



City of Portland Remote Rental Housing Advisory Committee

March 3, 2022

1. ZOOM MEETING INSTRUCTIONS

- a. The Rental Housing Advisory Committee will hold a remote meeting on Thursday, March 3, 2022 at 5:30 pm. This meeting will take place remotely using Zoom.

This meeting will be held remotely pursuant to the Remote Meeting Policy adopted by the Rental Housing Advisory Committee and as authorized under 1 M.R.S. 403-B due to the existence of an emergency or urgent issue that requires the Committee to meet by remote methods.

Allow your computer to install the free Zoom app to get the best meeting experience. If you are not able to attend live, a recording will be available following the meeting.

Please click the link below to join the webinar:

<https://portlandmaine-gov.zoom.us/j/88061174273>

Webinar ID: 880 6117 4273

For public comment, you will need to use the "raise your hand" feature. To raise your hand via the telephone, please hit *9. You will be unmuted by the host when it is time for public comment.

Or join by phone: 312-626-6799

- 2. Review and Approval of the Minutes of the December 27, 2021 meeting
 - a. December 27, 2021 Minutes
- 3. Discussion and scheduling of Rental Housing Advisory Committee meetings for 2022
- 4. Discussion of Maine's new law requiring fuel gas leak detectors in multi-family units
 - a. Fuel gas leak detectors
- 5. Discussion of Permitting & Inspections staff coming to March meeting of the RHAC
- 6. Development of Committee work plan and ideas for 2022
 - a. Work Plan Ideas

7. Public Comment - Members of the public will be given an opportunity to address the Committee. Any person wishing to address the Committee shall give their name and address, and, if applicable, organization represented, and restrict comments to three (3) minutes.
8. Other Business

**Rental Housing Advisory Committee
Minutes of Remote Meeting held on December 27, 2021**

Committee attendance: Meredith Cook, Nora Graves, Wendy Harmon, Crow Norlander, William Sedlack, and Regan Sweeney.

Staff attendance: Mary Davis and Victoria Volent

Item 1: Review and Approval of the Minutes of the October 25, 2021 Meeting

On motion made by Crow Norlander, seconded by Regan Sweeney, the Committee voted (6-0) to accept the minutes as amended.

Item 2: Review, revise, and potentially approve recommendation to HEDC on City's Tenant & Landlord Resources page. <https://www.portlandmaine.gov/2604/Tenant-Landlord-Resources>

As a follow-up to their October 25 meeting, the Committee was asked for feedback and comments regarding the memo "*City Website "Tenant & Landlord Resources" Page*" that was included in the packet of information for the evening's meeting. The Committee noted the memo looked good.

Mary Davis indicated the memo would be reviewed for implementation by staff, and would become a communication item to the Housing and Economic Development Committee. Any requests for changes by the HEDC would be included in the work implemented by staff. Recommendation regarding Rent Board decisions and violations will be addressed by Permitting and Inspections. Mary Davis will report back to the Rental Housing Advisory Committee regarding the status of the requests outlined in the memo. Wendy Harmon noted Rent Board decisions are provided in the monthly Rent Board minutes.

On a motion made by Meredith Cook, seconded by Nora Graves, the Committee voted unanimously (6-0) to approve the memo with a recommendation for implementation to the Housing and Economic Development Committee.

Item 3: Update on Rent Board activities and ordinances

The Committee held a discussion regarding the activities of the Rent Board. Crow Norlander mentioned there is a tenant organization tracking Rent Board requests (MaineRentersUnited.org).

Item 4: Discussion of inviting staff from Permitting and Inspections to attend future meeting

The Committee held a discussion regarding inviting staff from Permitting and Inspections to attend a future meeting. Nora Graves would like to know the process concerning correcting safety and short-term rental violations, and the landlord notification process when violations do occur. Mary Davis noted that during the November 16, 2021 meeting of the Housing and Economic Development Committee, the Housing Safety Office provided a presentation on the Short-term Rental registration program. Staff will forward a copy of the memo from Housing Safety to the Committee. Regan Sweeney asked the Committee to email him with any questions and comments they have for Permitting and Inspections. He will forward Committee comments/questions to Mary Davis to share with Permitting and Inspections prior to the meeting.

Item 5: Public Comment

The meeting was opened to public comment, seeing no member of the public present, the public comment period was closed.

Item 6: Other Business

The Committee discussed moving meetings from Monday nights. Staff will send out a doodle poll to determine the best day to meet in 2022.

Mary Davis requested Committee members bring Work Plan proposals for 2022, such as policy recommendations for the Housing and Economic Development Committee, to the next meeting. The Committee asked this request to be sent via email as a reminder.

