



**LONG-TERM RENTAL REGISTRATION
PRESENTATION
AUGUST 2022**

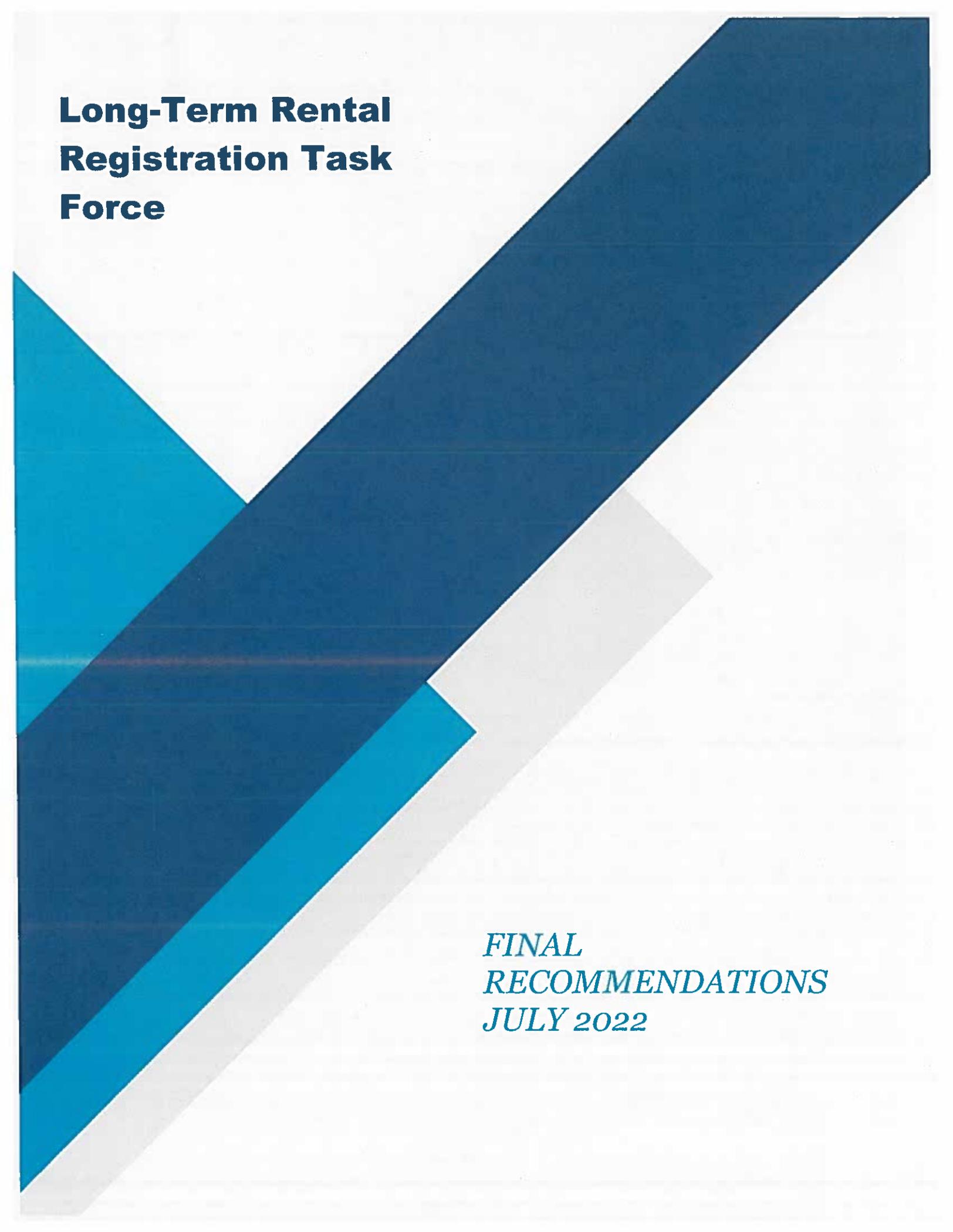
TAB 1. FINAL RECOMMENDATIONS

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**Long-Term Rental
Registration Task
Force**

*FINAL
RECOMMENDATIONS
JULY 2022*

Long-Term Rental Registration Task Force

Recommendations

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PURPOSE

The purpose of developing a Long-Term Rental (LTR) Registration Program is to: protect the health, safety, and general welfare of the residents of Bar Harbor; ensure that all rental units in the Town of Bar Harbor are maintained in a safe and sanitary condition; not to create a nuisance or derelict conditions to the surroundings; and to maintain a registry of long-term rentals that require registration and relevant associated data to assist the town in understanding the characteristics of the existing housing stock.

DECISION REQUIRED (Per the bylaws of the task force)

The task force will make recommendations on specific elements of a Long-Term Rental (LTR) Registration Program with an inspection component that will include, but may not be limited to:

1. Frequency of rental inspections
2. Inspection checklist items
3. Registration process
4. Fees, including an incentive component
5. Housing exceptions to the program (short-term rentals, etc.)

TASK FORCE BACKGROUND

The task force was formed by the Bar Harbor Town Council at the end of 2021 at the request of Code Enforcement Officer Angela Chamberlain and Fire Chief Matthew Bartlett.

The task force membership included: Planning Director Michele Gagnon; Code Enforcement Officer Angela Chamberlain; Fire Chief Matthew Bartlett; Town Council member Joe Minutolo; landlords Todd Hardy and Erica Brooks; resident members at large Philip Galperin and Jennifer Richardson; tenants Heidi Hambrecht and Amber Howard; and a representative of the MDI and Ellsworth Housing Authorities, John Mountford.

The task force began meeting monthly in January 2022 and met through May 2022. At the February meeting, the task force hosted Art Howe, former Housing Safety Administrator for the City of Portland, Maine. Mr. Howe gave a presentation on his experience developing and implementing Portland's rental registration program, and answered the task force's questions. The next several months were spent developing the recommendations based on information collected and the Polco survey results.

POLCO SURVEY RESULTS

The task force prepared and distributed a survey with a series of 12 questions about long-term rentals. The questions ranged in scope from data-gathering questions related to demographics, to specific questions about the possible benefits of a rental program. The survey was conducted through Polco and a link to the survey was made available on the town website, and on the Planning and Code Facebook page. Hard copies were made available in the municipal building. The survey was available March 11, 2022 through April 1, 2022.

Two-hundred and thirteen (213) responses were received with 62% of respondents in support of the registration of long-term rentals, and 63% in support of the inspection of long-term rentals.

Other notable statistics:

Who participated?

- 82% of respondents own property in Bar Harbor.
- 34% of respondents are landlords in Bar Harbor.
- 17% of respondents are tenants renting residential housing in Bar Harbor.

Registration of LTR's:

- 73% of respondents answered that LTR registration would be beneficial for data collection to help understand housing availability and housing trends.
- 68% of respondents answered that LTR registration would be beneficial for data collection to help develop strategies for increasing local housing stock.
- 57% of respondents answered that LTR registration would promote safety within the community.
- 56% of respondents answered that LTR registration would be beneficial in protecting our community's more vulnerable residents (low-income, senior citizens, those with disabilities, non-English speaking people).

Inspection of LTR's:

- 81% of respondents answered that inspecting LTRs would be beneficial to ensure fire and life safety precautions to help prevent a catastrophic event.
- 68% of respondents answered that inspecting LTRs would be beneficial in helping landlords be aware of preventative maintenance issues.
- 67% of respondents answered that inspecting LTRs would be beneficial in promoting safety within the community.

- 62% of respondents answered that inspecting LTRs would be beneficial in helping landlords maintain their properties.
- 59% of respondents answered that inspecting LTRs would be beneficial in helping inform tenants about tenant rights.

When asked what elements should be addressed if inspections were required, respondents answered (respondents were able to select multiple options):

- 90% Fire & life safety issues
- 77% Building code violations
- 70% Overcrowding and occupancy limits
- 56% Property maintenance
- 22% Other

The survey included an area for respondents to leave comments, numerous comments were provided, all of which are available in the full survey document.

TASK FORCE MEETING CONCLUSIONS

A rental registration program could help keep tenants and landlords informed of newly enacted laws and code changes.

The task force agreed early in the process that gathering rental specific data was needed as a first step as it did not have data on the number of long-term rentals or information on where they are located.

The task force unanimously agreed that the purpose of supporting a long-term rental program was for collecting housing data such as: age of the rental unit, rental periods, occupant information, presence of sprinkler and alarm systems, and other relevant characteristics of the housing stock.

