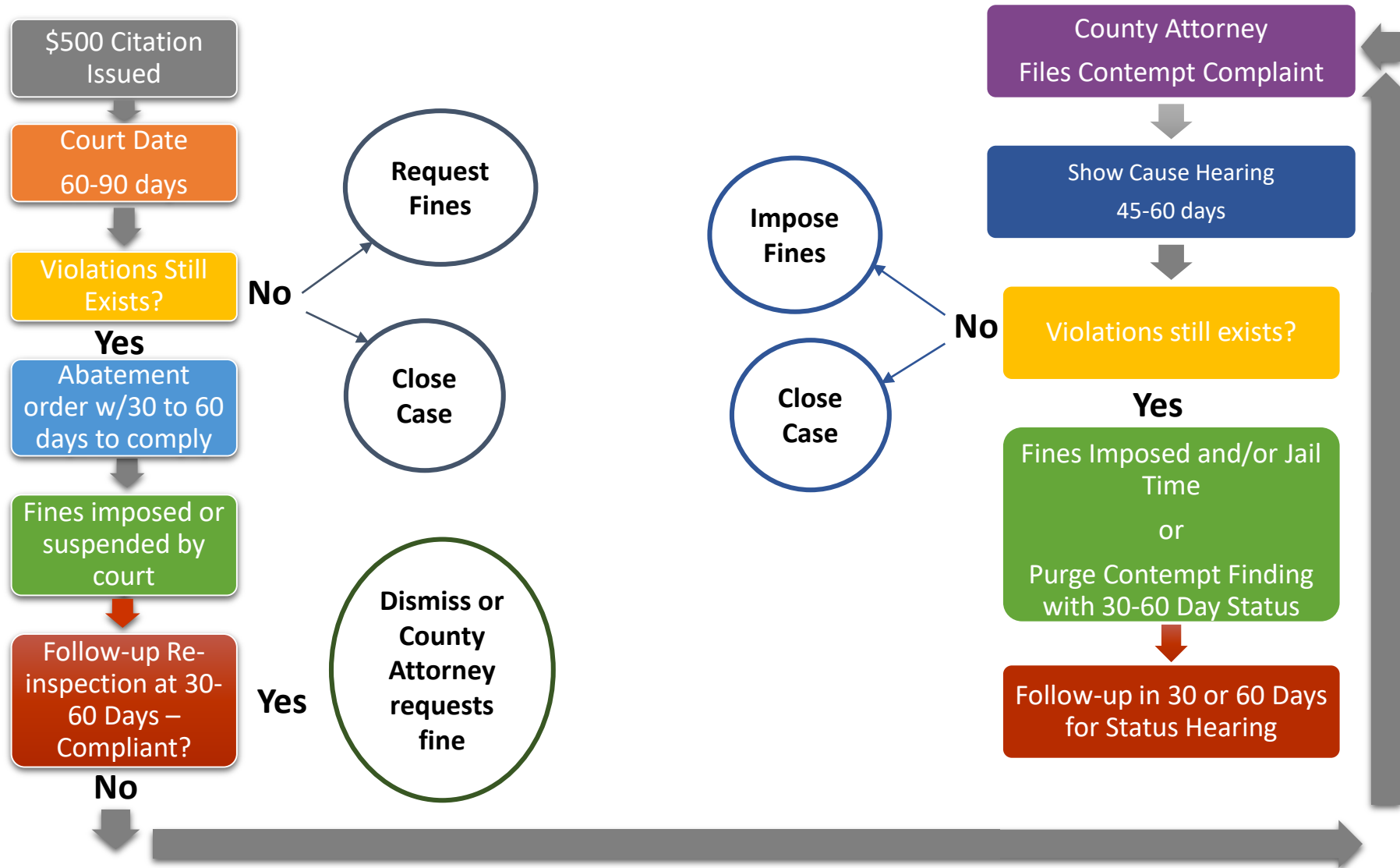
FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.
 FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE: will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement.
 FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE: the fine may be doubled and a judgment on affidavit entered against you.

Notes
 Display valid tags or remove all unused and untagged vehicles at the property including, but not limited to red Mercury. See NOV/SVC posted at property on 12/29/15.

Related Citation(s)

- All **Chapter 26 Housing and Building code violations** are **Class A violations** which impose a **\$500 penalty for each violation**
- **Chapter 49-17 Snow Removal Streets and Roads violations** are **Class C violations** subject to a **\$250 fine for each day that the violation exists for commercial properties** and **\$50 each day for residential properties**
- DHCA expects to issue more citations as part of the **“Troubled Property”** inspections