On a motion made by Meredith Cook, seconded by Regan Sweeney, the Committee voted unanimously (6-0) to adjourn.

The meeting was adjourned at 6:00 PM.

Respectfully submitted by Victoria Volent



Janet T. Mills
GOVERNOR

STATE OF MAINE
Department of Public Safety
Office of State Fire Marshal
52 State House Station
Augusta, ME 04333-0052

Michael Sauschuck
COMMISSIONER

Joseph E. Thomas
STATE FIRE MARSHAL

Fuel Gas Detectors

The information below summarizes the general requirements currently in law for the installation, of fuel gas detectors in Maine. For more information, you can view the fuel gas detector law online at: Title 25, §2469: If you need specific information, please call our office at (207) 626-3870.

These ARE NOT the same device as a Carbon Monoxide detector and will not replace the need for those within buildings in Maine. Fuel gas detectors may be powered by any of the following methods, battery, plugged into an electrical outlet or hard wired. Regardless of the power source, the units must be maintained and installed per the manufacturer's instructions. Fuel gas detectors will only be required to be placed within the room where a propane, natural gas or liquified petroleum gas fueled appliance is located.

This law becomes effective January 1, 2022.

Fuel gas detector required. The building owner shall install, or cause to be installed, in accordance with the manufacturer's requirements at least one approved fuel gas detector in every room containing an appliance fueled by propane, natural gas or any liquified petroleum gas in:

- A. Each unit in any building of multifamily occupancy
- B. A fraternity house, sorority house or dormitory that is affiliated with an educational facility
- C. A children's home, emergency children's shelter, children's residential care facility, shelter for homeless children or specialized children's home.
- D. A hotel, motel or inn
- E. A mixed use occupancy that contains a dwelling unit
- F. A business occupancy
- G. A mercantile occupancy
- H. An assembly occupancy

** Required detectors may be battery operated, plugged into an electrical outlet or hardwired.

PREVENTION * LAW ENFORCEMENT * RESEARCH

OFFICES LOCATED AT: 45 CIVIC CENTER DRIVE, AUGUSTA, MAINE 04330
(207) 626-3870 ADMINISTRATION/ INVESTIGATIONS (207) 287-3659 TDD (207) 287-6251 FAX
(207) 626-3880 INSPECTIONS/ PLANS REVIEW

Residential rental units

In a unit listed above, under the terms of a rental agreement or under a month to month tenancy, at the time of each occupancy the landlord shall provide fuel gas detectors if they aren't already present, and they must be in working condition. After notification of deficiencies, in writing, by the tenant, the landlord shall repair or replace the fuel gas detector.

Tenants shall keep the fuel gas detectors in working condition, test them periodically to make sure they work, and refrain from disabling them.

Transfer (sale or exchange)

A person who, after January 1, 2022, acquires by sale or exchange a building listed above shall install fuel gas detectors within 30 days of acquisition or occupancy of the building, whichever is later, if fuel gas detectors are not already present, and shall certify at the closing of the transaction that fuel gas detectors will be installed. This certification must be signed and dated by the person acquiring the building. A fuel gas detector must be installed in accordance with the manufacturer's requirements at the time of installation in each area containing an appliance fueled by propane, natural gas or liquified petroleum gas. A person may not have a claim for relief against a property owner, a property purchaser, an authorized agent of a property owner or purchaser, a person in possession of real property, a closing agent or a lender for any damages resulting from the operation, maintenance or effectiveness of a fuel gas detector. Violation of this subsection does not create a defect in title.

MEMO: Rental Housing Advisory Committee's Why and Ideas for Moving Forward

DATE: February 15, 2021

While the Rental Housing Advisory Committee (RHAC) is composed of a diverse group of people with varying backgrounds amidst tenant and landlord relationships, the common thread is clear: the betterment of the relationship and communication between tenants and landlords in Portland.

Some members were hoping for more of a Landlord/Tenant commission that would help resolve landlord-tenant conflicts by hearing cases and issuing decisions and orders.

Others were hoping for a more policy driven committee to help meet the needs of our diverse community in an equitable and sustainable way.

Regardless, the issue in Portland remains – navigating how to live here can be confusing and difficult.

Securing housing in Portland is marked with fear and uncertainty for many due to high rents and stories in the media of absent landlords not taking responsibility for their buildings. We need to cultivate a culture of affordability and caring, not only for buildings, but also for tenant wellbeing.

Homeless, immigrant and service-industry workers in Portland deserve to live in this vibrant community, especially given how much they give to Portland. We not only want to advocate for policies that would improve the lives of all Portland renters, primarily low-income and homeless Portlanders, but also help the City of Portland streamline the guidelines for landlords and tenants, helping educate participants on compliance for rental programs, and bring their voice to the table.