A long-term rental program can help landlords have more frequent access to their units to see what kind of condition they are being kept in. Often times, code violations are tenant-caused due to a lack of awareness related to code requirements. The group also discussed tenant rights and how to inform tenants of what their rights are.

The task force recognized that overcrowding in units is likely a problem, but at this time decided not to pursue addressing the problem to avoid the possible unintended consequences of displacing tenants as a result of a rental program.

It was the consensus of the group that if inspections were eventually implemented into the program, they should not be as intensive as those for the short-term rental registrations. The

inspections should focus on three primary elements designed to protect lives: tenant notification systems (smoke and carbon monoxide detectors), building elements designed to prevent or slow the spread of fire, and the presence of adequate and useable means of egress.

The task force agreed that it could not make a recommendation on the inspection component until additional data was collected through a registration process. The group felt it needed to know the total number of long-term rental units in Bar Harbor, what the age of each unit is, who the occupants of the units are, and the length of time the units are rented. The task force felt that it could make a more informed recommendation on inspections if it had that information, and inspections could eventually be prioritized using that data. The group agreed that it would be willing to reconvene after a registration program had been implemented, review the data collected, and then make a recommendation on the inspection component.

GOALS of the LTR Program

1. Protect the health, safety and general welfare of the residents by ensuring the health and safety of rental properties;
2. Ensure that all rental units in the Town of Bar Harbor are maintained in a safe and sanitary condition and do not create a nuisance or derelict conditions to the surroundings; and
3. Maintain a registry of long-term rentals that require registration and relevant associated data to assist the town in understanding the characteristics of the existing housing stock.

RECOMMENDATIONS to address the goals

Recommendations on each of the goals are outlined below.

Goal 1. Protect the health, safety and general welfare of the residents by ensuring the health and safety of rental properties.

To achieve Goal 1, the task force recommends the following:

1. The Town of Bar Harbor should create a long-term rental program which requires registration. The task force recommends that the application for program registration be free of charge to encourage voluntary compliance. The task force recommends that there be a "failure to register" fee which increases in an incremental approach. In an effort to make registration as simple as possible, the Code Enforcement Department can utilize its permitting software to allow property owners to apply and pay for permits and registrations electronically which will make the registration process easy for the applicant. This rental program should be implemented in 2023.

2. A long-term rental program should **not** include: short-term rentals, government regulated housing under HUD regulations, on-campus college dormitories, employee living quarters, shared accommodations, any types of transient accommodations of less than 30 days (such as hotels, motels, and bed & breakfasts), convalescent and/or congregate housing, and nursing homes; as defined in the Bar Harbor Land Use Ordinance.
3. The application form for registration should be designed and developed to collect data such as: location and age of rental unit, rental periods, occupant information, presence of sprinkler and alarm systems, and other relevant characteristics of the housing stock.
4. An inspection component should not be considered or addressed until data is gathered through the registration process. The task force recommends that a rental program be created and the first step in the program is to require registration of LTR's to collect data such as: the total number of LTR units in Bar Harbor, where they are located, how many months per year they are rented, what types of occupants are housed, what types of life safety measures are available in units, etc. The task force recommends that its work be paused until one year of registration data has been collected, at which time the task force would reconvene to analyze the data, and make a recommendation on an inspection component.

Goal 2. Ensure that all rental units in the town of Bar Harbor are maintained in a safe and sanitary condition and do not create a nuisance or derelict conditions to the surroundings;

To achieve Goal 2, the task force recommends the following:

1. The Town of Bar Harbor, through the Code Enforcement Department, should proactively inform and provide resources for the general public so that they can assess the health and safety of rental properties and units; offer courtesy inspections of rentals; provide workshops and training; provide access to information about code changes; and develop good working relationships with landlords and tenants. This should be implemented immediately.
2. The Town of Bar Harbor, through the Code Enforcement Department, should investigate ways to provide both property owners and renters with the information they need to be informed and to ensure the health and safety of their properties. The Code Enforcement Department should provide owners with a simplified code requirement/fire prevention checklist to allow them to self-inspect for compliance; offer training classes for landlords/property managers covering code requirements; and offer tenant training

classes to cover their responsibilities as tenants and what they can/should do to maintain their units in a safe and healthy condition. This should be implemented immediately.

Goal 3. Maintain a registry of long-term rentals that require registration and relevant associated data to assist the town in understanding the characteristics of the existing housing stock.

To achieve Goal 3, the task force recommends the following:

1. The Town of Bar Harbor should create a long-term rental program which requires registration. The task force recommends that the registration application be free of charge to encourage voluntary compliance. The task force recommends that there be a “failure to register fee” which increases in an incremental approach. The application form for registration should be designed and developed to collect data such as: location and age of rental unit, rental periods, occupant information, presence of sprinkler and alarm systems, and other relevant characteristics of the housing stock. A registration program should be implemented in 2023.

POLCO RESULTS



Long-Term Rental Registration Task Force - Rental Registration and Inspection Survey

Survey Results
FINAL

04/04/2022

A portion of your home that you also reside in



A separate unit on your property



A single-family home



Unit(s) in a duplex



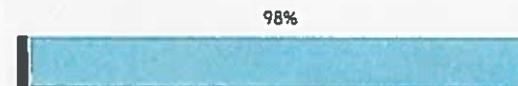
Unit(s) in a multi-family building (Three or more units)



An apartment



Dorm-style housing



Housing for your employees



Other



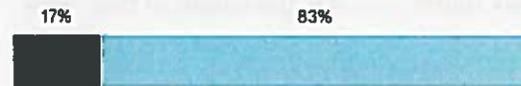
If you are a residential housing TENANT in Bar Harbor, what type of housing do you rent?

Question	Yes	No
A portion of someone else's home	17%	83%
A separate unit on your landlord's property	16%	84%
A single-family home	30%	70%
A unit in a duplex	7%	93%
A unit in a multi-family building (Three or more units)	16%	84%
An apartment	37%	63%
Dorm-style housing	3%	97%
Employee housing provided by your employer	7%	93%
Other	0%	100%

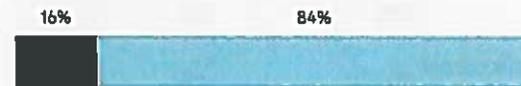
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Yes No

A portion of someone else's home



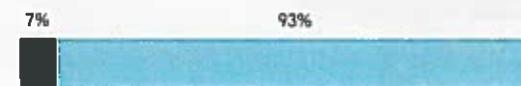
A separate unit on your landlord's property



A single-family home



A unit in a duplex



A unit in a multi-family building (Three or more units)



Summer rental (More than 30 days but not all year)



Do you believe that the REGISTRATION of long-term rentals in Bar Harbor would be beneficial to any of the following:

Question	Yes	No
Data collection to help understand housing availability and housing trends	73%	27%
Data collection to help develop strategies for increasing local housing stock	68%	32%
Increasing the value of properties	24%	76%
Promoting safety within the community	57%	43%
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non-English speakers)	56%	44%
Other	18%	82%

Expand all / Collapse all

Yes **No**

Data collection to help understand housing availability and housing trends



Data collection to help develop strategies for increasing local housing stock



Increasing the value of properties



Question	Yes	No
Educating tenants about tenant rights	59%	41%
Increasing the value of properties	30%	70%
Promoting safety within the community	67%	33%
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non-English speakers)	56%	44%
Preventing overcrowding	55%	45%
Other	17%	83%

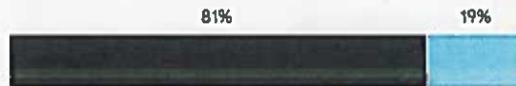
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Understanding housing availability and housing trends



Ensuring fire and life safety precautions to help prevent a catastrophic event



Developing strategies for increasing local housing stock



Helping landlords be aware of preventative maintenance issues



Helping landlords maintain their properties



Educating tenants about tenant rights

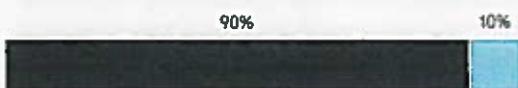


Question	Yes	No
Fire & life safety issues	90%	10%
Overcrowding and occupancy limits	70%	30%
Building code violations	77%	23%
Property maintenance	56%	44%
Other	22%	78%

Expand all / Collapse all

Yes No

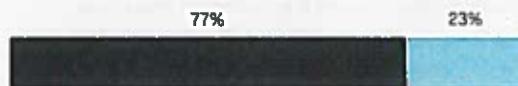
Fire & life safety issues



Overcrowding and occupancy limits



Building code violations



Property maintenance



Other



Comments:

The downside to inspecting rentals to make sure they are up to code is some landlords may choose to evict tenants instead of paying for changes. This has already happened on the street I live on. Landlords may also drastically increase rents in order to bring their buildings into compliance making them unaffordable for most of us with limited income. This is a double edged sword and may have more negative impacts than positive.

from offering long-term rentals. Let's recognize the elephant in the room: overcrowded seasonal employee housing.

