

City of Portland, Maine

Public Safety/Health & Human Services Committee

**February 10, 2015
5:30 PM
Council Chambers, City Hall**

1. Review And Accept Minutes From January 13, 2015 Meeting

Documents: [JANUARY 13 2015 MEETING MINUTES.PDF](#)

2. 7 Point Plan Update (Written Communication Only)

Documents: [7-POINT PLAN DASHBOARD \(2014.12\)_1.PDF](#), [SSD REVISED DASH 12.14.PDF](#)

3. Trauma Intervention Program Introduction
Leslie Skillin, TIP Crisis Team Manager

Documents: [TIP INFO SHEET.PDF](#)

4. Fire/Code Task Force Recommendations (Action Item)
Julie Sullivan, Acting Chief of Staff

Documents: [FIRE CODE TASK FORCE RECOMMENDATIONS TO PSHHS 2.10.15.PDF](#),
[ASSISTANT CHIEF GAUTREAU TALKING POINTS.PDF](#), [MEMO PSHHS.PDF](#)

5. 2015 Work Plan Follow Up

Documents: [2015 TENTATIVE WORKPLAN.PDF](#)

6. Adjourn

Public Comment will be taken on Action Items



Portland Police Department

**City of Portland, Maine
Public Safety / Health & Human Services Committee
January 13, 2015**

Meeting Minutes

Committee Attendance:

Chair Councilor Suslovic, Councilor Costa, Councilor Brenerman, Councilor Duson.

City Staff Attendance:

Mayor Michael Brennan; Sheila Hill-Christian, Interim City Manager; Michael Sauschuck, Chief of Police; Dawn Stiles, Director of Social Services; Toho Soma, Acting Director of Public Health; Richard Bianculli, Neighborhood Prosecutor; Adam Lee, Corporation Counsel; Councilor Kevin Donoghue; Angela from the Oxford Shelter; Jerry LaMoria, Fire Chief.

AGENDA ITEM 1 - Meeting Called to Order

Meeting was called to order at 5:35pm by Chair Suslovic. A discussion was had regarding the method used to record minutes and the amount of detail being recorded. Chair Suslovic preferred digital recordings and Councilor Brenerman likes to be reminded of the things he asks, but doesn't need them to be in the minutes. Sheila will find out about digital recording options. A motion was made to accept the minutes. The motion was seconded and the minutes approved.

AGENDA ITEM 2 – Mayor's Sub-Committee on Substance Abuse Update

Toho Soma provided a brief update on the sub-committee (see back-up materials). Councilor Duson asked what the sub-committee produces as an output. Toho responded that the sub-committee makes policy recommendations.

AGENDA ITEM 3 – Public Health Update

Toho Soma provided an update (see PowerPoint handout in back-up materials). He noted the Healthcare for the Homeless location has closed but services have moved to Portland Community Health and the function still exists. Toho noted data in the presentation is old and it is generally challenging to find updated or recent data related to public health. Site visitors would like to meet with Committee members on **March 18th at 10:30am.**

Toho would like to work with committee members on changes to smoking ordinances.

Councilor Costa asked about following up on electronic medical records because the deadline is coming up quick. The RFP will be reviewed in January, selected in February and interviews held after that.

Portland has only two centers with records so staff felt comfortable. Chair Suslovic mentioned potential funding from the Robert Wood Johnson foundation for public health needs. Toho also noted the Governor's budget proposal has been released and displays significant budget cuts. Councilor Brenerman asked about the availability of federal and state funds. Toho responded the City is ok on federal funding but very unsure of state funding. Brenerman asked how much of 5.7 million comes from the state. Toho responded approximately 2 million although some federal funding does funnel through

state programs.

Councilor Duson would like help through the legislative process explaining the current situation and needs of public health in Portland; she also asked for the numbers of populations in immigrant communities. Councilor Brennerman asked for the number of people served by Public Health. Toho provided an annual report with that information.

AGENDA ITEM 4 – Social Services Update

Dawn Stiles provided an update and would like to know what committee members would like for reports as public health has a multitude of reports available.

AGENDA ITEM 4.I – Update on General Assistance

Dawn said General Assistance (GA) auditors will be in Portland next week for 3 days. The Chair would like to be kept up to date on the status of GA. Councilor Duson was not clear on how GA was paid. Dawn provided an overview noting Portland does not issue EBT cards.

Chair Suslovic asked staff to use their judgment in materials presented to committee; a small discussion was held regarding requirements for GA assistance.

AGENDA ITEM 4.II – 7 Point Plan

Dawn provided an update on the 7 Point Plan noting the numbers aren't exactly where we want to be (see back-up material provided).

AGENDA ITEM 4.III – Shelter Consolidation Discussion

Chair Suslovic asked two questions 1) if this idea is feasible and 2) if the Hanover street location is recommended for use.

Councilor Duson asked whose idea this proposal was. Sheila explained the course of action leading to this discussion of the possibility of a consolidation of services.

Dawn said the shelter is inadequate and causes increased costs while impacting neighborhood businesses and residents and traffic. Options are consolidation, renovation or relocation (feasibility study). Dawn asked how the 7 point plan fits for the vision for the city and who potential partners are.

John Bradly, Associate Director of Preble Street, said his group agrees with this process noting the 7 point plan is the City's initiative where their group is largely supported by HUD who has been pushing for a coordinated service center. John noted Preble Street is not meeting state standards due to lack of capacity. He also said the Board hasn't discussed the consolidation option due to lack of information at this point.

Donna Yeller, Chief Program Officer at Preble Street, did a short presentation using a map of current locations and provided numbers arguing a consolidation effort would be effective and indicated they would need approximately 8 months to move forward.

The discussion continued to clarify a feasibility study to determine all available options to re-arrange the current schedule and array of services to benefit everyone impacted by changes.

Public Comment was taken on this item at 7:15pm. The following individuals spoke on the potential of shelter services being consolidated. Each individual was either a neighborhood resident, business owner or landlord. Several individuals were a combination of residents, owners and landlords.

Laura Cannon
Shawn Kirwin
Sarah Gabba
Paula Bouchard

Ron Spinella
Jim Hanley
Cullen Ryan
Steve Hershon

Todd Black
Linda Bancroft
Dennis Ferrante

Public Comment was closed at 7:40pm. The public generally did not support one large location for consolidated services citing significant impacts to business and neighborhood quality of life. Several voiced an opinion that the City's Homeless Task Force had already done this work in the past and strongly suggested the committee and staff review research that is already available before moving forward.

Following an extensive discussion of process and property at Hanover Street the group determined a feasibility study would discuss possible locations (one or multiple), funding, partners and include those impacted by changes moving forward – with a goal to keep in step with the 7 Point Plan. Staff will come back with a more robust proposal regarding a feasibility study for the committee's review and potential recommendation to the full council. The committee agreed and appreciated that option from staff.

AGENDA ITEM 5 – work plan

The February meeting will consist of a presentation and recommendation from the Fire/Code task force and a review of a feasibility study.

The March meeting will include a discussion of smoking ordinance changes and food service ordinance changes.

With no further business to attend to the committee adjourned at 8:30pm.

CITY OF PORTLAND
HEALTH & HUMAN SERVICES DEPARTMENT
SOCIAL SERVICES DIVISION

**PUBLIC SAFETY, HEALTH & HUMAN SERVICES COMMITTEE
7 POINT PLAN TO END HOMELESSNESS**

UPDATE – DECEMBER, 2014

**GOAL #1
CASE MANAGEMENT**

The Task Force recommends case management services be expanded to people who are homeless and those case management delivery systems follow client needs, rather than reimbursable service delivery models

Oxford Street Shelter

	Dec. 2013	Dec. 2014
Housing Placements	27	10
Individuals Served	584	571
Shelter Occupancy	136%	151%
Veterans Served	39 360 Bed Nights	41 483 Bed nights

Family Shelter

	Dec. 2013	Dec. 2014
Housing Placements	16 Families/ 41 Individuals	21 Families/ 64 Individuals
Individuals Served	62 Families/ 217 Individuals	67 Families/ 213 Individuals
Shelter Occupancy	129%	124%
Veterans Served		1 Family 3 Individuals

**Occupancy is over for both shelters due to overflow facilities being utilized.*

**GOAL #2
RAPID REHOUSING**

The task force recommends a focus on providing appropriate permanent housing and support in the community for individuals, families and youth as quickly as possible.

258 Chronically Homeless Single Adults in need of Permanent Housing

- 4 Placed in to Permanent Housing

TBRA

- 11 Households (22 Individuals) Assisted
- \$10,648 spent

Home To Stay

- 97 Active Clients
- 3 Subsidies Provided

Numbers are Year-to-Date; Program started March, 2014

**GOAL #3
INCREASED OUTREACH**

Goal: Conducting assertive, community-based outreach

HOME Team

- 729 Encounters
- 196 Transports
- 66 Individuals Served

GOAL #4 ZONING CONSTRAINTS

Goal: Explore Portland's zoning requirements so that all neighborhoods are equal candidates for emergency shelters, dispersed service locations or specialized care housing as a conditional use.

Study/Assessment of commercial corridors R-6 & R-7

*Planning & Urban Development Department
Ann Machado, Zoning Specialist*

**Zoning has been changed on Bishop Street to accommodate the Housing First Program*

GOAL #5 SPECIAL POPULATION HOUSING

Goal: Coordinate behavioral and primary care treatment for people in the shelter system. Increase housing opportunities for people who are homeless and are struggling with addiction. Increase employment opportunities for people who are homeless and are struggling with addiction and mental illness.

United Way Feasibility of Medical Respite Program

- Dan Coyne, United Way

	Dec. 2013	Dec. 2014
York County Shelter (YCS) Placements	0	0

GOAL #6 HOUSING FIRST PROGRAM

Goal: Reduce the number of long term/chronically homeless in Portland. Increase specific housing options to include transitional and permanent supportive housing models.

Update on \$50,000 RFP for Housing First Program

Avesta Housing Project

GOAL #7 SECTION 8 HOUSING VOUCHERS

Goal: Work in partnership with landlords to increase access to housing stock which will increase available rental opportunities for people who are homeless. Create/expand resources for landlords to work through issues with tenants.

Section 8 Housing Vouchers made available by:

- Portland (40- primarily CLIP vouchers)
- Westbrook (unspecified amount)
- South Portland (2)

CITY OF PORTLAND
HEALTH & HUMAN SERVICES DEPARTMENT
SOCIAL SERVICES DIVISION

DECEMBER 2014 DASHBOARD

OXFORD STREET SHELTER

New Intakes (unduplicated)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
161	1,716	182	1,759	↓	↑

Bed Nights					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
6,866	85,029	7,184	81,666	↓	↓

Housing Placements*					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
28	660	11	271	↑	↓

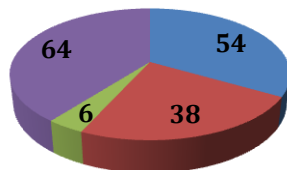
**Starting November, 2013, OSS shifted housing placement priorities to their long-term stayers. This was to make more quality placements, resulting in lower bed nights*

Veterans Served**					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
39	180	41	143	↑	↓

***Veteran status is based on self-reporting*

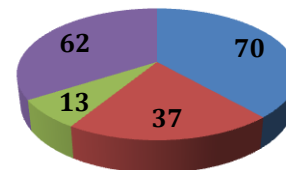
**Oxford Street Shelter
Intake Residency
Dec. 2013**

■ Out of Town ■ Out of State ■ Out of Country ■ Portland



**Oxford Street Shelter
Intake Residency
Dec. 2014**

■ Out of Town ■ Out of State ■ Out of Country ■ Portland



CITY OF PORTLAND
HEALTH & HUMAN SERVICES DEPARTMENT
SOCIAL SERVICES DIVISION

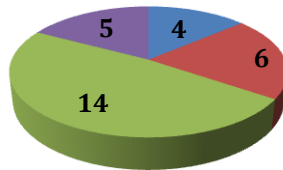
DECEMBER 2014 DASHBOARD

FAMILY SHELTER

New Intakes (unduplicated families)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
29	288	20	296	↓	↓
Bed Nights					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
3,762	41,276	3,992	44,721	↓	↑
Housing Placements (families)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
16	150	21	193	↑	↑
Veterans Served (families)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
1	3	1	9	↑	—

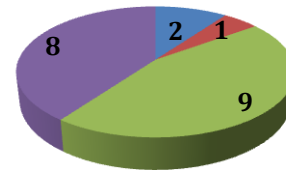
**Family Shelter
Intake Residency
Dec. 2013**

■ Out of Town ■ Out of State ■ Out of Country ■ Portland



**Family Shelter
Intake Residency
Dec. 2014**

■ Out of Town ■ Out of State ■ Out of Country ■ Portland



CITY OF PORTLAND
HEALTH & HUMAN SERVICES DEPARTMENT
SOCIAL SERVICES DIVISION

DECEMBER 2014 DASHBOARD

GENERAL ASSISTANCE

New Intakes/Reintakes*					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
144	1,676	120	1,409	↓	↓

* Represents the sum of all Initial Intakes and Re-Intakes.