Currently as a group, the RHAC is not truly representative of landlords in Portland (i.e. bigger developers and rental property owners) and we feel we're set up in more of an adversarial way, without much information on comprehensive data regarding the current rental market.

These are all barriers to forward progress of our committee.

The RHAC should be acting with the Housing and Economic Development Committee and City Council to promptly and substantively address concerns from the community and mitigate tensions between landlords and tenants, especially during this current climate.

The RHAC has several ideas for ways we can work together to help create some positive change in the community:

- Recommend to City Council a formal comprehensive study of rental market so all parties can make informed decisions on where and how to focus efforts to aid tenants
- Work with Healthy Homes to update no smoking notices to include cannabis, as no smoking means

no smoking of any kind.

- Create website notices of city ordinances for landlords and tenants (i.e. \$30 maximum application fee, easy to understand information regarding violations and correction) that is up-to-date and easy to read for both parties. Maybe include a button on Portland's homepage for direct link to the latest information.
- Work with city and community lenders on a city guaranteed loan program with low interest rates or 10-year forgiveness for rental property owners regarding their property taxes or to repair items such as windows, decks and doors.
- Work with the city on no late fees or penalties for tenants or landlords after any moratorium is lifted.
- Work with the city zoning department to help disseminate information via virtual workshops regarding the application process for property owners to add accessory units to their property.
- Work on policy proposals such as:
 - a moratorium on evictions, late fees or legal actions as well as no rent increases during the pandemic
 - recommending no negative credit reporting for either tenants or landlords with COVID related issues regarding partial or non-payments
 - making affordable housing accessible for those who have or who are experiencing homelessness
 - increasing the requirements of the inclusionary zoning ordinance
 - an ordinance to require landlords to disclose to tenants the reason their application for housing is denied
 - building bridges with landlords and case managers to help Portlanders get and stay housed, helping keep people from becoming homeless
 - amend the ordinance creating the RHAC to enable the group to host educational events
 - lobby the Housing Safety Office for increased tenant outreach and enforcement

Respectfully submitted,
Rental Housing Advisory Committee

MEMORANDUM

FROM: Rental Housing Advisory Committee

TO: Housing and Economic Development Committee / Staff

CC: Development Committee

DATE: February 24, 2022

SUBJECT: City Website “Tenant & Landlord Resources” Page
<https://www.portlandmaine.gov/2604/Tenant-Landlord-Resources>

As part of the RHAC’s charge to “identify educational opportunities,” and provide recommendations regarding “proposals for improvements, modifications, or changes regarding landlord and tenant policy issues,” the RHAC recommends that City staff update its webpage entitled “Tenant & Landlord Resources,” with the URL referenced above.

Though the page is titled simply “Tenant & Landlord Resources,” in its current form, the page is listed under Health & Human Services, “COVID-19 Information,” and is comprised solely of information related to relief available and policy changes made in response to the COVID-19 pandemic. The vast majority of the information available on the site is very outdated, to the point where most of the programs and relief referenced are no longer available.

This page is the top Google result when searching for “Portland Maine landlord tenant information,” and it is a City government site, so it’s important that the information provided is both relevant and up to date. To that end, the RHAC recommends the following changes:

1. Update Page with Currently-Available COVID-19 Programs and Relief

To the extent the City intends to keep a website providing information about the various programs, changes, and relief available specific to the COVID-19 pandemic, then this page should be updated to serve in that capacity. It should be renamed, and the back-end coding changed to reflect that it is a page specific to COVID-19-related measures, and not a site containing information about Portland’s landlord/tenant laws and issues, generally. That should be a separate page/site, more appropriately under Housing and Economic Development rather than Health and Human Services.

2. Create a New Page with Landlord-Tenant Information

The RHAC recommends that the City create a webpage dedicated to Landlord/Tenant Information, generally, that contains links to relevant City Code provisions, Rent Board page,

RHAC page, rental property registration, Housing Safety, etc. The RHAC did not develop an exhaustive list of all things that should be included on the page, but in addition to links to the other various City sites regarding landlord-tenant matters, the RHAC recommends that the City publish the following on its website:

a. *Rent Board Decisions*

As the Rent Board continues to hear and decide cases before it, the City should publish those decisions publicly on its website, so that they are readily available to the community.

b. *Information on Violations*

To the extent landlords have been fined, registrations revoked, or other penalties imposed for violating the City's landlord-tenant ordinances, it hasn't been well-publicized, and there is a perception among the rental community that enforcement simply isn't happening. Just as with the Rent Board's decisions, the City should be publishing these as well, so that the community is apprised of what's happening.