There shouldn't be a fee for every year and there also shouldn't be a regulation on short rentals in a shared house or share room.

This needs to stop. You are not helping but killing long term rentals. Stay the **** outta stuff you should not be in. Like long and short term rentals.

Long term rentals are really not the problem, and long-term rental landlords should be supported by all of the above to increase long-term renting.

X

I don't believe the increased control over rentals is the solution to the housing issue in Bar Harbor. The town should spend more time on zoning issues then limiting the rental of private homes owned by full time and part time residents who are trying to keep their homes in Bar Harbor. I completely support safety requirements for rentals.

Forcing registration and inspection on landlords feels like an undue burden on long term rental property owners, and ultimately their tenants, in a place where if you want to charge affordable rent and still pay the bills it's a real challenge. Long term rental owners should be offered subsidies or some kind of incentive to keep supporting the year round community, not given more hassle. Raising tax on hotels or weekly rentals and making a program where year-round rental owners can register (and have their homes inspected etc) and be given credits to help make rent more affordable makes way more sense to me. Thanks for reading.

inspection will not help the current year round, long-term in-town rental housing problem. rising property values only helps the property owner when time to sell, as it can very quickly increase tax rates, and subsequently cost to renters, making things unaffordable for the year round community, either renter or property owner. this will exacerbate the major problem bar harbor faces in its year round rental vs. weekly vacation rental debacle. to quote this survey literature: "Bar Harbor currently regulates and inspects, either through a permit or license process, short-term rentals, Employee Living Quarters, and Shared Accommodations." stick to that job, do that job right, and leave us year round residence alone. if you keep bothering us year-round residence, either renter or property owner, you won't have anymore year-round folks to bother, and if that is this town's goal, then "good luck" to you.

Question 9 can't be a yes or no. It depends on the add what comes with one vote or the other.

I worry that inspection would discourage people from renting their property. We desperately need long term rentals. (I rent short-term seasonally, but I rent my actual home and only so I can afford to retire in my own home.) Sometimes imperfect housing is better than no housing.

Rather than inspections.. I would make sure landlords had adequate insurance coverage certification.. insurers should be handling inspection relevant to safety considerations. If the town wants to create a registration process, proof of insurance (just like with your car) is better than inspections. Otherwise you are going to create two different systems of loss control and safety measures which would likely lead to two different sets of standards and more confusion.

Unlike short-term rentals, long-term rentals should be encouraged. All of this crap is just an intrusion on property rights and freedom.

I don't think this is going to help solve the housing issue here, but I do think it will prevent slum lording and unsafe living conditions. I have had many friends who have had to pay a premium for black mold-infested apartments and other unsafe living conditions.

this is such a tricky one, because the only way some locals that own here can afford to stay here is to rent out, and they may have such tight margins that doing all the necessary upgrades is impossible. there should be leniency and support to home owners going through this process, we don't want loose anymore locals to these rules

You can create a resource for renters to report violations instead. If you want information on available rentals you can ask landlords to fill out a questionnaire instead.

If the town gets involved I think they should just look at employee housing and not year round renters. I am a landlord. I rent out my duplex freshly painted, landscaped, and also new appliances if needed. I pay all utilities including an enormous oil and propane bill and rent it at an affordable rate. I just barely break even. When someone moves out it is apparent they did not take care of my property and I have considered selling. If the town is going to inspect and make me get a permit that will push me closer to selling. I do get offers all the time and none are from people already living on the island so like everything else that sells it would go to someone out of state. Right now there is a family with children on one side (parents grew up in BH) and someone that grew up here and works at the lab. I think you will screw increase rent and people like me will say this is not worth it. My duplex is also in a neighborhood so I am careful who I rent to so I don't disrupt the neighborhood.

Long term housing is already in short supply and is very expensive. Requiring inspections and registrations are only going to put more of a financial burden on those who have chosen to rent their homes long term and this will be passed along to the tenants in annual rent increases. If you further restrict something that is already in short supply, you'll only drive prices higher. Simple supply and demand economics.

This is a good idea and I hope the town follows through with registration and inspections.

I think long term rental registrations are an infringement of my rights as a home owner. Whether I choose to rent or not, it's my decision.

More regulations will further increase the property prices and rental prices

Mold inspection should be required. Tenants should pass a mold inspection to be allowed to rent a unit and not cover it up!

Property groundskeeping. Here on Wayman Lane we have several rental properties owned by an out of state owner that does very little to maintain the quality of the grounds around their 2 houses.

Landlords have responsibilities to their tenants and neighborhoods. Regulation in our very crowded and expensive town is overdue. Thank you for proposing this addition to our Planning Department duties and responsibilities.

Holding landlords accountable would be a good thing. I also think if this is followed more landlord protections against tenants who don't pay is also needed.

I was lucky to find long-term housing on the island with my Fiancee. Unfortunately, many others who work or grew up on the island have not been as lucky.

If landlords are charged fees for long-term rental of property as they are charged for the short-term rentals they will pass those costs onto the renters which will further increase costs for tenants in this very expensive market. Additionally, fees may decrease the availability of long term rentals as the landlords may revert to short term rental situations. Occupancy limits should be up to the landlords and the tenants.

Support Municipal codes allowing auxillary rental properties for year-round apartments, and third floor (few that may be) floor apartments.

1) Please do not charge high fees for registration & inspection; keep them as low as possible. We want to support & encourage landlords of long term rentals, not drive them to change to short-term rentals, thereby exacerbating our housing shortage. 2) Please allow micro-apartments for one or two tenants, not to be used as vacation rentals, long-term rentals only. This definition works well in other towns & cities; while we are a small place, we have big-city challenges.

1) Please do not charge high fees for registration & inspection; keep them as low as possible. We want to support & encourage landlords of long term rentals, not drive them to change to short-term rentals, thereby exacerbating our housing shortage. 2) Please allow micro-apartments for one or two tenants, not to be used as vacation

to resolve disputes that does not require a heavy regulatory hand, expensive litigation by the parties, or require the Town to imbroigle itself in the minutiae of every landlord/tenant relationship. Or have a Tenant Resource Center that will educate tenants, and promote understanding about the already existing laws and codes. For example, if a landlord requires a maximum of 4 tenants in the lease, but the tenants themselves take on a 5th due to various exigent circumstances, whose problem does this become? Should all 4 (5) be evicted? Is the landlord not sufficiently diligent? Are the tenants bad people? I think the landlord and tenants can work this out, and the Town is unlikely to be helpful.

The most recent in town fires, I believe, were in employee housing that was below safety standards and most likely overcrowded.

Who exactly is this "Long Term Rental Task Force?" Why was it formed and what is your objective? With Vacation and short term rental regulations you always stated that it was to create more affordable housing. Where is the Affordable Housing Task Force? There has been NO conversations about this, just regulate, regulate, regulate. You are missing the forest for the trees here. Why are you always going after regulations and taking away homeowner's rights? What about starting an Affordable Housing Task Force and addressing some of the real problems and coming up with solutions? I call into question the motivations behind these regulations-

I own three houses on adjacent properties, one of which is my residence and two of which are year round rentals. I'm very committed to continuing to provide year round housing in Bar Harbor especially as so many properties are being removed from that market for short term and employee housing. I'm quite conflicted in whether to advocate registration and inspection of long term rentals. I wish "Maybe" had been an option, but in order to make the questionnaire to submit I am saying "No" until I learn more. I see many potential benefits but fear that regulation just might backfire. If inspection is required, there might be many properties lost to the rental market due to cost or even impossibility of upgrading to code. Would there be town resources to help owners upgrade if deficiencies are found? Would registration include requirements for certain lease provisions? Rental rates? Would properties once registered be able to be recategorized as short term rentals? Or removed from the rental market? Would the data be public? My thanks to the task force for undertaking this study! Sally Crock

My son rented from his employer during the summer months in downtown BH. The living quarters were rundown, and stairs were poorly maintained.

