

Minutes
Bar Harbor Long-Term Rental Registration Task Force
Monday, February 3, 2022
Auditorium - Municipal Building
93 Cottage Street
4:00 P.M.

I. Call to Order

The meeting was called to order at 4:01 PM. Members present: Michele Gagnon, Planning Director; Todd Hardy, Landlord representative; Erica Brooks, Landlord representative; Philip Galperin, Resident at large; Joe Minutolo, Town Council representative; Amber Howard, Tenant representative; Matthew Bartlett, Bar Harbor Fire Chief; Angela Chamberlain, Code Enforcement Officer, John Mountford, Ellsworth and MDI Housing Authority representative arriving at 4:05PM; Jennifer Richardson, Resident at large arriving at 4:07PM; and Heidi Hambrecht, Tenant representative arriving at 5:20 PM.

Also present: Michael Gurtler, Deputy Code Enforcement Officer and Arthur Howe, guest speaker.

II. Election of Officers

Ms. Chamberlain asked if anyone was willing to volunteer as Chair or if anyone wanted to nominate another member as Chair. Mr. Hardy volunteered to serve as Chair. Ms. Chamberlain moved to nominate Mr. Hardy as Chair. She asked if there were any other nominations and hearing none, the task force voted 8-0 to appoint Mr. Hardy as Chair.

Ms. Chamberlain asked if anyone was willing to volunteer as Vice Chair or if anyone wanted to nominate another member as Vice Chair. Mr. Minutolo volunteered to serve as Vice Chair. Ms. Chamberlain moved to nominate Mr. Minutolo as Vice Chair. She asked if there were any other nominations and hearing none, the task force voted 8-0 to appoint Mr. Minutolo as Vice Chair.

III. Approval of Minutes

1) January 10, 2022 Meeting

Mr. Bartlett moved to approve the January 10, 2022 meeting minutes as prepared. Ms. Brooks seconded the motion and the task force voted 8-0 to approve the motion.

IV. Public Hearing

1) Remote Participation Policy

The Chair opened the public hearing. No one from the public spoke. The Chair closed the public hearing. There were no comments from the task force members.

Ms. Gagnon moved to approve the remote participation policy as prepared. Ms. Brooks seconded the motion and the task force voted 8-0 to approve the motion.

V. Presentation by Arthur Howe, previously Portland's Housing Safety Administrator

Mr. Howe introduced himself and explained that he was the former Housing Safety Administrator for the city of Portland, Maine. He noted that the Portland Office of Housing Safety was created after a fatal fire on November 1, 2013 that killed six occupants. He explained that prior to the creation of the Office of Housing Safety department, the Fire and Inspection departments were doing uncoordinated inspections but there was no structured program.

Mr. Howe described for the task force how the program was set-up, how the fee schedule was scheduled, and what the inspectors were looking for during their visits. He explained that he had three inspectors in addition to himself, and they all attended and were trained through the NFPA Life Safety code classes, which he highly recommended. He stated that he is customer service oriented and felt this helped get landlord support for the program and created a positive working relationship between landlords and his department. He also recommended that the task force look at fees as a way to recover costs, not as a revenue source.

He elaborated on the inspection component and explained that his department evaluated each building in the city and scored it according to risk using factors such as; date of last inspection, outstanding violations, property liens or back taxes owed, number of EMS and police calls within the prior 12 months, whether the building was protected by a sprinkler system, number of complaints from tenants, among other factors. He explained that his initial inspection process focused on two areas during the initial inspection; safe egress and operable smoke detection. Each subsequent inspection was intended to be a more indepth and to look at additional life safety requirements.

He noted that almost 1,000 properties were inspected in the first ten months of the program, approximately 1,200 code violations were found, approximately 600 of those 1,000 were corrected, and egress issues were either remedied at the time of the inspection or within 1 week. His department gave landlords 1 month to install or correct missing and inoperable smoke detectors, and 2 months to install fire-rated doors. He added that his department also voluntarily assumed rental housing complaints for health issues such as, bed bugs, mold, heat issues, etc.

Ms. Brooks asked who determined the time frames for correction of issues and what was a reasonable level of enforcement. Mr. Howe described that he has a lot of discretion as the authority having jurisdiction (AHJ). He explained how the life safety codes outline performance vs. prescriptive codes and how he applied those to his inspections.

Ms. Howard asked if the Portland program included units where someone may be renting a single room out to a tenant. Mr. Howe said that housing situation was included in the program and would require registration and inspection.

VI. Discussion Topics

- 1) Registration process
- 2) Inspection component
 - a. Frequency of inspections
 - b. Inspection checklist items
- 3) Fees (including possible incentives)
- 4) Exceptions to the registration requirements
- 5) Issues you have experienced as a tenant or landlord

- 6) Definition of LTR
- 7) Minimum standards (size of units, etc.)
- 8) Enforcement (administrative processes including notifications)
- 9) Other

There was no additional discussion on these agenda items.

Mr. Minutolo and Ms. Gagnon excused themselves to attend another meeting.

VII. Public Comment Period

There was none.

VIII. Items for the next Agenda

Mr. Hardy suggested that the discussion topics in agenda item VI. be on the March agenda. There were no other suggestions.

IX. Adjournment

Ms. Brooks moved to adjourn the meeting at 5:51 PM. Mr. Bartlett seconded the motion and the Task Force voted 9-0 to approve the motion.

Minutes approved by the LTR Registration Task Force on March 3, 2022.



Todd Hardy, Chair
Long-Term Rental Registration Task Force

3/24/22
 Date