An Initial Intake is defined as an individual, age eighteen (18) and over, who has never before utilized the City of Portland General Assistance office.

A Re-Intake is defined as an individual who has not signed into GA for a period of twelve (12) months or longer

Total Applications (unduplicated)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
1,015	2,790	1,041	2,512	↓	↓

Total Applications Granted (unduplicated)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
940	2,374	999	2,211	↓	↓

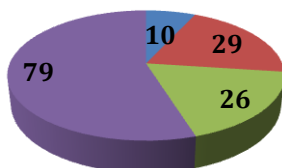
Total Applications Denied (unduplicated)					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
75	416	42	301	↓	↓

Billable Expenditures Granted					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
\$622,135	\$7,418,446	\$300,590	\$5,070,065	↓	↓

Non-Billable Expenditures Granted					
December 2013	2013 YTD	December 2014	2014 YTD	Desired Trend	Actual Trend
\$0	\$0	\$358,272	\$2,303,926	↓	↑

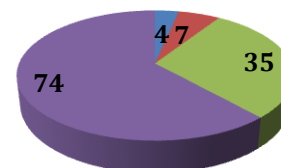
**General Assistance
Intake Residency
Dec. 2013**

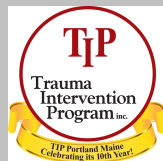
■ Out of Town ■ Out of State ■ Out of Country ■ Portland



**General Assistance
Intake Residency
Dec. 2014**

■ Out of Town ■ Out of State ■ Out of Country ■ Portland





Trauma Intervention Program of Portland, Maine (TIP)

TIP trains citizen volunteers to provide emotional and practical support to victims of traumatic events and their families in the first few hours following a tragedy. TIP, a community program of Community Counseling Center, was established in 2004 in partnership with the Junior League of Portland, Maine. TIP works in cooperation with the Portland, Windham, Falmouth, Scarborough, Gorham, South Portland, Cape Elizabeth, Cumberland and Westbrook police and fire departments, Maine State Police and Maine Medical Center. Volunteers are available to first responders 24 hours a day, 7 days a week and 365 days a year.

In 2014, TIP volunteers were “ready and alert” for over 17,000 hours, spent more than 825 hours at the scenes of traumatic events, and helped over 920 first responders and 1385 people in Greater Portland on the worst day of their lives.

“Excellent response time, patient with distressed citizen”

- Lt. Sweatt, Portland Police Dept.

“We would like to thank the volunteer for their kindness and thoughtfulness during our difficult situation!”

- TP Client Portland

“I want to thank you folks so much for the assistance. Having you around is such a good thing. We can continue on our job while someone else (you) is concentrating on the victims while we attempt to investigate the crimes.”

- Lt. Doherty, Portland Police Department

“Nice job, compassionate volunteer. Thank you for taking the time to seek me out so I could explain things to the family!”

- Officer Victor Cote, Portland Police Department

“Excellent job. Thank you!”

- Lt. Art Greene, Portland Fire Department.

“She was kind, not just playing a part. I do not think a family member could have been anymore sweeter or sincere, especially to my niece who lost her mother that day”

- TIP Client, Portland

“Thank you for being there during a very traumatic time for me. The memory of that day lingers, but you are also a part of that memory, a good one and the only one. Thank you so very much.”

-TIP Client Portland

“I was very glad that the volunteer was there, she was extremely helpful”

- Officer Chris Shinay, Portland Police Department



Fire/Code Inspections Task Force

Public Safety, Health & Human Services Committee Presentation

February 10, 2015

Task Force Purpose

Following the tragic fire on Noyes Street on November 1, 2014, Acting City Manager Sheila Hill-Christian created a task force to recommend improvements to better ensure the safety of the city's rental housing stock. Boston Fire Department Deputy Chief Jay Fleming provided pro bono technical assistance to the task force, which was led by Acting Chief of Staff Julie Sullivan. The task force conducted its work in two phases. Phase One was an internal review of prior studies as well as applicable codes and ordinances, staffing levels, roles and responsibilities across departments, and relevant initiatives in Boston, MA; New York, NY; Providence, RI; Austin, TX; and Princeton, NJ. These discussions occurred over the course of three work sessions in December, all of which were open to the public. City staff comprising Phase One membership were: Rich Bianculli, Esq., Neighborhood Prosecutor; Keith Gautreau, Acting Assistant Chief for Fire Prevention and Community Outreach; Tammy Munson, Inspections Division Director; Jon Rioux, Inspections Division Deputy Director; Planning Board Chair Tuck O'Brien; and Acting City Manager Sheila Hill-Christian.

Phase Two added four external representatives to the task force: Julie Gregor, Inspection Manager for the Portland Housing Authority; Katie McGovern, Esq., Pine Tree Legal Assistance; and Crandall Toothaker and Carleton Winslow (alternate: Brit Vitalius) of the Southern Maine Landlord Association. Adam Lee, Esq., a new attorney with the City's Corporation Counsel's Office, also joined the task force during this phase. The task force met four times in January during Phase Two, and all meetings were open to the public.

The task force did not seek to specifically analyze or debrief the Noyes Street fire, but instead to examine the larger issues and explore options to address them. These issues include those with an external focus, such as the need for public education on fire safety and greater accountability for landlords and tenants, and those with an internal focus, such as improved and increased inspections, better use of technology, and centralized and expanded housing safety functions. Three guiding principles the task force referred to throughout the process were transparency, consistency and accountability, while also keeping in mind affordability.

Operating under a very tight timeline, the task force chose to focus on rental housing stock and not commercial or single-family properties. Sticking to the timeline allows the recommendations put forth by the task force to be considered through the City's budget process for the upcoming fiscal year, which was a priority for the task force. Thus, there are areas throughout the recommendations that require additional development, which may be accomplished by returning items to the Task Force

and/or referring these items to the proposed Housing Safety Official. Notes from each meeting are provided as attachment A.

The State Fire Marshal's Office released their report in late January. Because the report was forwarded to the District Attorney, the full text could not be made public during the task force's time frame. The task force did review the key findings (please see meeting notes from January 26) and found that the issues were in line with those already under discussion. Portland Fire Chief Jerome LaMoria requested assistance from the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives to study the fire, and the ATF conclusions corroborate those of the State Fire Marshal's Office.

Finally, as a framework to quantify the scope of rental properties, the City estimates there are approximately 3,600 rental properties with about 17,000 units to be inspected.

Recommendations

Overall, the task force identified several key strategies the City can implement to improve the safety of rental housing stock:

- 1) Implement a risk-based prioritization process for inspections
- 2) Provide public education; conduct routine inspections of housing stock with 3 or more units by fire station personnel
- 3) Hold landlords and tenants accountable
- 4) Provide better training, including cross-training, for inspectors and other City staff working in the field who can assist in identifying potentially dangerous housing safety situations. Use existing technology more efficiently
- 5) Designate a Housing Safety Official with authority over housing safety who will ensure communication, coordination, accountability, consistency, training, and technology utilization across relevant City departments and evaluation of the effectiveness of the programs. Increase the number of cross-trained inspectors. Inspect all rental properties.

So that the many issues considered by the task force can be succinctly presented and the rationale for the recommendations chosen is clear, this document illustrates the issues, the matrix of options, relevant City code when applicable, and the related recommendation.

(1) Issue: There are approximately 3,600 rental properties in Portland with about 17,000 units. How can the City have a realistic approach that improves timely inspections of the riskiest properties first?

Option	Pros	Cons
Respond to complaints (current practice)	Requires no new resources	Does not allow for prioritized inspections nor does it ensure inspections of all properties over time
District-based inspections	Small geography; inspectors get to know their area better	Does not allow for most serious violations to be addressed quickly;

		does not allow for differing density of rental housing by district; requires additional staff
Third-party inspections	Does not require increased staffing	Difficult to assure qualified third-party inspectors – eg, there is State training but none on City code, and no licensing to report inspectors; added cost for landlords; added administrative burden for City to track; potentially does not increase accountability or transparency and decreases consistency. City staff would still have to follow up on violations.
Inspections at time of sale	Minimal added burden to the City; assures inspections happen at some point.	Unknown frequency of turnover. Does not ensure regular inspections. Requires state-level legislation.
Develop list of variables to create risk-based prioritization of rental housing properties	City can utilize existing technologies/software and data with minimal expense; ensures that the riskiest buildings are addressed first.	Initial data will direct us towards chronic past violators. This data will need to be evaluated in order to identify the riskiest buildings that have never been inspected.
Other kinds of limited inspections – e.g., common areas, exterior only; randomized annual inspections	At least a minimal inspection would be done.	Does not ensure that serious life safety threats are identified.

(1) The task force believes that **risk-based prioritization** is the best option to maximize limited resources and to address the most serious issues quickly, in addition to responding to complaints. The City can build on existing technologies and software to rank properties based on risk factors. There are numerous municipalities using this approach to ensure safe housing and allocate inspections and enforcement resources according to a risk score generated by many variables, including type of construction, age of structure, number of units, location, delinquent taxes, vacancy, foreclosure, complaints/violations, and calls for service. (Please see Attachment B for a complete list of variables included at this time.) Public Safety Solutions Inc. (PSS) conducted an extensive and thorough review of the entire Portland Fire Department in 2013 and also recommends this approach. Furthermore, this approach avoids any potential for selective enforcement. The City would, of course, still follow up on complaints regarding properties that may not have come up as priorities through the risk-based analysis.

- a. Fix It Portland – complaints via web, smart phone app
- b. Urban Insight – internal software used for inspections and code enforcement functions across the City, along with other municipal functions
- c. Cost: No additional costs; will need additional staff time to process (see Staffing section)

- d. Timeline: Up and running by Feb. 28, 2015

(2) Issue: Human behaviors have the greatest impact on fire prevention. How can the City educate tenants and landlords about fire safety practices?

(2) The task force concludes that **public education** is clearly the best means of primary prevention. The Fire Department will take the lead on this through school-based programs, targeting college students and 20-somethings, General Assistance housing recipients, immigrants/refugees, landlords, and other tenants. This was a major focus in PSS's recommendations around prevention.

- a. Chief Lamoria recently named Keith Gautreau as Assistant Chief for Fire Prevention and Community Outreach.
- b. Chief Gautreau is designing a multi-pronged education plan with assistance from the State Fire Marshal's office, Deputy Chief Jay Fleming from the Boston Fire Department, and the National Fire Protection Association. The Fire Department will go to where the targeted groups already are and will work with many relevant partners, including jointly developing materials for tenants with Pine Tree Legal. Some of the key points will include the importance of:
 - i. Proper location and maintenance of smoke alarms
 - ii. Unblocked exits
 - iii. Properly disposed smoking materials
 - iv. Trash disposal/housekeeping
- c. The Southern Maine Landlord Association proposes a new document outlining fire safety expectations and responsibilities to be signed by tenants and landlords at the same time a lease is signed.
 - a. This document will be finalized jointly by the City, the SMLA, Pine Tree Legal and the tenants' group.
 - b. The City will consider requiring this document via ordinance change and associated penalties should the document not be produced when requested during an inspection.
 - c. The City and Pine Tree Legal will collaborate on a joint landlord-tenant guidebook.
- d. Cost: Please see Staffing section for reinstated Education Officer in the Fire Department; also materials and translation.
- e. Timeline: Portland Fire has the National Fire Protection Association on standby for training while they purchase computers; looking at March/April for training and subsequent initiation of improved proactive inspection program of buildings with 3 or more rental units.