Fire and life safety issues should be the main priority and focus of inspections followed by overcrowding and occupancy requirements. The Bar Harbor taxes have already gone up astronomically in the last year alone and prior to that were already increasing each year. It will soon be unaffordable for single parent middle income families or the elderly on fixed incomes to live here. All while the ocean front properties taxes have apparently gone down. That doesn't make sense. I guess we need to decide what is really best for our town. To become only a tourist attraction so that money can be made and continue commercializing everything or to have families and an actual town with people that care about each other year round. ie. a community. Increasing values of homes is terrific if we want to move, but its absolutely awful if we want to stay and live here and be able to afford to buy groceries, oil to heat our homes, gas to get to work, and afford our monthly mortgages. Many people are too proud to ask for help, they just struggle silently and work harder to make ends meet.

I think surveying long term rentals could be helpful for Town planning but going down the road of inspections is a slippery slope. It puts a strain on Town staff, can get very costly for property owner depending on requirements, puts rental property owners at a disadvantage with other homeowners who live in their home and do not have inspections, and just the intrusion aspect of it will cause tension with tenants and Town officials.

(1) I'm disappointed that this survey is written as if the decision to do registration and inspections has already been made. How will the town staff this? Who will pay the inspectors and those who maintain the registrations? How much power will the



Long-Term Rental Registration Task Force - Rental Registration and Inspection Survey

-6 min survey Expires on 04/01/2022

The Long-Term Rental Registration Task Force is currently working on a plan to develop recommendations to the Bar Harbor Town Council for a long-term rental (more than 30 days) registration program. The Task Force is gathering information from the public to inform itself on the issue and to use as a guide in making recommendations. The Task Force is made up of two landlords, two tenants, two Bar Harbor residents, one representative of the MDI/E#sworth Housing Authority, one Town Council member, the Fire Chief, the Code Enforcement Officer, and the Planning Director.

Question 1 -

Do you own property in Bar Harbor?

Yes

No

Question 2 -

Do you rent out any residential housing in Bar Harbor to others? (Are you a landlord?)

Yes

No

Question 3

If you answered yes to Question 2, do you rent any of the following types of housing? (Select all that apply)

	Yes	No
A portion of your home that you also reside in	<input type="radio"/>	<input type="radio"/>
A separate unit on your property	<input type="radio"/>	<input type="radio"/>
A single family home	<input type="radio"/>	<input type="radio"/>
Unit(s) in a duplex	<input type="radio"/>	<input type="radio"/>
Unit(s) in a multi family building (Three or more units)	<input type="radio"/>	<input type="radio"/>

	Yes	No
A single-family home	<input type="radio"/>	<input checked="" type="radio"/>
A unit in a duplex	<input type="radio"/>	<input checked="" type="radio"/>
A unit in a multi-family building (Three or more units)	<input type="radio"/>	<input checked="" type="radio"/>
An apartment	<input type="radio"/>	<input checked="" type="radio"/>
Dorm-style housing	<input type="radio"/>	<input checked="" type="radio"/>
Employee housing provided by your employer	<input type="radio"/>	<input checked="" type="radio"/>
Other	<input type="radio"/>	<input checked="" type="radio"/>

Question 7

If you are a TENANT in Bar Harbor, what is the length of time your rental is available?

	Yes	No
Year-round	<input type="radio"/>	<input checked="" type="radio"/>
Winter rental	<input type="radio"/>	<input checked="" type="radio"/>
Summer rental (More than 30 days but not all year)	<input type="radio"/>	<input checked="" type="radio"/>

Question 8

Do you believe that the REGISTRATION of long-term rentals in Bar Harbor would be beneficial to any of the following:

	Yes	No
Data collection to help understand housing availability and housing trends	<input checked="" type="radio"/>	<input type="radio"/>
Data collection to help develop strategies for increasing local housing stock	<input checked="" type="radio"/>	<input type="radio"/>
Increasing the value of properties	<input type="radio"/>	<input checked="" type="radio"/>

	Yes	No
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non-English speakers)	<input checked="" type="radio"/>	<input type="radio"/>
Preventing overcrowding	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 11 •

Do you support an INSPECTION of long-term rentals in Bar Harbor?
(The town of Bar Harbor currently regulates and inspects, either through a permit or license process, short-term rentals, Employee Living Quarters, and Shared Accommodations)

Yes

No

Question 12 •

If inspections were required for long-term rentals, should they address:

	Yes	No
Fire & life safety issues	<input checked="" type="radio"/>	<input type="radio"/>
Overcrowding and occupancy limits	<input checked="" type="radio"/>	<input type="radio"/>
Building code violations	<input checked="" type="radio"/>	<input type="radio"/>
Property maintenance	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 13

Comments:

Write your answer here

I think all 2nd home rentals should be capped at of NOW & when sold, revert to non-rental housing & no others be allowed.



Long-Term Rental Registration Task Force - Rental Registration and Inspection Survey

-6 min survey Expires on 04/01/2022

The Long-Term Rental Registration Task Force is currently working on a plan to develop recommendations to the Bar Harbor Town Council for a long-term rental (more than 30 days) registration program. The Task Force is gathering information from the public to inform itself on the issue and to use as a guide in making recommendations. The Task Force is made up of two landlords, two tenants, two Bar Harbor residents, one representative of the MDI/Elsworth Housing Authority, one Town Council member, the Fire Chief, the Code Enforcement Officer, and the Planning Director.

Question 1 •

Do you own property in Bar Harbor?

Yes

No

Question 2 •

Do you rent out any residential housing in Bar Harbor to others? (Are you a landlord?)

Yes

No

Question 3

If you answered yes to Question 2, do you rent any of the following types of housing? (Select all that apply)

	Yes	No
A portion of your home that you also reside in	<input type="radio"/>	<input checked="" type="radio"/>
A separate unit on your property	<input type="radio"/>	<input type="radio"/>
A single-family home	<input type="radio"/>	<input type="radio"/>
Unit(s) in a duplex	<input type="radio"/>	<input type="radio"/>
Unit(s) in a multi family building (Three or more units)	<input type="radio"/>	<input type="radio"/>

	Yes	No
A single-family home	<input type="radio"/>	<input type="radio"/>
A unit in a duplex	<input type="radio"/>	<input type="radio"/>
A unit in a multi-family building (Three or more units)	<input type="radio"/>	<input type="radio"/>
An apartment	<input type="radio"/>	<input type="radio"/>
Dorm-style housing	<input type="radio"/>	<input type="radio"/>
Employee housing provided by your employer	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 7

If you are a TENANT in Bar Harbor, what is the length of time your rental is available?

	Yes	No
Year-round	<input type="radio"/>	<input type="radio"/>
Winter rental	<input type="radio"/>	<input type="radio"/>
Summer rental (More than 30 days but not all year)	<input type="radio"/>	<input type="radio"/>

Question 8

Do you believe that the REGISTRATION of long-term rentals in Bar Harbor would be beneficial to any of the following:

	Yes	No
Data collection to help understand housing availability and housing trends	<input checked="" type="radio"/>	<input type="radio"/>
Data collection to help develop strategies for increasing local housing stock	<input checked="" type="radio"/>	<input type="radio"/>
Increasing the value of properties	<input checked="" type="radio"/>	<input type="radio"/>

	Yes	No
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non-English speakers)	<input checked="" type="radio"/>	<input type="radio"/>
Preventing overcrowding	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 11 •

Do you support an INSPECTION of long-term rentals in Bar Harbor?
(The town of Bar Harbor currently regulates and inspects, either through a permit or license process, short-term rentals, Employee Living Quarters, and Shared Accommodations)

Yes

No

Question 12 •

If inspections were required for long-term rentals, should they address:

	Yes	No
Fire & life safety issues	<input checked="" type="radio"/>	<input type="radio"/>
Overcrowding and occupancy limits	<input checked="" type="radio"/>	<input type="radio"/>
Building code violations	<input checked="" type="radio"/>	<input type="radio"/>
Property maintenance	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>



Question 13

Comments:

Write your answer here



Long-Term Rental Registration Task Force - Rental Registration and Inspection Survey

-5 min survey Expires on 04/01/2022

The Long-Term Rental Registration Task Force is currently working on a plan to develop recommendations to the Bar Harbor Town Council for a long-term rental (more than 30 days) registration program. The Task Force is gathering information from the public to inform itself on the issue and to use as a guide in making recommendations. The Task Force is made up of two landlords, two tenants, two Bar Harbor residents, one representative of the MO/Elsworth Housing Authority, one Town Council member, the Fire Chief, the Code Enforcement Officer, and the Planning Director.