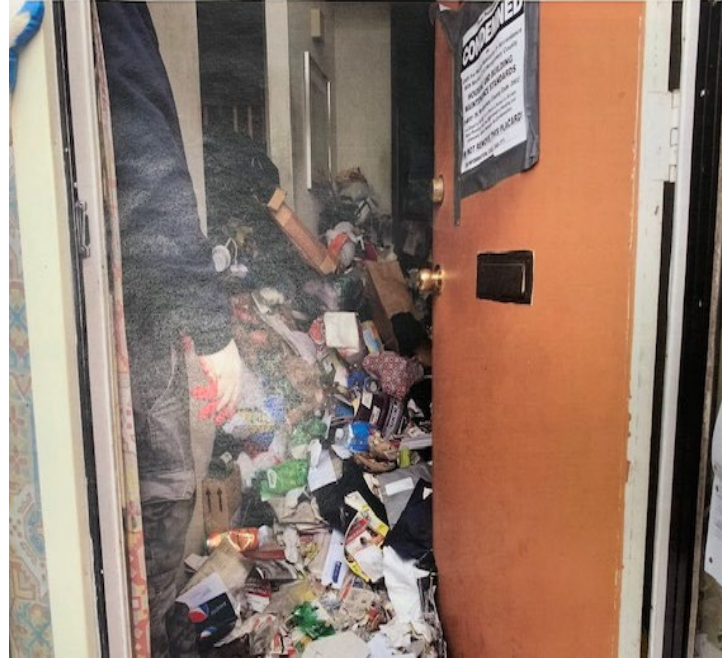
Involuntary Compliance Court Process



Other Enforcement Tools

- Clean and Lien
- Multifamily Inspection Fees (Exec. Reg. 2-17)
- Unmaintained vacant property inspection fees (Exec. Reg. 13-17)
- DHCA approved Repair and Deduct (Exec. Reg. 3-18)
- Court ordered clean-ups
- Faster code violation abatement deadlines for repeat offenders
- Condemned Property Designation





Condemned Property for Unsanitary Conditions

Condemnation and Demolition



DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS
DIVISION OF COMMUNITY DEVELOPMENT & CODE ENFORCEMENT
100 Maryland Avenue, Room 250
Rockville, Maryland 20850

EMERGENCY FIELD NOTICE Date 3-11-16

Owner/Manager/Occupant: Kesavan J. Mythili
Address: 14433 Settlers Landing Way
City/State/Zip: North Potomac MD 20878

For Montgomery County, Maryland, the undersigned issuer, being duly sworn upon his/her oath, states that on the 11 Day of March, 2016, an inspection of the following property shows that there is a violation or violations of Montgomery County Code:
Premise Address: 14433 Settlers Landing Way North Potomac 20878
City/Zip

You are hereby ordered to correct the following violation(s). Any violation continuing to exist, or which has been permitted to reappear, will be a failure to comply with this notice. You are advised to contact the issuing housing code inspector immediately.

Secure all points of entry to property including windows and doors in the front, side, and rear of property.

*THIS VIOLATION MUST BE CORRECTED WITHIN 24 HOURS
THIS/ THESE VIOLATION(S) MUST BE CORRECTED BY: 3/12/16 @ 11 AM

The owner/occupant is put on notice to correct the violations noted within 24 day(s) (hour(s)) or be subject to a fine of \$ 500.00 for the first day and \$ 100.00 for each day thereafter the violation exists.

3734 240-777-3734 POSTED ON FRONT DOOR
SIGNATURE OF ISSUING OFFICER Phone No. SIGNATURE OF RECIPIENT
3734 3/11/16 @ 11 AM
PRINTED NAME OF RECIPIENT

REINSPECTION CONDUCTED ON: BY: _____
COMPLIANCE VERIFIED ON: BY: _____
DISTRIBUTION OF COPIES: white-property owner

An “**Emergency Field Notice**” is used to condemn a property that that is unfit for human habitation.

Properties that are “**unsafe and open to casual entry**” must be secured and or boarded up within 24 hours.

- Properties requiring **demolition** are cited for violations under Chapter 26
- Property owners are required to take action to repair a dilapidated structure or the **District Courts** will require the appropriate corrective actions.

Severe Conditions “Clean and Lien”

- Completed 120 clean and liens in 2018
- Tall grass and weeds
- Solid waste
- Boarding up vacant properties
- Court ordered clean-up
- Property owners were billed \$121,000
via the Property Tax Assessment System in FY18



Inspection Fees



Multifamily Inspection Fees -Executive Regulation 2-17

1st Inspection \$0

2nd Inspection \$0

3rd Inspection \$100, plus \$25 for each rental unit

4th Inspection \$200, plus \$50 for each rental unit

5th Inspection \$500, plus \$125 for each rental unit

6th Inspection \$1000, plus \$250 for each rental unit that must be re-inspected, and any subsequent inspections after the 6th inspection

Unmaintained Vacant Fees-Executive Regulation 13-17

1st Inspection \$0

2nd Inspection \$200

3rd Inspection \$300

4th Inspection \$400

5th Inspection \$500

6th Inspection \$600

7th Inspection \$700

8th Inspection \$800

9th Inspection \$900

10th Inspection \$1000

Code Enforcement Collaboration

- DHCA – OLTA, Licensing/Registration, Neighborhood Revitalization, Affordable Housing
- CAO – Litigation of citations, abatement orders, warrants
- DPS – Building permits and zoning
- DEP – Solid waste, recycling, noise pollution, illegal dumping
- HHS – Hoarding, foster home and adoption inspections, neighborhood vector control, short-term rentals (e.g. Airbnb)
- MCPD – Animal Services, abandoned vehicles, civil standby, warrant inspections
- DOT – Public right of way, roads and sidewalks
- MCFD – Emergency coordination for condemned properties and annual fire alarm inspections
- RSC – regional Citizens' Advisory Boards and community meetings
- DGS – Violations found on county properties



QUESTIONS