(3) Issue: Currently, when Life Safety violations are noted, Fire Inspectors send a letter to the landlord who has 32 days to respond. If there is no response, a second letter is sent and another 32 days are granted.

Option	Pros	Cons	Relevant Code Citation
Ticket and fine	Quicker and clearer enforcement process; inspector can issue ticket while out in the	Could increase staff time in court; some safety concerns among staff	Penalties and specific violations – Chapter 6, Article I, pp 6-1 and following; Chapter 10, p.

	field		10-13 and following
Penalty for disabling smoke detectors	Elevates awareness of this critical device and enforces State law	Can be hard to prove whether tenants or landlords at fault	State penalty (\$500) referenced at 25 § 2464(5), (7) and (9)(B)
Landlord and licensed lodging registration	Provides more complete information including who to contact as well as insurance company and other property-specific data	Staff time to manage, enforce; increased cost to landlords	Chapter 6, Article VI, pp 6-51 and following; includes form and violations
Re-inspection fees	Helps enforcement and helps support inspection	Staff time to manage, enforce	Chapter 6, Article 1, p 6-4, refers to Section 1-16
Dedicated legal resources	Key part of timely enforcement	Staff time, workload management	N/A
Tenant notification of building violations and public access to online database of violations	Current and prospective tenants should be aware of the violations	Addition resources required – this typically includes a return visit to the property after the notices are generated to be delivered to tenants; additional staff time to create online database	N/A
Housing court	Focused resource for housing safety issues	Costly to create; already have venue to address these issues and will continue to evaluate	N/A
Low-interest loan program for landlords to address violations	City already has limited resources for landlords who meet the qualifications. Expanding the program would allow more landlords to bring their properties up to code.	Not sure of available funding source(s) for expansion – in the past, program was largely federally funded, and those funds are no longer available.	N/A
Legal use/zoning – eg, 3 rd floor units, rooming/lodging houses	Critical risk factors.	Requires zoning changes; hard to find violators; will increase the work-load for the city's zoning administration staff	City of Portland Code of Ordinances – Chapter 14 Land Use

Two-family buildings; owner-occupied buildings	Bulk of rental housing stock; not currently inspected unless subject of complaint. Fire Department inspects 3+ unit buildings. Would need to be handled by proposed Housing Safety Office.	Different rules apply for owner-occupied regarding some rental laws but they are still subject to Chapter 6 Article V	Sec. 10-3 (m)
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(3) There are many opportunities to clarify and strengthen the **enforcement** process, some of which require minor revisions to City Code.

- a. Enforce existing requirement for landlords to register with the City annually.
 - i. Contact information, type of property, insurance company information
 - ii. Annual fee options
 - 1. \$15 per unit up to 7 units; \$100 per building for 8 or more units
 - 2. \$25 per building
 - 3. \$25 per building with 4 units or less; \$100 per building with 5 or more units
 - iii. High fines for failure to register, provision of inaccurate information
- b. Move to ticket and summons (with fine) for violations. Legal staff has discretion to dismiss matters if immediate compliance occurs. Parties can agree to terms if long-term compliance is required.
- c. Also enforce existing re-inspection fees (\$75 and \$150).
- d. Dedicate legal resources – one District Court calendar day per month is currently dedicated to the Neighborhood Prosecutor’s enforcement of municipal ordinance violations.
 - i. This monthly calendar provides the City with an opportunity to enforce building and fire code violations on a regular basis.
 - ii. The City will evaluate the adequacy to ensure this process meets the enforcement needs.
 - iii. A new City attorney (Adam Lee, Esq.) will focus on building code issues.
 - iv. The Police Department’s Neighborhood Prosecutor is available to provide additional assistance to Attorney Lee in the event of a heavy caseload.
- e. City inspectors will do everything possible to ensure that tenants are not displaced while pursuing landlord enforcement actions. The City’s Social Services Division will be alerted when displacement is unavoidable.

(4) Issue: City staff do not use the same software across departments nor is there a streamlined, standardized approach to inspections. In addition, some inspectors use tablets in the field and others enter data back at their desks. In order to ensure consistency and transparency across all relevant staff, additional internal training is required.

(4) With minimal to no new resources, the City can better utilize **technology and internal training** to standardize and streamline inspection processes. The PSS study noted the need for improved use of technology in the inspections functions. Expanded use of technology also allows for greatly increased

transparency.

- a. Fire Department will move to Urban Insight.
- b. Develop and implement standardized checklists for inspectors to use in the field (drop-down boxes in Urban Insight). The Portland Housing Authority will share the checklists they use. The City checklists should be shared with landlords and tenants through public education.
- c. Purchase tablets (already budgeted) for Fire inspectors to use in the field, greatly diminishing the amount of time required to cite an owner for violations and follow up with enforcement. Ensure consistent use among all inspectors.
- d. Provide online capability for landlord registration.
- e. Work toward having a complete and accurate census of all rental properties.
- f. Inspectors across relevant departments require additional training and cross-training to improve inspections. The National Fire Protection Association is scheduled to provide free cross-training for Fire and Housing Safety in the spring.
- g. All relevant staff require additional training to use Urban Insight and to ensure thorough documentation of all inspections.
- h. All relevant staff and other City staff who work in the field will be trained on the housing safety inspections checklist so that they can easily report any concerns for follow up.

(5) Issue: Given the number of rental units and the predominance of old, stick-built construction, the City must have a minimum number of housing inspectors to ensure efficiency and timely response to complaints and inspections of all rental units over a reasonable period of time. In addition to the approaches discussed under the first issue, the following staffing options were examined.

Option	Pros	Cons	Relevant Code Citation
District-based inspections	Small geography; inspectors get to know their area better	Does not allow for most serious violations to be addressed quickly; does not allow for differing density of rental housing by district	N/A
Third-party inspections	Does not require a significant amount of city staff	Difficult to assure qualified third-party inspectors – eg, there is State training but none on City code, and no licensing to report inspectors; added cost for landlords; added administrative burden for City to track; potentially does not increase accountability	N/A

		or transparency and decreases consistency. City staff would still have to follow up on violations.	
Fire Department inspections of buildings with three or more rental units	FD needs to be familiar with buildings for fire prevention and planning; firefighters have the time to conduct these inspections; such properties are required to have advanced life safety systems.	Firefighters need training and checklists to ensure consistency. Also need tablets to input data while in the field.	N/A
Code enforcement responds to complaints	Does not require new staff	Only one code enforcement officer who responds to complaints, and he has many other duties; Does not allow for proactive inspections	N/A
Housing Safety Office	Having one official with authority over all housing safety-related issues allows for coordination across all relevant departments and quick action to be taken. Adding a minimum of 3 cross-trained inspectors for 2,400 properties and complaints allows implementation of risk-based prioritization. Revenue generated by landlord registration fees, penalties/fines, and reinspection fees is likely to cover part of the additional costs. There will also be a steep increase in the	There are concerns that there will be an increased workload when increased numbers of violations are identified, many of which are likely to require permits and perhaps zoning changes. There may be increased work for the electrical inspector as well.	N/A

	number of complaints as the FixItPortland and searchable database are fully implemented.		
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(5) Staffing – PSS’ study used a metric to recommend 10 new FTEs in the Fire Department alone to ensure widespread inspections. The task force believes we can achieve the intended goal of improving our ability to ensure the safety of Portland’s rental housing stock using a different approach. In order to ensure implementation of these recommendations and to evaluate whether there are indeed ensuing improvements to the city’s rental housing stock, the following new positions are requested.

- a. Housing Safety Official (title TBD) who reports to the City Manager, convenes and coordinates all relevant departments to address issues with a property and decide actions to be taken.
 - i. This person would be responsible for ensuring that the highest-risk properties are inspected first, inspection documentation is consistent and complete, and timely follow-up in conducted until violations are fully addressed.
 - ii. This person will also ensure data is collected to provide a robust evaluation of the implementation of task force recommendations.
 - iii. This person will also be “where the buck stops” for all issues related to housing safety.
- b. Three additional inspectors, all cross-trained in building code and life safety code, who will report to the Housing Safety Official.
- c. One project management position, who coordinates the risk-based assessment of all rental properties, the online database, landlord registration, who also reports to the Housing Safety Official.
- d. Transfer General Assistance housing inspections from the Social Services Division to this new unit.
- e. Reinstate Education Officer at the Fire Department to implement the additional training needed.
- f. Consider outsourcing the Fire Department’s plans review work currently done by the Fire Prevention Officer.
- g. Timeline: Depends upon Committee approval and budget process. If successful, would post and hire immediately following approvals.
- h. Cost: Approximately \$375,000, with estimated offsetting revenues of \$120,000 (\$90,000 from landlord registration and \$30,000 from fees, fines, and penalties).

Concluding Statement

Tragedies such as the Noyes street fire impact everyone in the Portland community. It is our hope that as time passes we will not forget why this work was important and will keep fire safety education front and center. We believe that these recommendations will improve consistency, transparency and accountability among all relevant parties – tenants, landlords, and the City. Thanks to everyone who dedicated their time and energy to this effort. We look forward to the Committee’s feedback and additional input from the public.

Attachment A

**Notes from first Fire/Code Task Force Meeting
December 3, 2014**

Phase I Task Force Members:

Rich Bianculli, City of Portland, Corporation Counsel/Police Dept

Jay Fleming, Boston Fire Dept

Keith Gautreau, City of Portland, Fire Dept

Sheila Hill-Christian, City of Portland, City Manager

Tammy Munson, City of Portland, Building Inspections

Tuck O'Brien, Portland Planning Board

Jon Rioux, City of Portland, Building Inspections

Julie Sullivan, City of Portland, City Manager's Office

1. Welcome and introductions – Sheila Hill-Christian
2. Purpose and goals
 - a. Purpose is to ascertain whether there are any codes changes, staffing, program, etc. following the Noyes Street fire to prevent future tragedies by working interdepartmentally and with key external stakeholders.
 - b. Goal is to make detailed, clear recommendations to the City Council's Public Safety, Health & Human Services Committee regarding any code/ordinance changes, staffing/program changes, etc. at their February 10, 2015 meeting.
3. Draft work plan and schedule
4. Review of existing codes
 - a. Discussed the relevant codes used by Building Inspections and by Fire as well as the State statutes.
 - b. Some cover new construction or renovations only, some cover all existing structures.
 - c. Extensive discussion of the codes and what they cover as well as potential longer-term work identified
5. Next steps
 - a. Need to identify what are code-related challenges versus implementation challenges with staffing, training, interdepartmental communication.
 - b. Julie will meet with Rich, Tammy and Jon, and Keith over this coming week to drill down and will report back for next meeting.
6. Next meeting: Wed 12/17, 2:30-4 pm. Focus on roles and what currently works and doesn't work.

**Notes from second Fire/Code Task Force Meeting
December 10, 2014**

Phase I Task Force Members:

Rich Bianculli, City of Portland, Corporation Counsel/Police Dept
Jay Fleming, Boston Fire Dept (not present)
Keith Gautreau, City of Portland, Fire Dept
Sheila Hill-Christian, City of Portland, City Manager
Tammy Munson, City of Portland, Building Inspections
Tuck O'Brien, Portland Planning Board
Jon Rioux, City of Portland, Building Inspections
Julie Sullivan, City of Portland, City Manager's Office

Note-taker – Jon Rioux (thanks, Jon!)