Question 1

Do you own property in Bar Harbor?

Yes

No

Question 2

Do you rent out any residential housing in Bar Harbor to others? (Are you a landlord?)

Yes

No

Question 3

If you answered yes to Question 2, do you rent any of the following types of housing? (Select all that apply)

	Yes	No
A portion of your home that you also reside in	<input type="radio"/>	<input type="radio"/>
A separate unit on your property	<input type="radio"/>	<input type="radio"/>
A single family home	<input type="radio"/>	<input type="radio"/>
Unit(s) in a duplex	<input type="radio"/>	<input type="radio"/>
Unit(s) in a multi-family building (Three or more units)	<input type="radio"/>	<input type="radio"/>

	Yes	No
A single-family home	<input checked="" type="radio"/>	<input type="radio"/>
A unit in a duplex	<input type="radio"/>	<input type="radio"/>
A unit in a multi-family building (Three or more units)	<input type="radio"/>	<input type="radio"/>
An apartment	<input type="radio"/>	<input type="radio"/>
Dorm-style housing	<input type="radio"/>	<input type="radio"/>
Employee housing provided by your employer	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 7

If you are a TENANT in Bar Harbor, what is the length of time your rental is available?

	Yes	No
Year-round	<input type="radio"/>	<input type="radio"/>
Winter rental	<input type="radio"/>	<input type="radio"/>
Summer rental (More than 30 days but not all year)	<input type="radio"/>	<input type="radio"/>

Question 8

Do you believe that the REGISTRATION of long-term rentals in Bar Harbor would be beneficial to any of the following:

	Yes	No
Data collection to help understand housing availability and housing trends	<input checked="" type="radio"/>	<input type="radio"/>
Data collection to help develop strategies for increasing local housing stock	<input checked="" type="radio"/>	<input type="radio"/>
Increasing the value of properties	<input checked="" type="radio"/>	<input type="radio"/>

	Yes	No
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non English speakers)	<input checked="" type="radio"/>	<input type="radio"/>
Preventing overcrowding	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 11 *

Do you support an INSPECTION of long-term rentals in Bar Harbor?
(The town of Bar Harbor currently regulates and inspects, either through a permit or license process, short term rentals, Employee Living Quarters, and Shared Accommodations)

Yes

No

Question 12 *

If inspections were required for long term rentals, should they address:

	Yes	No
Fire & life safety issues	<input checked="" type="radio"/>	<input type="radio"/>
Overcrowding and occupancy limits	<input checked="" type="radio"/>	<input type="radio"/>
Building code violations	<input checked="" type="radio"/>	<input type="radio"/>
<input type="button" value="Submit"/>		
Property maintenance	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Question 13

Comments:

Write your answer here

Long-Term Rental Registration Task Force - Rental Registration and Inspection Survey

Do you own property in Bar Harbor?

Yes

No

Do you rent out any residential housing in Bar Harbor to others? (Are you a landlord?)

Yes

No

If you answered yes to Question 2, do you rent any of the following types of housing? (Select all that apply)

	Yes	No
A portion of your home that you also reside in	<input type="radio"/>	<input type="radio"/>
A separate unit on your property	<input type="radio"/>	<input type="radio"/>
A single-family home	<input type="radio"/>	<input type="radio"/>
Unit(s) in a duplex	<input type="radio"/>	<input type="radio"/>
Unit(s) in a multi-family building (Three or more units)	<input type="radio"/>	<input type="radio"/>
An apartment	<input type="radio"/>	<input type="radio"/>
Dorm-style housing	<input type="radio"/>	<input type="radio"/>

	Yes	No
An apartment	<input type="radio"/>	<input type="radio"/>
Dorm-style housing	<input type="radio"/>	<input type="radio"/>
Employee housing provided by your employer	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

If you are a TENANT in Bar Harbor, what is the length of time your rental is available?

	Yes	No
Year-round	<input type="radio"/>	<input type="radio"/>
Winter rental	<input type="radio"/>	<input type="radio"/>
Summer rental (More than 30 days but not all year)	<input type="radio"/>	<input type="radio"/>

Do you believe that the REGISTRATION of long-term rentals in Bar Harbor would be beneficial to any of the following:

	Yes	No
Data collection to help understand housing availability and housing trends	<input checked="" type="radio"/>	<input type="radio"/>
Data collection to help develop strategies for increasing local housing stock	<input checked="" type="radio"/>	<input type="radio"/>
Increasing the value of properties	<input type="radio"/>	<input checked="" type="radio"/>
Promoting safety within the community	<input checked="" type="radio"/>	<input type="radio"/>
Protecting our communities more vulnerable (low-income, senior citizens, those with disabilities, non-English speakers)	<input checked="" type="radio"/>	<input type="radio"/>

	Yes	No
Preventing overcrowding	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Do you support an INSPECTION of long-term rentals in Bar Harbor? (The town of Bar Harbor currently regulates and inspects, either through a permit or license process, short-term rentals, Employee Living Quarters, and Shared Accommodations)

Yes

No

If inspections were required for long-term rentals, should they address:

	Yes	No
Fire & life safety issues	<input checked="" type="radio"/>	<input type="radio"/>
Overcrowding and occupancy limits	<input checked="" type="radio"/>	<input type="radio"/>
Building code violations	<input type="radio"/>	<input checked="" type="radio"/>
Property maintenance	<input checked="" type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>

Comments:

Write your answer here

MEETING MINUTES

Minutes
Bar Harbor Long-Term Rental Registration Task Force
Monday, January 10, 2022
Council Chambers- Municipal Building
93 Cottage Street
5:30 P.M.

I. CALL TO ORDER

The meeting was called to order at 5:30 PM. Members present: Michele Gagnon, Planning Director; Todd Hardy, Landlord representative; Erica Brooks, Landlord representative; Philip Galperin, Resident at large; John Mountford, Ellsworth and MDI Housing Authority representative; Joe Minutolo, Town Council representative; Jennifer Richardson, Resident at large; Matthew Bartlett, Bar Harbor Fire Chief; and Angela Chamberlain, Code Enforcement Officer.

Also present: Michael Gurtler, Deputy Code Enforcement Officer.

Members absent: Amber Howard, Tenant representative; and Heidi Hambrecht, Tenant representative.

II. INTRODUCTIONS

The members all introduced themselves.

III. REVIEW THE "PURPOSE" OF THE LTR REGISTRATION TASK FORCE

Ms. Chamberlain read the purpose of the LTR registration program. She explained that all recommendations should be in keeping with, and meet, that purpose. She noted that development of a rental registration program was also an action item for strategy 9 "Ensure Quality Rental Housing" in the 2019 Housing Policy Framework adopted by the Town Council in 2019.

Ms. Chamberlain went on to explain that she and Mr. Bartlett were ready to examine options for a rental registration program because the current complaint-based system isn't adequate. She explained that their vision was to find ways to ensure that dwelling units provide fundamentally safe and healthy accommodations without being overly burdensome to landlords.

The task force discussed how often long-term rentals turn over and when the landlords have the ability to inspect their units. A registration program could help landlords have more frequent access to the units to see what kind of condition they are being kept in. The group also discussed tenant rights and how tenants know what their rights are.

Mr. Bartlett asked the landlords how they were kept informed of code changes that might impact their rentals. He cited a recently enacted law that requires every dwelling unit with an appliance fueled by propane to have a fuel gas detector installed in the unit. He noted that an inspection process would ensure that those code changes wouldn't slip through the cracks.

IV. PROCESS AND SCHEDULE

Ms. Chamberlain outlined the tentative schedule which she pointed out was outlined in a document in each members packet. The task force discussion evolved into ways to ensure buy-in for a program from the public, landlords, and the council. The group briefly discussed housing needs, incentives to encourage housing, and layers for the inspection process.

V. BRAINSTORM TOPICS TO COVER

- 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

The group briefly discussed these items and suggested other items be added for discussion: a definition of long-term rental; a minimum size requirement for units; method of notice of inspection to the landlord; and possible enforcement issues.

There was a discussion on an option of implementing a registration program without an inspection component to gather data on the number of LTR units in Bar Harbor, and then in a phased approach, implementing the inspection program later.

VI. ITEMS FOR THE NEXT AGENDA

- 1) Meeting schedule

The group agreed that they preferred a standing meeting day and time, and agreed that the first Thursday of each month at 4:00 PM worked for everyone.