- I. Julie- Thanked the group for the very beneficial one-on-one meetings. There was uniform consensus that the Task Force does not need to focus on codes; we have the right codes in place; there are conflicts, but are low-level and can be worked through by staff.
 - a. Today's Agenda/ Primary area of focus
 - i. roles and staffing,
 - ii. overlapping,
 - iii. cross-training
 - iv. increased staffing,
 - v. how do we share the burden
 - vi. other-ways,
 - vii. intercity agencies- seque for (information share)
 - b. Review of Census Data
 - i. Existing housing,
 - ii. rentals
 - iii. 17,000 rental etc.,
 - iv. 1306 owner occupied
 - c. Inspection process
 - i. Inspections approach going forward
 - ii. Tenants
 - iii. Landlords
 - iv. Schools
 - v. education
 - vi. prevention
 - d. Defining Proactive Enforcement- will come later
- II. Tammy and Jon- Inspections Division

- a. Complaint Based- 1 Staff Person
 - i. We inspect existing rental units,
 - ii. document what the complaint were about
 - iii. follow-up with the landlord, tenants, and all other agencies
- b. Jurisdictional Responsibility
 - i. A priority-based complaint system includes
 - 1. Land use,
 - 2. trash on private property,
 - 3. housing complaints,
 - 4. infestation,
 - 5. outdoor dining,
 - 6. applications,
 - 7. stop work,
 - 8. street artist,
 - 9. cruise ships,
 - 10. hoarding,
 - 11. Referrals from State agencies, PD, social services, fire, public services, business licensing
 - ii. Rich - Ordinance enforcement Officer-
 - 1. Position was put on hold after initial interviews, department was in the process of hiring, this would person would have taken-over-street artist outdoor dining issues, nuisance matter
 - iii. Jon- Public Services handles- side walk/ ice matters, public property (right away) trash, and heavy item pickup
- III. Keith- Fire Department Inspections
 - a. Companies (Staffed Fire Engines/ Ladders) were doing proactive housing inspections of apartments (3 or more units) and businesses.
 - b. Unannounced (stop and knock)
 - c. 240 calls per 3 units or larger,
 - d. walking down the streets vs pre-scheduled
 - e. "Legally" they could only inspect common spaces (areas),
 - f. knock and stop for basic items only,
 - g. all matters (from each company) are then referred to the Fire Inspector in the bureau
 - i. this is because they are at a high level of training
 - h. Fire Prevention Bureaus primary focus
 - i. Permit reviews
 - ii. C of O's
 - iii. Complaints that come in through our office
- IV. Julie- Let's discuss any overlaps (Fire and Inspections)
 - a. Tuck- What is a Life Safety Inspection

- b. Jon- Clarification that when Keith speaks of "Life Safety" he is referring to NFPA 101 and NFPA 1® Codes. Certainly, there are other matters that could relate to life safety in building codes, etc.
 - c. Examples of Life Safety (Fire Codes) and overlap of both Fire and Inspections and which almost always result in joint inspections
 - i. Egress,
 - ii. Real severe life safety issues,
 - iii. Weather related disasters,
 - iv. Building fires
 - v. major code violations,
 - vi. GA social service issues
 - vii. Fire Doors,
 - viii. holes in hallways- violation notify the landlord
 - d. Rich - Ladder companies doing the roaming inspections who is writing the violation letters, legal needs access to these letter for prosecution
 - i. Keith - Fire Prevention Bureau
 - e. Keith - vacant properties list
 - i. Maintained by Inspections Division, shared with Fire Prevention
 - ii. Fire Prevention places physical plaques on the building for their own safety
 - 1. Red, Yellow, Green system
 - iii. NFPA Life Safety Code overlap taken further
 - iv. Julie - Smoke Detectors, means of egress?
 - v. Complaint- Code Entire
 - vi. Major issues
 - vii. Social Services, Public Services, Legal Issues
 - viii. Jon- Goal to only use Legal when our resources are exhausted
 - 1. Noticing
 - a. Letters, 1,2, and 3
 - 2. Posting
- V. Julie- Let's discuss what works well
- a. Unified Command at Emergency Incidents
 - i. Phone Conferences, i.e. Fore Street Fire
 - b. Agency assist, i.e. 193 Congress Street Building
 - c. Staff works well together
 - d. Tuck- information sharing?
 - i. Yes through Urban Insight (if used)
- VI. Julie- Let's discuss what doesn't work well
- a. Jon- when demands exceeds our resources
 - i. We work well at fixing complexity during an emergency

- ii. During normal business hour (inspections), a inspector has the authority to post a 20 unit building, but cannot priority the (12+ departments) involvement of other city staff with the matter
 - 1. Inspectors may need aid/ immediate resources from fire, public services, legal, social services
 - 2. Staff does not have the authority to make it "that" departments priority
 - 3. Often we need to involve the executive department for prioritizing
- iii. Julie- Anything Else?
 - 1. Tammy- See- Click Fix (Vickie), Engine Companies already have Urban Insight
 - a. Vickie could build an inspections program- tracking and follow-up on building hazards, i.e. FDNY tracking system
 - 2. Keith- The system has tracking for 17 agencies + so many different groups could respond (IT department already has the technology)
 - 3. Danielle- Follow-up, noticing with all dates, and it's hard to get the "you did nothing to notify Landlord complaints" to court (one data base would be useful for legal to access).
 - 4. Rich- Access to the violation notice is imperative for court
 - a. 1st 2nd 3rd – Date Certified,
 - b. Tammy- the G-drive is another shared network
 - 5. Types of enforcement actions
 - a. 80-K
 - b. 80-H
 - c. Insurance companies
 - d. Banks
 - 6. Jon- Foreclosures, we do not have a handle on who to serve
 - a. Often the "Owners" think they are not responsible
 - b. We have to involve legal and notice multiple out of state parties
 - c. Takes a lot of staff hours and yields low results
 - 7. Danielle- Training- Chapter 10 I wrote parts of this that even the fire department is unaware of tools for enforcement
 - 8. Jon- State Requires CEH's minimum training, and Certifies Code Enforcement Officers for each area(s) they enforce
 - a. The state language is vague and does not require state certification for Fire Inspectors
 - i. There is internationally recognized program from NFPA, CFI certification

- ii. We could provide an in-house cross-training for our local ordinances
 - 1. This could carry over to all stakeholders
- 9. Shelia- Complaint See-Click Fix- Tenant could use the system
- 10. Julia- fire risk score
- 11. Jon- Invite Public In, Educational Piece
 - a. Training for all levels involved
 - i. Internal
 - ii. Tenants
 - iii. Utility companies, etc
- 12. Tuck- what about the educational pierce for fire safety
 - a. Keith- Yes we need to do more to get into the schools
- 13. Jon- Fire and Safety Education has been around for 50+ years, we are in the schools at all levels (Except College)
 - a. The message of escape plans, blocked exits and smoke detectors is taught an early age
 - b. We need to do more enforcement of spot checking to get at the target concerns or re-think how we do Fire and Safety Education with real world examples, without scaring the public
 - c. Tuck- Education the College Students would be benefit, with real college housing issues
 - i. Provide Fact sheet,
- 14. Rich- landlord tenant handbook, like VT would be great
 - a. Pine Tree Legal- offers this

VII. Statement of Purpose

- a. Shelia- The group should establish a basic statement of purpose
- b. Jon- Defining- Pro-active code enforcement should be the basis, and thinking about the number of inspections based on type and frequency that we would like to accomplish
 - i. Shelia- I would like the group to think of a more of a statement for a general purpose for these proactive inspections
 - ii. Jon- 5 year and ten years?
 - 1. Shelia- yes that could be part of it
 - 2. Study 17,000
 - 3. Look into fire marshal's office NIFIRS report for prioritizing
 - 4. Voluntary compliance options

- VIII. Julie- recap of upcoming sessions. Next meeting: Weds 12/17, 10:30-12, rm 208, City Manager's conference room. We will consider a statement of purpose for inspections; draft roles, requirements, staffing.

**Notes from third Fire/Code Task Force Meeting
December 17, 2014**

Phase I Task Force Members:

Rich Bianculli, Neighborhood Prosecutor - City of Portland, Corporation Counsel/Police Dept
Jay Fleming, Deputy Chief - Boston Fire Dept (not present)
Keith Gautreau, Deputy Chief - City of Portland, Fire Dept
Sheila Hill-Christian, Acting City Manager - City of Portland
Tammy Munson, Inspections Division Director - City of Portland
Tuck O'Brien, Chair, Portland Planning Board
Jon Rioux, Inspections Division Deputy Director - City of Portland
Julie Sullivan, Acting Chief of Staff - City of Portland

1. Inspections statement of purpose: to assure the safety of the city's housing stock.
2. Draft roles/requirements/staffing
 - a. Proactive and/or complaint-based – how would things be different than they are now. Proactivity requires education as primary prevention, interagency collaboration to ensure easy to report potential risks to City, increased involvement with landlords and tenants on both education and enforcement.
 - i. Key component will be education – Fire should take this role. Needs to be on regular schedule.
 1. Elementary schools
 2. Tenants
 3. Landlords
 4. College students/20-somethings
 - b. Want a one-stop shop for housing inspections.
 - i. What about development, zoning, plan review
 - ii. Need authority to cite buildings
 - iii. Fire Prevention should be part of it – 2 officers? Civilians that are trained as Certified Fire Inspectors? At minimum, a strong connection with the Fire Dept.
 - iv. Need to unify the authority in the ordinance now – spread among Ch. 1, 6 and 10
 - v. Centralized new department – inspections and code enforcement
 - vi. Fire will continue to do proactive inspections of buildings with 3 or more units
 - vii. Ensure data collection so that it will be clear whether these changes are achieving the goal
 - c. Enforcement
 - i. Current citation process – 32 days to address violation/submit plan, then letter, then second letter

1. Switch to ticket and fine?
 2. Rich has 1 day every month in court to address these kinds of issues
 3. Code staff can write tickets – sworn constables
 - ii. Would like to ensure every rental property inspected at least every 3 years
 1. Landlords bring proof of passing inspection by certified code inspector. Possibly also required to submit insurance company information.
 2. City staff track and follow up
 3. Easy referral route for other “eyes” – eg, other service providers like oil/gas companies who see building conditions and fire risks through the course of their work – as well as tenants, etc. to report. See Click Fix.
 4. Risk-based prioritization via new link between See Click Fix and Urban Insight. Also make data available on web site for public to search violations on a building.
3. Next Steps
- a. Staff will flesh out draft for new education plan, new inspections and code enforcement/building department, and enforcement in preparation for Phase 2.
 - b. Phase 2 adds the external task force members:
 - i. Julie Gregor – Portland Housing Authority
 - ii. Katie McGovern – Pine Tree Legal Assistance
 - iii. Crandall Toothaker – Southern Maine Landlord Association
 - iv. Carleton Winslow – Southern Maine Landlord Association
 - c. Meeting schedule
 - i. Mon 1/5, 2:30-4, rm 24. Review initial findings from Phase 1.
 - ii. Mon 1/12, 2:30-4, rm 24. Review and prioritize recommendations from prior studies/reports.
 - iii. Mon 1/26, 2:30-4, rm 209. Analyze Phase 1 findings vs recommendations from studies/reports.
 - iv. Th 1/29, 2:30-4, rm 209. Develop recommendations for City Council’s Public Safety, Health & Human Services Committee.
 - v. Public meeting – week of Feb. 2
 - vi. Presentation to Public Safety, Health & Human Services Committee – Tues 2/10.



Fire/Code Inspections Task Force
Notes from first Phase 2 meeting
January 5, 2015

Phase 2 Task Force Members:

Julie Gregor, Inspection Supervisor – Portland Housing Authority
Katie McGovern, Tenant Advocate – Pine Tree Legal Association
Crandall Toothaker – Southern Maine Landlord Association
Carleton Winslow – Southern Maine Landlord Association
Rich Bianculli, Neighborhood Prosecutor - City of Portland, Corporation Counsel/Police Dept
Jay Fleming, Deputy Chief - Boston Fire Dept (not present)
Keith Gautreau, Assistant Chief - City of Portland, Fire Dept
Sheila Hill-Christian, Acting City Manager - City of Portland
Tammy Munson, Inspections Division Director - City of Portland
Tuck O'Brien, Chair, Portland Planning Board
Jon Rioux, Inspections Division Deputy Director - City of Portland
Julie Sullivan, Acting Chief of Staff - City of Portland

1. Welcome and introductions
2. Review phase one findings
 - a. Education plan
 - i. Tenants are fearful - worry that they have to trade safety for affordability
 - ii. Glad to hear that information will be accessible for young, low-income people via online database with information on each property
 - iii. City and Pine Tree Legal Association (PTLA) can work together on landlord/tenant handbook (each has a version currently)
 - iv. Landlords' association could have session(s) with tenants' group for education
 - v. Portland Fire could provide train-the-trainer on basic life safety – list of basic safety principles on web site currently
 - vi. Should also target General Assistance (GA) recipients for education
 - vii. Question about GA list of landlords they will not rent to – is there City action then taken against those landlords?
 - viii. Tenants may not be aware that they can let an inspector in.
 - ix. Need regular calendar of trainings for landlords – how reach those who are not part of Southern Maine Landlord Association? Cannot include information with tax bills.