- 2) Election of officers

Ms. Chamberlain noted that the election of a Chair and Vice Chair would be the first order of business at the next meeting. She explained that the role of the Chair would be to facilitate the meetings and assist staff with the creation of the agenda and other administrative issues. The role of the Vice Chair would be to fill-in when the Chair was unavailable. She urged everyone to consider volunteering and be ready to make appointments at the next meeting.

- 3) Remote meeting policy

Ms. Chamberlain explained that the remote participation policy gives the task force the ability to meet remotely, rather than in person, should the need arise. She asked the task force to review the draft policy and be prepared to hold a public hearing and vote on it. She added that the task force can adopt it as it's written or can amend it as they see necessary. There were no questions on the policy.

Mr. Bartlett moved to schedule a public hearing on the remote participation policy on February 3, 2022. Ms. Brooks seconded the motion and the task force voted 9-0 to approve the motion.

VII. BASIC RULES OF MEMBER CONDUCT

Ms. Chamberlain explained that under the Freedom of Access Act (FOAA), the public has the right to be present any time a quorum of the task force meets. She added that the meetings are open to the public and all documents, including emails exchanged among the task force members, are subject to the FOAA. She explained how the public is notified of meetings and urged the members to err on the side of caution and refrain from using email as a means to have substantive discussions about anything other than administrative issues such as attendance, meeting date conflicts, or questions that can be brought back to the task force to discuss in an open meeting.

There were no questions.

VIII. QUESTIONS

Carol Chappell, a member of the public, asked if there would be an opportunity for the public to speak. Ms. Chamberlain stated that this was an opportunity for her to comment and there would be a public comment period on the next agenda.

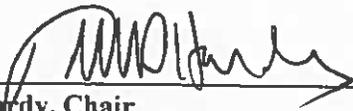
Ms. Chappell urged the task force to offer incentives to the landlords and not to expect too much from them.

Ms. Chamberlain asked the group to take some time before the next meeting to look at some other communities and get some ideas on what they are doing and what may or may not have been successful.

IX. ADJOURNMENT

The task force adjourned at 7:30 PM.

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



Todd Hardy, Chair
Long-Term Rental Registration Task Force

2/3/22

Date

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.

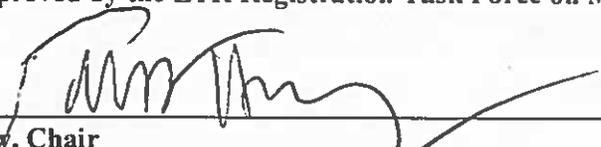
VIII. Items for the next Agenda

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

Minutes
Bar Harbor Long-Term Rental Registration Task Force
Monday, March 3, 2022
Via Zoom
93 Cottage Street
4:00 P.M.

NOTE: Under the Board's Remote Participation Policy (adopted 2/3/2022), this meeting was conducted fully remotely (via the online video meeting platform Zoom) due to the urgent issue of the continuing COVID-19 pandemic and the declarations of a public health emergency by both the US and Maine departments of Health and Human Services.

I. Call to Order

The meeting was called to order at 4:02 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; Jennifer Richardson, Resident at large; and Heidi Hambrecht, Tenant representative.

Also present: Michael Gurtler, Deputy Code Enforcement Officer.

II. Approval of Minutes

1) February 3, 2022 Meeting

Mr. Mountford moved to approve the February 3, 2022 meeting minutes as prepared. Ms. Richardson seconded the motion and the task force voted 11-0 to approve the motion.

III. 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

The task force spend considerable time discussing if there was consensus that a registration component should be part of the program. The task force discussed benefits to property owners of having a mechanism to address tenant related violations and finding ways to prioritize the areas of town most at risk. Ms. Gagnon expressed concerns with prioritizing or focusing on certain groups, minorities, or people of a particular economic means. The task force discussed offering incentives to landlords to encourage voluntary compliance with a registration

program. Ideas included; free smoke and carbon monoxide detectors, free registration, and tax deductions. Ms. Brooks offered that she would prefer to incentivize property owners rather than penalize them for not registering. There was a concern that good landlords would comply and bad landlords would not.

The task force discussed overcrowding and the possible unintended consequences of displacing tenants.

It was ultimately agreed that the group felt that data would be useful in this exercise sine the task force did not have data on the number of long-term rentals or information on where they are located.

The task force agree that input from the public on the issues being discussed would be helpful and could serve as a guide for the discussion. The group agreed to use Polco, the online community engagement platform as a way to gather feedback from the public. The task force discussed ways to notify the public of the availability of the survey such as: MDI Rental Resource on Facebook, a press release in the newspaper, the local realtors association, the town website and Facebook page, etc. Ms. Howard volunteered to work with staff to develop the questions and set-up the survey.

IV. Public Comment Period

There was none.

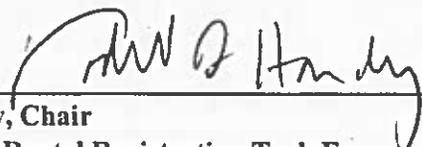
V. Items for the next Agenda

The task force will discuss the results from the survey at the April 7, 2022 meeting.

VI. Adjournment

Mr. Galperin moved to adjourn the meeting at 6:10 PM. Mr. Minutolo seconded the motion and the Task Force voted 11-0 to approve the motion.

Minutes approved by the LTR Registration Task Force on April 7, 2022.



Todd Hardy, Chair
Long-Term Rental Registration Task Force

4/26/22

Date

Minutes
Bar Harbor Long-Term Rental Registration Task Force
Monday, April 7, 2022
Bar Harbor Town Council Chambers – Third Floor, Municipal Building
4:00 P.M.

I. Call to Order

The meeting was called to order at 4:02 PM. Members present: Michele Gagnon, Planning Director; Todd Hardy, Chair and landlord representative; Erica Brooks, landlord representative; Philip Galperin, resident at large; Amber Howard, tenant representative; Matthew Bartlett, Bar Harbor Fire Chief; Angela Chamberlain, Code Enforcement Officer, John Mountford, Ellsworth and MDI Housing Authority representative; and Jennifer Richardson, resident at large.

Joe Minutolo, Town Council representative and Heidi Hambrecht, tenant representative were excused absences.

Also present: Michael Gurtler, Deputy Code Enforcement Officer.

II. Approval of Minutes

1) March 3, 2022 Meeting

Mr. Bartlett moved to approve the March 3, 2022 meeting minutes as prepared. Mr. Mountford seconded the motion and the task force voted 9-0 to approve the motion.

III. Review and discuss POLCO results

The task force discussed agenda items III. and IV. collectively.

IV. Discussion Topics

- 1) Registration process
- 2) Fees (including possible incentives)
- 3) Exceptions to the registration requirements
- 4) Inspection component (including implementation timing)
 - a. Frequency of inspections
 - b. Inspection checklist items
- 5) Other

Mr. Mountford observed that some of the comments expressed concerns with the potential loss of housing as an effect of a registration and inspection process, but Mr. Mountford pointed out that if a unit was unsafe or unsanitary, is really valuable housing?

Mr. Bartlett opined that year-round renters should be protected under the same rules and regulations as short-term rentals.

The task force collectively agreed that many of the housing issues appeared to be in units used for seasonal, employee housing. The group agreed that inspection program is warranted for that type of housing but there were concerns with including all types of long-term housing. Mr. Hardy added that seasonal, employee housing tends to be vacant for several months a year, are not maintained, and are often in a state of disrepair.

The task force spent time discussing the need for registration data. Mr. Hardy asked if there was another term that could be used other than "registration".

Mr. Mountford moved that the task force recommend that the town of Bar Harbor adopt a long-term rental registration process and further recommend that the registration application be free of charge to encourage voluntary compliance. Mr. Bartlett seconded the motion and the task force voted 8-1 to approve the motion with Ms. Brooks against.

During discussion of the motion, the task force discussed why they felt a registration program was necessary and how it was integral to the data collection that was needed to move forward.

Ms. Howard moved that the task force clarify that the purpose of a long-term rental registration is for housing data collection such as: age of the rental unit, rental periods, occupant information, presence of sprinkler and alarm systems, and other relevant characteristics of the housing stock. Mr. Hardy seconded the motion and the task force voted 9-0 to approve the motion.

Mr. Mountford moved that a registration program should not include: Short-Term Rentals, Employee Living Quarters, or Shared Accommodations, government regulated housing under HUD regulations, on-site college dormitories, all types of transient accommodation of less than 30 days, convalescent and/or congregate housing, nursing homes, all as defined in the Bar Harbor Land Use Ordinance. Ms. Gagnon seconded the motion and the task force voted 9-0 to approve the motion.

The task force discussed inspections briefly. The consensus of the group was that long-term rental inspections should not be as intensive as those for the short-term rental registrations. The inspections should focus on three primary elements designed to protect lives: tenant notification systems (smoke and carbon monoxide detectors), building elements designed to prevent or slow the spread of fire, and the presence of adequate and useable means of egress.

The task force agreed that they could not make a recommendation on the inspection component until data was collected through a registration process. The group felt they needed to know how many long-term rental units there are in Bar Harbor, what the age of each unit is, who the occupants are of the units, and the length of time the units are rented. The task force felt that they could make a more informed recommendation on inspections if they had that information and inspections could be prioritized using that data. The group agreed that they would be willing to reconvene after a registration program had been implemented to review the data collected and then make a recommendation on the inspection component.

Ms. Gagnon moved to pursue an extension of the term of the task force for the purpose of continuing the work after the registration data is collected. Ms. Brooks seconded the motion and the task force voted 9-0 to approve the motion.

V. Public Comment Period

There was none.

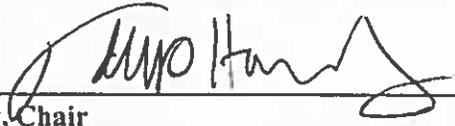
VI. Items for the next Agenda

The task force will continue drafting the final recommendations at the May 5, 2022 meeting.

VII. Adjournment

Mr. Mountford moved to adjourn the meeting at 5:43 PM. Ms. Brooks seconded the motion and the Task Force voted 9-0 to approve the motion.

Minutes approved by the LTR Registration Task Force on May 5, 2022.



Todd Hardy, Chair
Long-Term Rental Registration Task Force

5/19/22

Date

Minutes
Bar Harbor Long-Term Rental Registration Task Force
Thursday, May 19, 2022
Bar Harbor Town Council Chambers – Third Floor, Municipal Building
4:00 P.M.

I. Call to Order

The meeting was called to order at 4:02 PM. Members present: Michele Gagnon, Planning Director; Todd Hardy, Chair and landlord representative; Erica Brooks, landlord representative; Philip Galperin, resident at large; Matthew Bartlett, Bar Harbor Fire Chief; Angela Chamberlain, Code Enforcement Officer; Joe Minutolo, Town Council representative; and Jennifer Richardson, resident at large.

Amber Howard, tenant representative; John Mountford, Ellsworth and MDI Housing Authorities representative; and Heidi Hambrecht, tenant representative were excused absences.

II. Approval of Minutes

1) April 7, 2022 Meeting

Ms. Gagnon moved to approve the April 7, 2022 meeting minutes as prepared. Mr. Bartlett seconded the motion and the task force voted 8-0 to approve the motion.

III. Review and discuss draft recommendation document

The task force discussed potential issues with a program that is strictly voluntary participation. The overall consensus of the task force was that voluntary participation would not result in program participation. The task force discussed incentives such as free registration but agreed that a penalty for failure to register was necessary for participation purposes. It was agreed that the program could not be successful if the information and data needed to understand rental issues was not obtained through registration. There was discussion and agreement that a "failure to apply" penalty was appropriate and the fee should increase in monthly increments of noncompliance.

Mr. Bartlett used the example of how burn permits are issued by the Fire Department. He noted that burn permits are mandatory, but they are no cost. He continued that if a permit was not required, even though it's no cost, most people would not voluntarily get a burn permit before burning.

The task force also agreed that there needed to be fair and substantial outreach attempts to landlords to ensure that there was awareness that a program existed.

The group continued discussing how to inform the public of the rental program and how much time should be allowed for landlords to register. The group agreed that it would be reasonable and appropriate to begin registration in January 2023 and give landlords until December 31, 2023 to register. In that time period, Code Enforcement could be implementing other outreach programs and offering educational opportunities, and promoting the program and its benefits.

The task force modified areas of the draft recommendation to eliminate use of the word "registration" where possible, and replace it with the word "program". The group felt that creating a larger program that offers other benefits to landlords and tenants would be more successful than simply requiring a registration component.

Ms. Chamberlain agreed to make the modifications the task force decided on and to send them the final draft before it is presented to the town council.

IV. Public Comment Period

There was none.

V. Adjournment

Ms. Brooks moved to adjourn the meeting at 5:11 PM. Mr. Bartlett seconded the motion and the task force voted 8-0 to approve the motion.

MARCH 23, 2022

MOUNT DESERT ISLANDER ARTICLE

Community input sought on long-term rental registration program - Mount Desert Islander

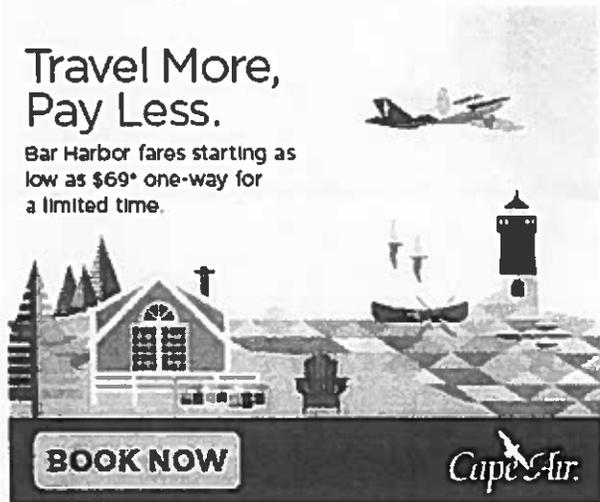
Faith DeAmbrose

BAR HARBOR — In an effort to protect both tenants and landlords, the town of Bar Harbor is exploring the possibility of a long-term rental registration program.

Still in the early stages of development, a task force, which is made up of two landlords, two tenants, two other Bar Harbor residents, one representative of the MDI/Ellsworth Housing Authority, one Town Council member, the fire chief, the code enforcement officer and the planning director is seeking feedback from the community.

A survey has been created on the town's Polco platform, available at <https://polco.us/sghgte>. Paper copies are available at the municipal building at 93 Cottage St. The survey closes on April 1.

A long-term rental is considered a dwelling that is rented to a tenant for more than 30 days at a time.



Travel More,
Pay Less.

Bar Harbor fares starting as low as \$69* one-way for a limited time.

BOOK NOW

Cape Air

The advertisement features a stylized illustration of a coastal scene. On the left, there is a house with a chimney and a deck. In the center, a sailboat is on the water. On the right, a lighthouse stands on a rocky shore. An airplane is flying in the sky above the water. The background is a light, hazy sky. The text is positioned in the upper left and center, and the 'BOOK NOW' button and 'Cape Air' logo are at the bottom.



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The town currently has little oversight over such long-term rentals, explained Code Enforcement Officer Angie Chamberlain, and relies on voluntary compliance.

“The fire chief and I have been talking about the need for this for years,” said Chamberlain, who added that while the town does not receive many complaints from tenants or landlords, she often hears from neighbors that there are problems the town has few tools to address.

One of the biggest complaints Chamberlain says she hears from neighbors is that of overcrowding, which is currently difficult to enforce. Under town ordinance, no more than five unrelated people are supposed to live in a dwelling unit, but Chamberlain says she believes that number is often exceeded, especially in employee housing situations.

Chamberlain said that sometimes landlords don't always know all the rules and that sometimes tenants are engaging in activities that are unbeknownst to the landlord.

The long-term rental registration task force, with survey results in hand, will next meet on April 7 to review the comments and suggestions from the community. It aims to have recommendations to the Town Council by mid-June.

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ORGANIZATIONAL DOCUMENTS

MEMORANDUM

To: Cornell Knight, Town Manager

Cc: Michele Gagnon, Planning Director

From: Angela Chamberlain, Code Enforcement Officer & Matthew Bartlett, Fire Chief

Date: September 23, 2021

Subject: Rental Registration Program

We would like to request that the Town Council consider forming a task force to investigate and prepare recommendations for a rental registration program with an inspection component for long-term rental housing.

The purpose of this registration program would be to ensure that dwelling units provide fundamentally safe and healthy accommodations without the program being overly burdensome to landlords. Bar Harbor presently relies solely on a complaint-based type of system (neighbors and tenants) to ensure safe and adequate housing. A program with systematic inspections can help ensure that the rental housing stock is maintained and that our guests and residents live in healthy conditions.