- b. Inspections and Code Enforcement – staff, roles, structures, processes: What problems are we trying to solve?
 - i. Concern that third-party inspectors would write up every little thing – how make sure to prioritize? How make sure these inspectors are qualified? Consider using standardized checklist.
 - ii. City should go ahead with risk-based scoring for properties in order to prioritize
 - iii. City staff need more training – especially on software, documentation
 - iv. Need better communication among City staff who have eyes on these buildings so they can report any concerns
 - v. Having firefighters conduct inspections is good because then they are familiar with building layouts
 - vi. PHA, City and others have collaborated on hot spots (defined by calls for service) – needs better organization
 - vii. Need someone whose job it is to ensure good internal communication, training, software usage
 - viii. Concern that inspectors may be biased if a tenant complains and there is an eviction underway
 - ix. Need to ensure copies of inspection reports and communications to landlords in the public database – clear what landlord is to fix, what steps City is taking
 - x. Inspectors need to ensure their reports are clear, concise and thorough – checklist?
 - xi. Need to be sure rules are being applied consistently
 - xii. Inspection required at transfer of building ownership?
 - xiii. Need to enforce current requirement for all landlords to register with the City
 - xiv. Code enforcement has one inspector who handles all complaints, plus 3 others focused on building, plumbing and electrical for new construction and rehab.
 - xv. Fire can only do proactive inspections for buildings with 3 or more units; can only go into 1- and 2-family rentals if responding to a complaint
 - xvi. Need to see high-profile enforcement actions. And what are the consequences for disabled smoke detectors?

3. Key points

- a. Need checklists for fire, building inspectors as well as for all City staff working in the field
- b. Use risk-based scoring to prioritize buildings/units most in need of inspection
- c. Enforcement requirement for landlords to register
- d. Change enforcement to a ticket and fine process, ensuring clarity and follow-up as well
- e. Consider developing a phased process with items having most impact first

4. Next steps – summarize recommendations from relevant studies and distribute in advance of next meeting; bring more specificity to recommendations discussed above
 - a. Mon 1/12, 2:30-4, rm 24. Review and prioritize recommendations from prior studies/reports and discuss potential impacts on landlords and tenants
 - b. Mon 1/26, 2:30-4, rm 209. Draft recommendations for City Council's Public Safety, Health & Human Services Committee
 - c. Th 1/29, 2:30-4, rm 209. Finalize recommendations for Committee.
 - d. Public Meeting – Tues 2/3, 5:30-7 pm, rm 24
 - e. Presentation to Public Safety, Health & Human Services Committee – Tues 2/10, 5:30 pm, Council Chambers.



**Fire/Code Inspections Task Force
Meeting Notes
January 12, 2015**

Phase 2 Task Force Members:

Julie Gregor, Inspection Supervisor – Portland Housing Authority
Katie McGovern, Tenant Advocate – Pine Tree Legal Association
Crandall Toothaker – Southern Maine Landlord Association
Carleton Winslow – Southern Maine Landlord Association
Rich Bianculli, Neighborhood Prosecutor - City of Portland, Corporation Counsel/Police Dept
Jay Fleming, Deputy Chief - Boston Fire Dept (not present)
Keith Gautreau, Assistant Chief - City of Portland, Fire Dept
Sheila Hill-Christian, Acting City Manager - City of Portland (not present)
Tammy Munson, Inspections Division Director - City of Portland
Tuck O'Brien, Chair, Portland Planning Board
Jon Rioux, Inspections Division Deputy Director - City of Portland
Julie Sullivan, Acting Chief of Staff - City of Portland

1. Welcome
2. **Urban Insight** demo – Vicki Bourret, Assistant Director of Information Technology
 - a. Microsoft Access database which brings code enforcement and development review into one system
 - b. **This system will provide the bulk of the variables for the risk assessment process to prioritize building inspections and feed the publicly accessible online property/owner look-up functions.**
 - c. Can search by property address or by owner
 - i. Data attached to each record: outstanding taxes, fees; inspection reports; site plans; permits; complaints; associated businesses; Fire Department pre-plans; relevant documents; letters; property manager
 - ii. Would see all properties someone owns through an owner-based search
 - d. Developing checklist which will automatically populate the violation list
3. **Fix It! Portland** video – this is a new smartphone app (also accessible from the City web site) to report non-emergency concerns to the City. Complaints related to rental housing safety will also populate the risk-based assessment.
4. **Discussion** of risk-based prioritization, public education, enforcement
 - a. **Risk-based prioritization of inspections** – There are numerous municipalities using this approach to ensure safe housing and allocate inspections and enforcement resources according to a risk score generated by several variables, possibly including delinquent taxes, vacancy, foreclosure, complaints/violations, and calls for service. Public Safety Solutions Inc. (PSS) conducted an extensive and thorough review of the

entire Portland Fire Department in 2013 and also recommends this approach. **What are the variables that should be included to create the risk score?**

- i. Police, Fire/Medcu calls for service
 - 1. Disorderly house via PD – based on excessive call volume (excluding domestic violence) over a 30-day period
- ii. Foreclosure
- iii. Vacancy
- iv. Number of units/number of stories
- v. Permits for certain code-related issues
- vi. Construction type
- vii. Occupancy use
- viii. Utility disconnects
- ix. Concentration of poverty
- b. **Public Education** – Clearly, this is the best means of prevention. The Fire Department will take the lead on this, by reinstating school-based programs, targeting college students and 20-somethings, landlords, and other tenants. This was a major focus in PSS’s recommendations around prevention. ***What are venues and approaches for hard-to-reach target populations?***
 - i. Carl shared a document on behalf of the Southern Maine Landlord Association proposing a Fire Safety Disclosure Form for tenants and landlords
 - 1. One-page form summarizing basic fire safety requirements, to be created with the Fire Department
 - 2. Outlines landlord obligations
 - 3. Explains tenant responsibilities
 - 4. Each party signs and dates
 - 5. Landlords required to keep it on file for any rental units in Portland
 - 6. Provides education as the document would need to be seen by all landlords and all tenants
 - 7. Enables landlords and tenants to hold each other accountable for fire safety
 - 8. City could impose a penalty for failure to provide this document when asked
 - ii. Discussion on SMLA document
 - 1. Add penalty that tenants could enforce against landlords
 - 2. City shouldn’t enforce this document; State could; City just audit to see if it’s there
 - 3. Great way to educate
 - 4. Could be featured in handbook created by City and Pine Tree Legal
 - 5. Also add who the property manager is (if applicable) and who the landlord is with contact info
 - iii. Discussion on venues/approaches for hard-to-reach populations

1. Colleges may keep lists of off-campus housing recommendations
 2. Maine State Housing Authority web site links those looking for housing with landlords with vacancies
 3. City General Assistance program's landlord list
 4. Shalom House's landlord list
 5. Older tenants – AARP, Southern Maine Agency on Aging, Legal Services for the Elderly
 6. Landlord/tenant group via City's Refugee Services Program
 7. Need materials translated into multiple languages; read for those who need that
- c. **Enforcement** – There are many opportunities to clarify and strengthen the enforcement process, some of which require minor revisions to City Code. ***What are your thoughts about the following approaches? What would you add or remove?***
- i. Enforce existing requirement for landlords to register with the City annually.
 1. Contact information, type of property, insurance company information
 2. Annual fee – maybe \$25
 3. Fines for failure to register, provision of inaccurate information
 - ii. Move to immediate ticket and fine for violations. The current process of sending a letter and giving 32 days to address the violations, then sending a second letter and another 32 days is inefficient and ineffective.
 - iii. Also enforce existing re-inspection fees (\$75).
 - iv. Dedicate legal resources – one day per month dedicated to housing-related issues. The City should evaluate to ensure this is adequate and consider the feasibility of the housing court model used in other municipalities. A new City attorney was recently hired to focus on these issues in addition to Police Department's Neighborhood Prosecutor.
 - v. Discussion
 1. Moving to immediate ticket/fine good because otherwise people at risk for too long; how prove landlord's fault vs tenant's fault; how allow time to correct violations – maybe 24 hours for serious issue; otherwise, show plan of correction; would have at least 2 weeks before court date and could grant continuance
 2. Don't have to revise ordinance to move away from 32-day time. Current ordinance also has fee/fine schedule
 3. Could we cite tenants for blocking egress, tampering with smoke detector, unsanitary living conditions – yes, but need to prove tenant(s) at fault
 4. Annual fee ok/too much
 5. Fines are good, make them high
 6. City should have low-interest loan program to provide resources for

7. landlords' to address issues
 8. Where do the fines go? City general fund
 9. How minimize displacing tenants while enforcing
 10. Train inspectors that pending eviction should be considered irrelevant when responding to complaint
- 5. What's next** – discuss technology, internal training, staffing and begin to draft final recommendations – Monday 1/26, 2:30-4:00 pm, rm 209
- a. Additional dates:
 - i. Thurs 1/29, 2:30-4:00 pm, rm 209 – finalize recommendations
 - ii. Tues 2/3, 5:30-7:00 pm, rm 24 – Public Meeting
 - iii. Tues 2/10, 5:30 pm, Council Chambers – Presentation to City Council Public Safety, Health & Human Services Committee



**Fire/Code Inspections Task Force
Meeting Notes
January 26, 2015**

Phase 2 Task Force Members:

Julie Gregor, Inspection Supervisor – Portland Housing Authority
Katie McGovern, Tenant Advocate – Pine Tree Legal Assistance
Crandall Toothaker – Southern Maine Landlord Association
Brit Vitalius for Carleton Winslow – Southern Maine Landlord Association
Rich Bianculli, Neighborhood Prosecutor, Police Dept - City of Portland
Adam Lee, Attorney, Corporation Counsel – City of Portland
Jay Fleming, Deputy Chief - Boston Fire Dept (not present)
Keith Gautreau, Assistant Chief, Fire Dept - City of Portland
Tammy Munson, Inspections Division Director - City of Portland
Tuck O'Brien, Chair, Portland Planning Board (not present)
Jon Rioux, Inspections Division Deputy Director - City of Portland
Julie Sullivan, Acting Chief of Staff - City of Portland

1. Welcome
2. Overview of **State Fire Marshal's report** re Noyes Street and discussion of relevant items for task force consideration

What does this tell us – what should we add or change in what we've already been discussing?

- a. Origin and cause: Outside on porch, Improperly discarded smoking materials (cigarettes), Improper use of cigarette receptacle, Fuel load on porch, Time of day (undetected)
 - i. Smoking is the leading cause for fatal fires.
 - ii. Can charge tenants for disconnecting smoke detectors – could even become criminal mischief charge if done repeatedly.
 1. Could be grounds to evict because endangering other tenants
 2. Landlords could put this in their leases
- b. Human behavior elements: Smoke alarms removed, Blocked egress, Drinking and smoking, Housekeeping issues
 - i. Need to educate landlords about the different kinds of smoke alarms – eg, don't use an ionization smoke detector near a kitchen or bathroom, use photoelectric.
- c. Arrangement/legal use of building
 - i. Discussed the need to ensure inspection of 2-unit rental properties – some are very large, with numerous bedrooms.