Multiple studies have found that a substantial number of dangerous code violations go undetected by communities without a registration program. Registries take the burden of complaining about safety issues off tenants, who often fear that speaking up will cause their landlords to retaliate.

Other Maine communities that have various types of registration programs are: Sanford, Orono, Rockland, Portland, Lewiston, and Yarmouth. Support grew for a rental registry program in Portland after a fire killed six people at 20 Noyes Street in 2014. The home did not have working smoke detectors and the back staircase had been blocked preventing the occupants from escaping.

We currently regulate and inspect (either through a permit or license process) Vacation Rentals, Employee Living Quarters and Shared Accommodations, but not long-term rentals. This will level the playing field for all types of housing units and make our community a safer place not only for our guests, but for our residents.

The benefits of a rental registration program include detecting and improving substandard and deteriorating rental housing, providing minimum standards for the health and safety of the occupants of the rental housing, providing minimum space standards to prevent overcrowding, and enforcement of minimum standards to ensure the exterior of the building and the site is maintained in a clean, safe and sanitary condition. Overall, this would improve the quality of available housing and improve the community as a whole.

Development of a rental registration program is an action item for strategy 9 "Ensure Quality Rental Housing" in the 2019 Housing Policy Framework. If the Council is in support of this concept, we would like to prepare an action plan for your consideration at a later date.



We recognize that there is a need for better oversight and regulation of long-term rental housing in Bar Harbor. However, past staffing shortages and lack of enforcement tools have been contributing factors in the inability to manage and enforce minimum requirements. The current complaint-based system is inadequate and insufficient to prevent and address LTR housing problems like over-crowding and life safety violations. We are hopeful that a Task Force made up of landlords, tenants, town staff, and other community stakeholders, whose purpose is to investigate, discuss and make recommendations for a LTR registration program will help us develop informed, concise, and focused recommendations. We are sensitive to ensure that elements of the program will not create an undue burden and will not cause tenant displacement to the greatest extent possible. Our goal is to gain support for the program and create partnerships with landlords and tenants through engagement and education.

Matthew Bartlett, Fire Chief
Angela Chamberlain, CEO

PURPOSE

The purpose of the Long-Term Rental (LTR) Housing Registration Program is to: protect the health, safety, and general welfare of the residents of Bar Harbor; ensure that all rental units in the town of Bar Harbor are maintained in a safe and sanitary condition and do not create a nuisance or derelict conditions to the surroundings; and to maintain a registry of long-term rentals that require registration and relevant associated data to assist the town in understanding the characteristics of the existing housing stock.

RECOMMENDED TASK FORCE MEMBERSHIP

- 1 MEMBER OF THE BAR HARBOR TOWN COUNCIL
- 1 REP. MDI/ELLSWORTH HOUSING AUTHORITY
- BAR HARBOR CODE ENFORCEMENT OFFICER
- BAR HARBOR FIRE CHIEF
- BAR HARBOR PLANNING DIRECTOR
- 2 RESIDENTS AT LARGE
- 2 LONG-TERM RENTAL LANDLORDS
- 2 LONG-TERM RENTAL TENANTS

PROPOSED TIMELINE FOR THE TASK FORCE

Fall 2021 – Appoint Task Force members; staff will prepare a schedule and develop a framework for the Task Force to begin their discussions.

01/2022 – First meeting of the Task Force to brainstorm and identify the elements of a program which will need to be discussed and vetted throughout the process.

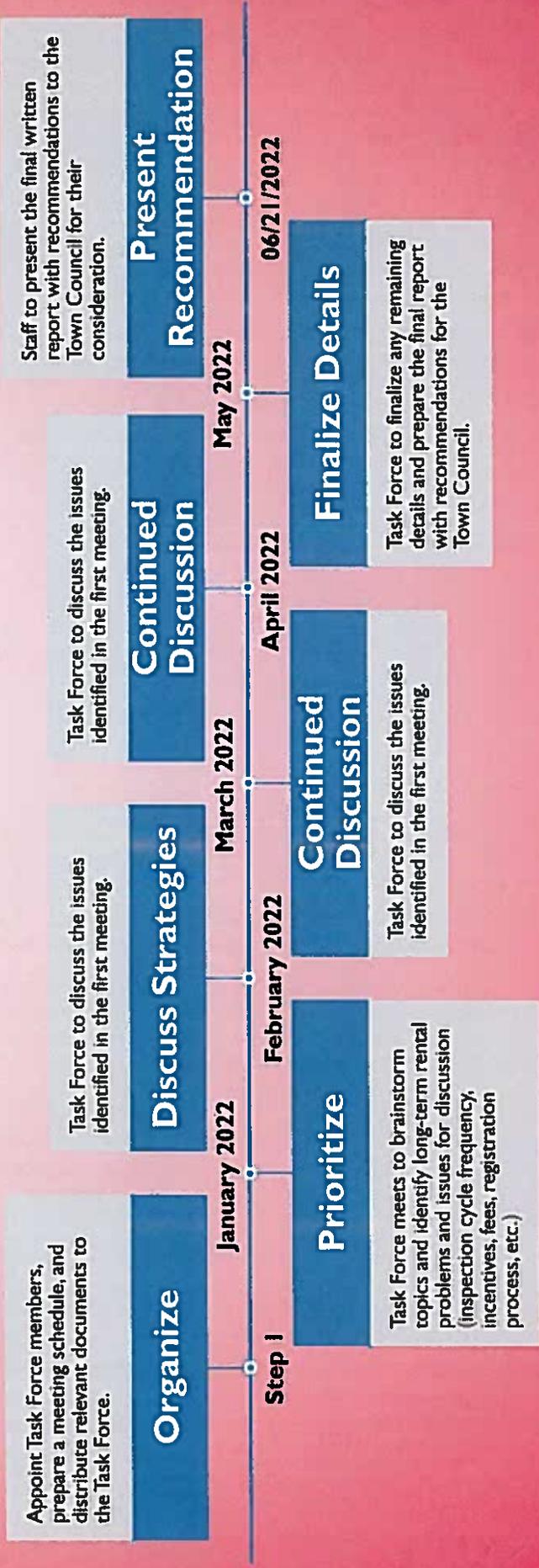
02/2022 – 04/2022 - The Task Force will meet for three months to discuss the details of the program and develop recommendations on the structure of the program.

05/2022 – The final meeting of the Task Force to finalize any remaining details and preparation of the final report with recommendations.

06/21/22 – Staff will present the final report with recommendations to the Town Council for their consideration.

LONG-TERM RENTAL REGISTRATION PROGRAM

Timeline for the development of a final report and recommendation to Bar Harbor Town Council



Long-Term Rental (LTR) Registration Task Force Roles & Responsibilities

The mission of the Long-Term Rental Registration Task Force is to develop a registration program for long-term (more than 30 days) rentals with specific recommendations. The Town Council supports the 2019 Housing Policy Framework, which includes a strategy to ensure quality rental housing by developing a rental property maintenance licensing and inspection ordinance.

Appointment

The Task Force will consist of 11 members with one member being a Town Councilor, one member being the Planning Director, one member being the Code Enforcement Officer, one member being the Fire Chief, two members being current landlords of long-term (more than 30 days) rentals, two members being current tenants of a long-term (more than 30 days) rental, two members being residents at large, and one representative of the Ellsworth and MDI Housing Authority. All Task Force members are to be appointed by the Appointments Committee and sworn in by the Town Clerk.

The Task Force shall meet at least once a month beginning in January 2022 with the final report (a recommended program) presented to the Town Council no later than June 21, 2022. With approval of the Town Council, an extension of time for the final report may be granted if the Task Force demonstrates due diligence in making progress towards completion of the project.

The Task Force shall elect a Chair and Vice-Chair at the first meeting. A town staff member shall take minutes at each meeting and send approved minutes to the Town Clerk. A quorum of the Task Force shall be 7 members. Meeting agendas shall be posted on the bulletin board in the Municipal Building lobby and on the town's website.

Compensation

There shall be no compensation provided for the members of the Task Force.

Duties and Responsibilities

The Task Force will make recommendations on specific elements of a Long-Term Rental (LTR) Registration program with an inspection component that will include, but may not be limited to:

- Frequency of rental inspections
- Inspection checklist items
- Registration process
- Fees, including an incentive component
- Housing exceptions to the program (Vacation Rentals, etc.)

The Task Force will prepare a final report with specific recommendations to present to the Town Council for their consideration in June of 2022.

Amendment

These roles and responsibilities may be amended only by action of the Town Council.