- ii. Concluded that square footage and number of bedrooms should be risk factors for prioritization. This information could be added to the annual landlord registration form to ensure that the City has complete and accurate information (currently we have this information from the Assessor's Office).
 - iii. Consider changing the code in Section 10-3(m) to say OR subject of complaint.
 - iv. Discussed lodging houses/rooming houses. Licensing should not be done through City Clerk but through registration and required annual inspection.
 - 1. Need clarification on how tenants are removed – whether the landlord is viewed as an innkeeper; different rules.
- d. State Fire Marshal inspects all fatal fires. They are forwarded their findings to the DA, which is why the full report cannot be made public at this time. Also, the ATF has corroborated the Portland Fire Department and the State Fire Marshal's theory and findings.
- e. The findings tell us that education is key – the importance of keeping egress unblocked, working smoke detectors, disposal of smoking materials.
 - i. Revisited the proposed new document for tenants and landlords to sign – should be done with a walk-through of the unit to test that smoke detectors are connected and working.
 - ii. Discussed the enforcement of this and concluded that it is an excellent education tool and the City can enforce when inspecting by asking to see the jointly signed document.
- f. The findings also underscore the importance of enforcement of working smoke detectors, removal of trash.
 - i. Discussed Heavy Item Pickup (HIP) and whether that would make an impact on the factors that were causal. Task Force believes that reinstating HIP would not make enough of a difference; this demographic is more likely to keep old furniture.
 - ii. Task Force also believes that banning couches on porches is also not a worthwhile option at this time because it would be more impactful to spend resources on education and enforcement for highest-risk properties.
- g. Portland Fire Department has already pulled a list of 67 properties recommended by USM for students and is prioritizing inspections there.
 - i. Consider putting in the area around the university as a risk factor.
 - ii. Consider changing zoning around USM to legalize rooming/lodging houses and ensure they have proper fire systems.
 - iii. Perhaps there are more illegal third floor units than illegal rooming/lodging houses – also may require a zoning change.
- h. In the current City code, there are different definitions of rooming houses in Ch. 6 and Ch. 10. Need to tighten those up.
- 3. Discussion of enforcement, technology, internal training, staffing
 - a. Finish **enforcement** discussion from last meeting

- i. Tenant notification – policy needs to be revisited and finalized. Was drafted after 10 Exchange St issues to establish more stringent fines, and post so tenants are aware of the violations.
 - ii. Discussed concerns that other subsidized housing are not well-monitored (most are under various HUD subsidies and inspected by other agencies)
- b. **Technology** – With minimal to no new resources, the City can standardize and streamline inspection reporting processes. The PSS study noted the need for improved use of technology in the inspections functions.

What else should the City consider for technological improvements?

- i. Fire Department will move to Urban Insight.
 - ii. Develop and implement standardized checklists for inspectors to use in the field. *These checklists should be shared with landlords and tenants through public education.*
 - iii. Consider having tablets for inspectors to use in the field, greatly diminishing the amount of time required to cite an owner for violations and follow up with enforcement.
 - iv. Provide online capability for annual landlord registration.
 - v. Everything needs to be online – starting with the landlord registration.
 - vi. Should work to have a complete inventory of all rental properties in the city
- c. **Internal Training** – The internal phase of this Task Force’s work illuminated several areas for improvement in staff training.

Are there other opportunities for internal training?

- i. Inspectors across relevant departments require additional training and cross-training to improve inspections.
 - ii. All relevant staff require additional training to use Urban Insight and to ensure thorough documentation of all inspections.
 - iii. Other City staff who work in the field will be trained on the checklist so that they can easily report any concerns for follow up.
- d. **Staffing** – PSS’ study used a metric to recommend 10 new FTEs in the Fire Department alone to ensure widespread inspections. We believe we can achieve the intended goal of improving our ability to ensure the safety of Portland’s rental housing stock using a different approach. In order to ensure implementation of these recommendations and to evaluate whether there are indeed ensuing improvements to the city’s rental housing stock, the following new positions are requested.
 - i. Housing Safety Official (title TBD) who reports to the City Manager, convenes and coordinates all relevant departments to address issues with a property and decide actions to be taken.
 - ii. Three additional inspectors, all cross-trained in building code and life safety code, who will report to the Housing Safety Official.
 - iii. One administrative support position, who will coordinate the risk-based assessment of all rental properties and the online database, who also reports to the Housing Safety Official.
 - iv. An Education Officer at the Fire Department to implement the additional training

needed.

v. Discussion:

1. Inspecting GA-subsidized properties needs to move to new housing safety office
2. This new housing safety office can be largely self-sustaining through registration fees

e. Should these fees be levied by unit or by property?

- i. City has approx. 17-20,000 units in 6,900 buildings. Removing 3,284 residential condos leaves 3,616 properties.
- ii. \$100/property annual fee makes the program close to self-sufficiency
- iii. Lower annual fee plus significant penalty – how find balance
- iv. By unit seems too punitive, but may need to consider way to scale fee by size/complexity of property
- v. Landlords okay with \$25/property with the revenue going to fund inspections
- vi. How “reward” landlords who are compliant
- vii. Raise reinspection fees

4. What’s next

- a. Thurs 1/29, 2:30-4:00 pm, rm 209 – discuss recommendations
- b. Tues 2/3, 5:30-7:00 pm, rm 24 – Public Meeting
- c. Weds 2/4 – Mon 2/9 – Virtual discussion of public meeting feedback
- d. Tues 2/10, 5:30 pm, Council Chambers – Presentation to City Council Public Safety, Health & Human Services Committee
- e. Weds 2/11 – Mon 2/16 – Virtual discussion of Committee meeting feedback
- f. Final recommendations issued

Attachment B

Appendix B – Initial Variables for Risk-Based Prioritization

Type of construction

Age of structure

Number of units

Location

Delinquent taxes

Vacancy

Foreclosure

Complaints

Violations

Calls for service (Police, Fire)

Issues reported via FixIt Portland

Property type



Key Points from State Fire Marshal's Report on Noyes Street Fire

1. Origin and cause of the fire
 - a. Outside fire on porch
 - b. Improperly discarded smoking materials (cigarettes)
 - c. Improper use of smoking receptacle
 - d. Fire / fuel load on porch
 - e. Time of day (undetected)
2. Human behavior element
 - a. Smoke alarms removed
 - b. Blocked egress
 - c. Drinking and smoking
 - d. Housekeeping issues
3. Arrangement / Legal use of building

Comparative Statement

<u>Year</u>	<u>Fire</u>	<u>EMS</u>	<u>Total</u>	<u>Fire Deaths</u>
1980	4,740	7,408	12,148	6
1981	4,638	6,695	11,333	5
1982	4,662	6,639	11,301	2
1983	3,535	6,070	9,605	3
1984	3,657	6,309	9,966	2
1985	4,122	6,435	10,557	2
1986	4,075	6,256	10,331	4
1987	4,086	6,084	10,170	1
1988	4,397	6,209	10,606	5
1989	4,393	6,433	10,823	5
1990	4,154	6,661	10,815	2
1991	4,125	6,860	10,985	0
1992	4,019	6,720	10,739	4
1993	4,153	7,393	11,546	1
1994	4,203	8,317	12,520	1
1995	4,612	8,603	13,215	3
1996	5,110	9,029	14,139	0
1997	6,184	9,065	15,249	0
1998	8,408	9,235	17,643	0
1999	8,196	9,471	17,667	2
2000	8,132	10,189	18,321	2
2001	8,928	11,181	20,109	1
2002	9,625	11,355	20,980	1
2003	10,502	11,165	21,667	0
<i><u>In 2004, the Department changed from separate Fire and EMS incident numbers to one number</u></i>				
2004	3,371	9,496	13,067	1
2005	3,745	9,506	13,251	0
2006	3,577	9,552	13,129	0
2007	4,221	9,630	13,851	0
2008	4,012	9,238	13,250	0
2009	3,849	10,167	14,016	0
2010	4,059	10,252	14,173	0
2011	4,059	11,018	15,077	1
2012	3,811	11,190	15,001	0
2013	4,019	11,911	15,930	2

MULTI PRONGED PUBLIC EDUCATION APPROACH

1. Educating the Landlords & Homeowners
 - a. *See Landlord program attached
2. Educating Tenants
 - a. Utilizing technology for Home Safety Checks
3. College On-Campus & Off Campus Fire Safety
 - a. Ed Comeau (publisher of Campus Firewatch)
 - i. Developing Partnerships: Dean of Students & American Red Cross
 - b. Community Risk Reduction
 - i. Vision 20/20 (National campaign)
4. Public and Private Schools
 - a. * See attached program outlined
 - b. Getting into Private schools
 - c. Hands on demos
5. General Assistance housing recipients
 - a. Partnerships with Pine Tree Legal (Katie McGovern Esq.)
 - b. Portland Housing Authority (Julie Gregor)

LANDLORD FIRE SAFETY EDUCATION PROGRAM

**** To be coordinated with the Southern Maine Landlord Association and delivered at their monthly meetings. Educate some of the board members as a train the trainer so they may deliver the program.**

1. Educating the Landlords & Tenants on the Life Safety Code

- a. What is the fire code we've adopted?
 - i. How they can view / research
 - ii. Why we adopt fire codes in the first place
 - iii. Educate them on Enforcement & Penalties

2. Educating Landlords on different Occupancies / Legal uses of Properties

- a. Annual Registration Process
 - i. The purpose of the program
 - ii. Reliable / Accurate contact information
 - iii. Insurance Information
- b. Legal Uses of Buildings & How the code applies
 - i. What are the High Risk Occupancies??
- c. When & Why they must provide Life Safety Fire protection features
 - i. Smoke alarms
 - 1. Difference between detectors / alarms
 - 2. Different technologies of alarms
 - 3. Location
 - ii. Fire Alarm systems
 - 1. When & Why required / Maintenance
 - 2. Different systems
 - iii. Sprinkler Systems
 - 1. When required by code
 - 2. Maintenance / Monitoring

3. Inspection Process

- a. What we look for??
- b. Basic safety checklist

4. Educating Landlords on Tenant Behavior

- a. Responsibility of Fire Safety & Human Behavior
 - i. Blocking Egress
 - ii. Smoke Alarms
 - iii. Housekeeping issues
 - iv. Smoking / Cooking safety

5. Work with Southern Maine Landlord Association

- a. Create a Safety Document / Contract to be signed by tenants

SCHOOL EDUCATION PROGRAM OUTLINED

****Public education is a key tool for establishing safe practices and a knowledge base for all citizens. Fire Prevention Programs are most effective when they are consistent in messaging and when they are delivered in an age appropriate, interactive format.**

1. Pre-School Programs

- a. Begin with familiarizing with fire service
- b. What to look for in their homes
- c. What to do when an alarm sounds
 - i. Exit drills
 - ii. Meeting places
- d. Showing gear and tools

2. Elementary School Programs

- a. Building on previous information
 - i. What to do when alarm sounds
 - ii. Exit drills
 - iii. Meeting places at School and Home
- b. What to do when you find matches
- c. Safe cooking techniques
- d. 6-8 times per year

3. Middle School & High School Programs

- a. Begin to share more life skills & practices
- b. Safe cooking habits
- c. More implemented to "leaving the nest"
 - i. Apartment safety
 - ii. Exits
 - iii. Detectors
 - iv. Tenant rights
 - v. Space heaters
 - vi. Cooking safely
 - vii. Candles / Cigarettes

4. College Programs

- a. Try to reach this demographic in senior year High School
- b. Focus on best practices
 - i. Cooking safety
 - ii. Storage
 - iii. Outlets & extension cords
 - iv. Alarm & detection systems

FIRE CAMPUS ON & OFF CAMPUS SAFETY PROGRAM

- Fall 2015
 - What I would encourage you to consider is using the spring semester to build a multi-pronged program for delivery next fall.
 - I realize that you might be under some political pressure to deliver something more immediate, but if your goal is to be effective in your efforts and get a good return-on-investment for the time and money invested, you might look at some different efforts for next fall.
- Students
 - **Getting students on board as advisors is, in my opinion, absolutely critical and one of the first steps you might consider.**
 - Again, being honest...we are the older generation with older ideas. Get students that will tell you the unvarnished truth and give you invaluable insights into how to effectively communicate with their peers. Pick their brains on what would work, not work, and certainly no one thing is going to be a magic bullet, a multi-pronged approach is one that will have the most impact. We have been doing this on several of our grants with outstanding results.
 - These students can also serve as ambassadors, helping you spread the message. This is what brands do all the time on campuses, rely on ambassadors to help sell their products to their peers.
- Screenings and other ideas
 - For example, if you do screening of The Alarming Truth, is this really going to work? How are you going to incentivize students to come? What's in it for them, why would they bother to show up when 1) they have a lot of other things to do and 2) fire safety is boring and uninteresting (let's be honest about it...!)?
 - The same for doing live burns, as another example...these are very effective demonstrations, very impactful...for the 20, 30 or so people that might be there (and often half of them are fire fighters, EH&S staff, etc.).
- Partnerships
 - What could help is that you use this spring semester to build partnerships and gather information from different groups that could help you. This could include groups from within the university such as Dean of Students, Greek Life, etc. and those from outside the campus, such as the American Red Cross, which is very aggressively getting into community fire safety. They simply cannot afford to be responding after the fact and are being more proactive.
 - Are students required to do community service projects? Then a Campus Fire Safety Community Service Project (covered in the enclosed newsletter) might be a possible approach, for example. This is an opportunity for students to work alongside fire fighters in going into the community and learn fire safety by doing fire safety.
- Messaging
 - Limiting the messages is critically, critically important. We are always guilty of trying to tell everyone everything they need to know to be fire safe. By telling them about cooking, smoking, smoke alarms, electrical, heating, exits, etc., etc., etc., we tell them nothing, really. I know this often goes across the grain, but again, but by limiting your messages to, at most, three, has a greater impact.
 - I would suggest being focused on being effective rather than checking off things on a list that have been done.
 - Evaluating the community and where the risks lie is important, as well, so that you can craft a more focused message
- Community Risk Reduction
 - I am with the Vision 20/20 (www.strategicfire.org) project and we are working heavily on promoting the idea of Community Risk Reduction that takes a more holistic view towards

community safety (but is heavily based in fire safety and smoke alarm installations) and works hard to get front-line fire fighters involved in fire safety...it is the fire service's version of community policing. This might also be an approach to look at.

- A core part of this approach is partnerships. This can be the university, student groups, the American Red Cross, Meals on Wheels, Visiting Nurses, senior services, whatever group in the community that will help you in your outreach efforts.

CAMPUS Firewatch

Fatal Fires

By Ed Comeau

Reading, Pennsylvania

On September 13, there was a fire in Reading, Pennsylvania, that claimed the life of Matt Rein, an Albright College sophomore. I went to Reading and met with Reading Fire Marshal Larry Moyer, who was able to arrange for me to talk with the landlord and one of the students that was in the house at the time of the fire.

Matt was in the basement of the building, in a television room, where the fire broke out, and was not able to escape the flames. There were six other students in the 2-1/2 story building, four on the top floor, one on the second floor and one sleeping on the couch in the living room on the first floor.

The students on the top floor were awakened by the sound of someone banging and glass breaking, and one of the students thought someone was breaking into the house. Very quickly, however, the smoke alarms started to activate. When they tried to get down the stairs (there was only one stairway in the house) they were not able to make it past the second floor. They went into one of the back bedrooms on the east side and tried going out the door onto the porch. However, the doorknob came off in their hands, so they had to go out a window onto the porch, where all four climbed down to the ground. During this, one of the students was on the phone, calling 911, reporting the fire and giving an amazingly calm account of the fire, what they were doing and, as he started climbing down, he threw the

CONTINUED ON PAGE 2.

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Boston Move-In

By Ed Comeau

Boston calls itself the nation's "College Town" because of the number of colleges and universities in the city. This means that there are thousands of students that descend upon the city every fall, moving into residence halls and off-campus housing.

As with most schools across the nation, most of the students in Boston live in off-campus housing, and what makes this especially problematic in Boston is that the street layout is, to say the least, challenging. A popular urban myth is that the streets were originally

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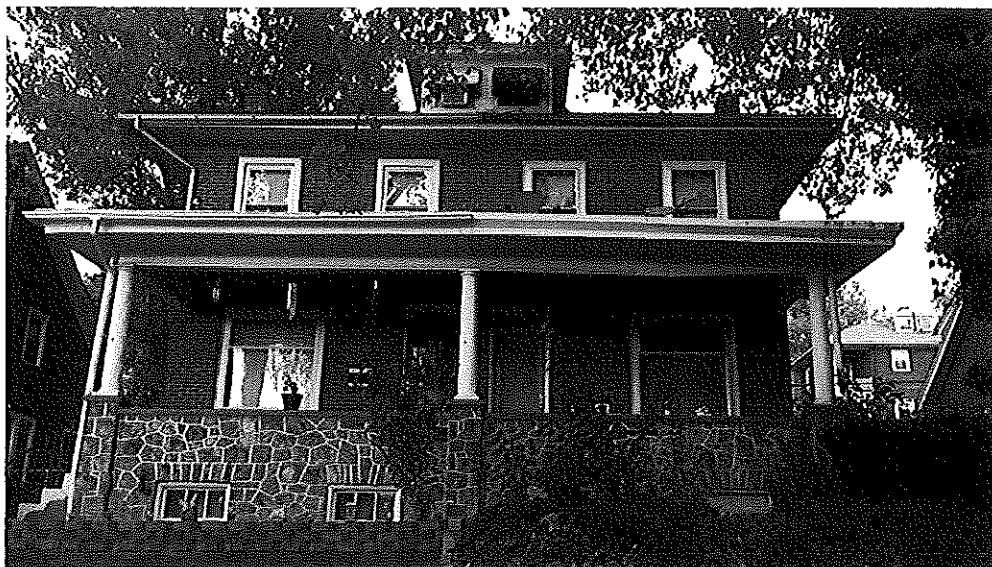
Making of The Alarming Truth

By Ed Comeau

While making The Alarming Truth, we (Clery Center for Security on Campus, Michael H. Minger Foundation and Campus Firewatch) learned a lot about not only filming a student fire safety video, but also how to make a project about a topic (fire safety) that really just isn't that interesting to college students. I'd like to take this opportunity to share those lessons-learned about what worked, what didn't, with the idea that some of this may help you when you are putting together your own safety education programs. While I'm not going to claim that this is the best one out there, by actively involving students throughout the production process we were able to produce a short film that does have some relevance to today's college demographic.

We started this process by having a student doing an Internet search, looking for fire safety videos that could be used in campus fire safety campaigns. While there are a number of them, there were few that he found that would appeal to students for a number of reasons – they were too long, they tried to cover too much in one video, or, and this was most of them, they were just too "cheesy" (his choice of words). Typical ones were the talking head, turning to the camera, "oh, I didn't see you there... let's talk about fire safety."

CONTINUED ON PAGE 8.



The front of the house where Matt Rein died in an off-campus fire

phone down to one of the other students on the ground who continued talking with the 911 operator.

While they were doing this, one of the occupants in a bedroom on the second floor on the front of the building, the West or A side, was trying to get out by pushing out the air conditioner in his window (the student from the third floor thinks this might have been what woke him up).

The four students went around to the front of the building and one of them tried going in through the front door, however the smoke was too intense for him to make it inside. Another student was sleeping on the couch right inside the front door, but he was unable to reach him because of the smoke.

Reading Fire Department has five engines and three ladder trucks, each staffed by two people, a fire fighter and a driver. When the call came in, the closest engine and ladder were just backing into the station from a call so they were able to respond immediately. When they arrived on the scene, the students who had escaped reported where there were occupants inside and the fire fighters entered the building. They quickly located the occupant on the couch and removed him and were also able to rescue the victim on the second floor. Both were transported to an area hospital and then flown to Lehigh Valley Hospital to be treated for smoke inhalation. Matt Rein was located by fire fighters but, due to his severe injuries, he was declared deceased on the scene.

A water pipe burst in the basement during the fire and knocked down much of the fire, so when fire fighters arrived, they didn't have to flow much water to extinguish it.

The cause of the fire is under investigation, but it is not believed to be criminal in nature.

The dramatic lesson that does emerge is the importance of a second exit. The four students from the top floor are alive because they were able to escape through a window onto a porch and then down to the ground floor. They probably hadn't thought this through, planning on this being a second exit, and the fact that the doorknob came off in their hand could have been a real problem if there had not been a window right next to the door that they could use.

It also looks like smoke alarms played a role in helping alert the occupants. Fire fighters reported hearing smoke alarms on the second and third floor, but it is not clear if the smoke alarm on the first floor was activated at the time or not (there is one there). This may be a case of in the rush of the moment, trying to locate the victims, they may not have noticed whether it was sounding or not.

In addition to meeting with the landlord and student, Marshal Moyer also arranged a meeting with Albright College, Alvernia University and representatives from the city, including Mayor Spencer, where we talked about possible educational strategies for

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Campus fire safety is a complex issue. The information in this newsletter is provided to help you in your efforts to provide as fire-safe a community as possible. However, it is no replacement for professional advice. For further assistance, contact your local fire department.

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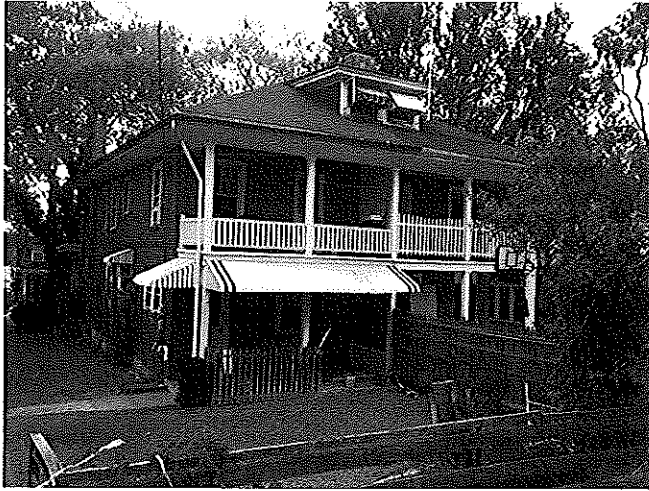
Do you have an article that you would like to write for Campus Firewatch?

We're always looking for articles on what is happening at campuses and in communities across the country.

Contact us at ecomeau@campus-firewatch.com and let's talk!

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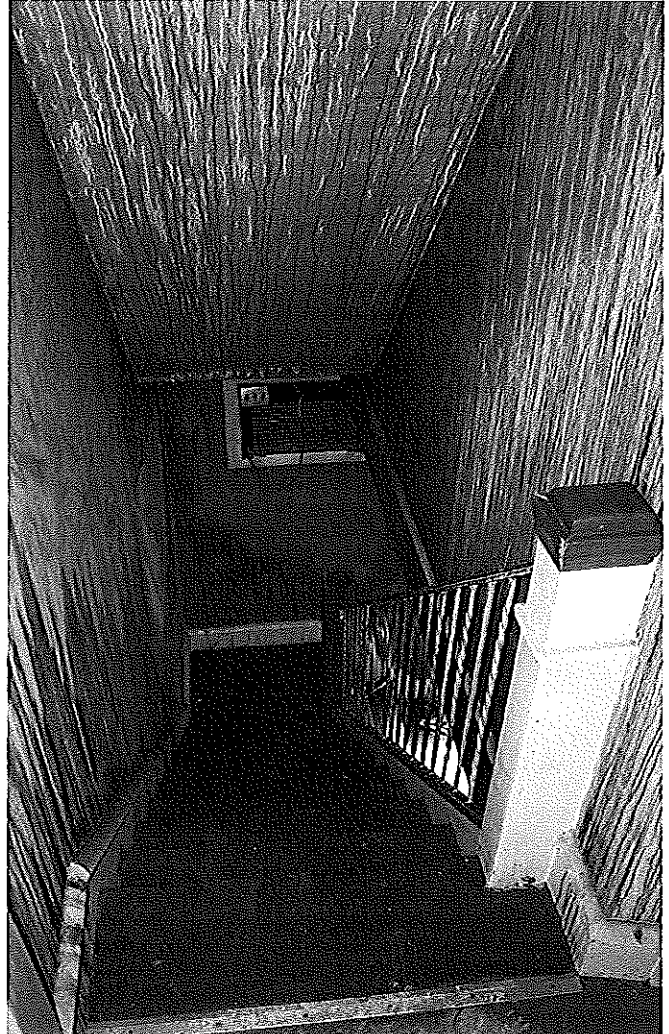
FATAL FIRES - CONTINUED FROM THE PREVIOUS PAGE.



The back porch where four students climbed down to escape from the fire



The doorknob came off the rear door, so the students had to climb out a window to get onto the back porch to escape.



The top of the stairway at the second floor that was impassable because of the smoke.

moving forward. I showed them the tools available, including The Alarming Truth, 9 Fires, the posters we had developed and much more. In addition, I covered the Campus Fire Safety Community Service Projects that we had developed under the Minger Foundation, and there was a great deal of interest in getting the students involved in home fire safety visits.

This tragedy is also going to be a good example of what can go wrong, but also what can go right, in a fire.

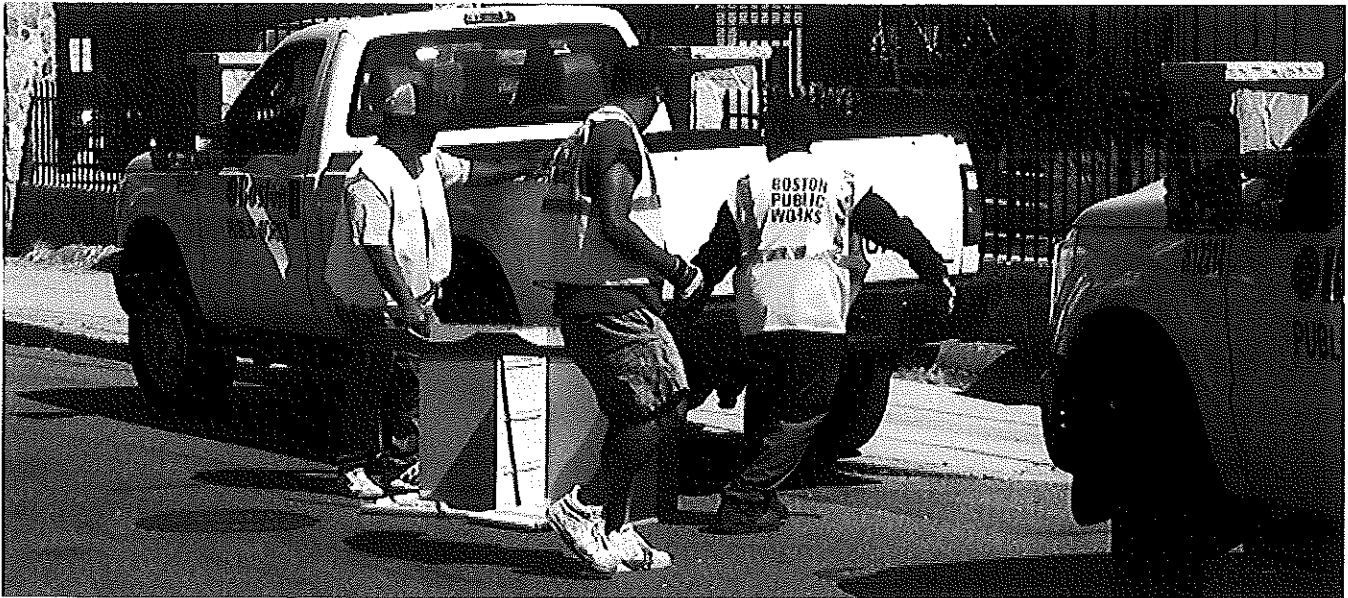
Bowling Green, Kentucky

A fire broke out at 5:31 a.m. on Friday, October 31, at 635 East Main Street in Bowling, Green Kentucky, according to Bowling Green Fire Department Public Information Office Marlee Boenig. Tyler English, a 20-year-old Western Kentucky University sophomore, was killed in this off-campus fire.

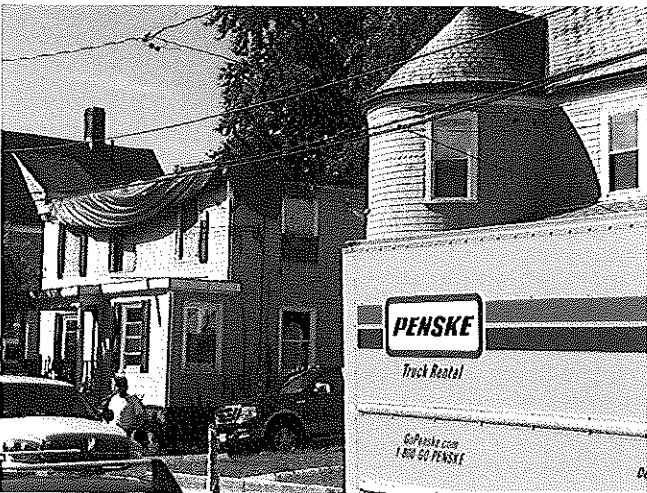
According to WKU Director of Media Relations Bob Skipper, English was majoring in Construction Management and was from Louisville, Kentucky. Another occupant was injured and transported to the hospital, but his condition is unknown at this time, according to the Bowling Green Fire Department.

Upon arrival, fire crews encountered heavy smoke in the two-story building that had originally been a single-family home, converted into apartments, but then converted back into a single-family. There were four people on the lease, but it is unknown how many people were in the building when the fire broke out. The cause of the fire was accidental and believed have been caused by careless disposal of smoking materials in a trashcan in an upstairs kitchen.

BOSTON MOVE-IN - CONTINUED FROM PAGE 1.



Boston Public Works crews were a constant sight in the neighborhoods, picking up discarded furniture.



The top floor had been removed from the apartment building on Linden Street where Boston University Senior Binland Lee had died in April 2013. Students and parents were moving into the buildings all around it.

laid out based on where the cows roamed in the city and these cow paths eventually developed into streets. While this may not be true, when you look at the way the streets run, it isn't hard to believe that may have indeed been the case. Curving, narrow, one-way streets abound throughout the city, but particularly in the Mission Hill, Back Bay and Fenway neighborhoods where many, if not most, of the students live.

In April 2013, an off-campus fire on Linden Street killed Binland Lee, a Boston University student. In an earlier fire, right across the street, on January 2012, BU students jumped from all three stories of the building to

escape the fire, and Josh Goldenberg was critically injured when he jumped from his third-story bedroom onto the driveway below. ([This fire was featured in the short film 9 Fires](#))

The fatal fire was the catalyst for an investigation by the Boston Globe Spotlight Team that resulted in an in-depth, three-part series called the [Shadow Campus](#) that detailed the lack of investigations being conducted by the city's Inspectional Services and the actions of the landlords who capitalize on the student's needs with substandard housing. As a direct result of this expose, Boston Mayor Martin Walsh [promised to crack down](#) on these landlords by increasing the inspections, passing ordinances placing more responsibility on the landlords to have safe housing, and to hold the schools more accountable. [In a follow-up by the Boston Globe](#), it would appear that there is much that still needs to be done, however.

One step was to require the schools to provide the addresses of where students were living off-campus so the city could focus its inspection efforts in the areas where most of the students were living and they were given a November deadline to comply. Boston also set up a program where the landlords could have certified, private-sector inspectors (primarily home inspectors) do the mandatory inspections required by the city. These inspections are [required every five years](#), but realistically, the annual turnover of tenants in each unit may make these inspections something of a paper tiger.

To learn more, first-hand, about what happens when the students are moving in and out of their apartments, I spent the Labor Day weekend in Boston riding around the Mission Hill, Allston-Brighton and Fenway neighborhoods. (Because of the incredible crush of traffic on the narrow streets, including large rental trucks, I used a mountain bike, which gave me a tremendous amount of mobility and flexibility.)

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Portland Fire Department Headquarters Office of the Fire Chief



To: Public Safety Health & Human Services Committee

From: Chief Jerome LaMoria, Portland Fire Department

Date: February 10, 2015

Re: Written Response to Suspended Company Level Program

1. Chronology of events leading up to the decision to suspend the program.

In April of 2013 – *Chapter 11* of the PSSi study, *Fire Prevention Programs*, listed 18 recommendations. Out of the 18 recommendations 6 of them relate to weaknesses in the company level fire inspections program.

Recommendations included in training, technology, recordkeeping, and process.

In January of 2014 – After reviewing inspection results for 2013 and considering recommendations from the PSSi study and recommendations from the Prevention Bureau the focus of company level inspections was established as pre-planning and addressing existing violations.

2. What was the department doing?

In fall of 2013 – The Fire Prevention Captain at the time was deeply engaged with streamlining the permitting process. The department was also involved in training staff with the permitting review process ex: training the Island personnel. The Fire Prevention Captain also worked side by side with IT and the City Inspections Division to switch inspections software from Navaline to Urban Insight in order to create transparency and consistency with other City Departments.

January – July 2014 – With the budget preparation and submission included the establishment of an Assistant Chief Position along with solely dedicated Administrative Assistant to Fire Prevention in order to make needed changes and manage the inspections program.

3. What specifically led to the decision to suspend the program?

There was a frequency/quota at the company level inspections that created a backlog of outstanding violations. The department lacked the code & inspection training at the company level which lead to inconsistency. The department recognized that the method(s) being utilized were ineffective and required a major overhaul to the department rather than continuing to assign busy work at the company level. The decision was then made to suspend the proactive company level inspection program to focus our efforts on existing violations.

4. Was the decision to suspend in violation of City ordinance?

No – Chapter 10 of City Code and NFPA Codes, which are adopted by Chapter 10, provide FD authority to do inspections, but that authority is permissive. The Code does not establish when or how often the FD as the "Authority Having Jurisdiction (AHJ)" is required to inspect. Those decisions are left to the discretion of the AHJ. It also bears noting that City Code explicitly limits the AHJ's authority, Chapter 10 (m) state that the inspection authority does not apply to one and two family dwellings.

5. What have we been doing in the mean time?

The department has been work diligently on preplanning, school Inspections, assisting schools with emergency planning, permit inspections, complaint based inspections, maintaining vacant building list, adjustments in recordkeeping, public education on request, exploring grant funding and reorganizing the department to assist with the implementation of the new inspection program. Some of these activities, such as complaint based inspections are labor intensive and time consuming. In some cases follow-up requires numerous meetings with property owners, other city departments, business licensing, Corporation Counsel and in some cases the City Manager's office.

6. If training and equipment were the issues why did it take us so long to get firefighters trained and to get the program restarted?

The delay in getting the inspection program restarted was because budget constraints were a key factor. There was a spending freeze put into place in Spring of 2014 (FY14) due to winter operations overages. Spending was again frozen in late summer of 2014 (FY15) because of a potential shortfall in GA reimbursement from the State. As a result the department has been asking for grant funding to cover the cost of the training and computer equipment. The department needed a person (Assistant Chief) in place to plan, implement and oversee the necessary changes budgeted to start in January 2015.

7. What will the new inspections program involve and when will it be implemented?

The new *company level* inspections program will consist of; New software *Urban Insight* (UI) being solely used, Officers trained on NFPA codes, Focus on residential apartment buildings (3 units or more), Utilization of new computers in the field, increased enforcement. We will be meeting with NFPA this week to look at the delivery of the training to start in late March with a rolling out of the new program sometime in April 2015.



Public Safety, Health & Human Services Committee

February 10, 2015

5:30pm at

Council Chambers in City Hall

2015 WORKPLAN ITEMS TO CONSIDER

- Broad based task force conversation – this was mentioned in a late 2014 meeting to have a discussion around staff time on a growing number of initiatives (example below)
 - Elder affairs - demographics, housing, hoarding
 - Healthcare
 - Minimum wage
 - Food
 - Substance abuse
 - Dusen mentioned seeing templates for entrance and exit strategies for the establishment of committees to include priorities and to show and end to staffing groups who've finished their intended work.
- Police department update
- 2014 review
- Neighborhood accountability board
- Needles Improperly Discarded Update: call numbers and locations
- Smoking ordinance – e-cigarettes/signage/consistent enforcement (March Meeting)
- Public Health updates
- Fire Department updates
- Noise Ordinance review
- Neighborhood Accountability Board – Neighborhood Prosecutor
- Quarterly Update on the Mayor's Substance Abuse Sub-committee
- Communications System Replacement update
- Ask Committee if they're interested in switching the meeting room to rm 209 to allow planning to use Council Chambers for their meetings (typically largely attended).
- City Council asked that PSHHS develop a tracking and reporting mechanism for CT notices issued by constables. Reason for CT notice issued should be included. This item added following 11.17.14 Council meeting.
- -Median Strip Construction- mentioned by Ed with a future conversation with Neighborhood Prosecutor and Mike Bobinsky
- -Habitat for Humanity- donate tax acquired property for housing projects, Doug used to sit on the tax acquired property committee
- Food Service Ordinance change – Toho Soma

- Barron Center Plan to Create a Plan on the Future – integrated city plan, the role of the city, Avesta, state, strategic plan on elderly population, funding and potential consultant
 - Linda Weare is the Director of the Office of Elder Affairs at Health and Human Services. She is working on an Age-Friendly Communities Project that just getting underway. The community assessment phase will be happening over the next few months, with a report coming out at the end of May or early June. She is requesting an opportunity to briefly present this information to the PSHHS Committee (request through Dawn Stiles) and proposed the March date as an option.