

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION MINUTES
SEPTEMBER 13TH, 2021**

The Dover Township Board of Supervisors for Monday, September 13th, 2021, was called to order at 6:10 PM by Chairperson Stephen Stefanowicz in the Dover Township Board of Supervisors meeting room. Supervisors present were Stephen Parthree, Charles Richards, and Michael Cashman. Robert Stone was absent with prior notification. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Charles Rausch, Township Solicitor; Chalet Harris, Recreation Director and John McLucas, Zoning Officer. There were no members of the public present.

This meeting is being recorded for the purpose of minutes only.

The purpose of tonight's Work Session is to continue the discussion on the development of a Rental Inspection Program.

Chairman Stefanowicz noted that he recently noticed that a property in his neighborhood had some trash blowing on it and he tried to go over and speak to the tenant. No one was home. When he spoke to J. McLucas about the matter, he was unable to pull up who owned the property other than an LLC. This is an issue that would be addressed by a program like this one where property owners must register. He understands the Board members hesitancy to have the government get further involved in these matters, but we should be better able to communicate with property owners in our community when there is an issue.

C. Richards stated he has no problem with property owners being made to fill out a form, but he felt the tenant should receive a basic listing of the items that need to be maintained in good working order, which they must sign off on compliance. Then the form should require that if any of the items need repaired and there is no resolution with the landlord, then the Township would be contacted. That way, we would not need to visit the properties bi-annually.

Manager Oswalt questioned how the Township would be able to charge for the program.

C. Richards stated the owners would be charged when inspections are required.

Manager Oswalt stated this would be inconsistent income on which to base expenses associated with the program.

J. McLucas stated that we still need a baseline for the program. We need to notify the property owner, complete initial inspections and if it is the Board's wishes we can establish a point system for compliance that would result in allowing more time in between inspections. J. McLucas felt it could take 3 to 4 satisfactory inspections before this baseline is established.

Manager Oswalt stated that she and J. McLucas discussed a similar concept as is in place with the on-lot septic program where pumping is required every 4 years, unless a waiver is granted by the Sewage Enforcement Officer because you have fewer people in your home and your system is large enough. We would have to determine the criteria by which such a waiver could be

granted, but it is possible. One thing to note is that if many waivers are issued, it can result in too many properties falling into the same time frame for inspection. For example, if we have 2,200 properties; this would mean 1,100 inspections should be completed annually. If more than half qualify for the exemption, the Township could end up with 1,700 inspections needed in a given year at some point.

J. McLucas noted that we could experience problems if properties are sold to new owners who may not address concerns in a timely manner and the previous property was eligible for exemptions.

C. Richards asked Solicitor Rausch about the fine level for the program and the steps to get to applying it. He felt the fine should be in the area of \$1,000 if the property owner was non-compliant as too often the fines are not high enough to get the matter addressed.

J. McLucas stated the fine levels are covered in the document and he felt the program was well laid out to achieve compliance.

C. Richards felt that there was a need to have the tenant sign the document indicating the property owner went over the items with the tenant.

There was discussion on avoiding this program as becoming a way for tenants to make issues where they are minor. The issues would have to be covered by a section of the ordinance and deal with life safety.

C. Rausch commented that some of the language is open to interpretation.

Chairman Stefanowicz stated he sees this as a two-step discussion: 1.) Are we going to have a program; and 2.) How far are we going to go with the level of issues we intend to address?

J. McLucas stated that this ambiguity exists now with exterior property issues and enforcement as the Township will often have to make a determination that some find subjective.

Chairman Stefanowicz offered an example of a broken pane of glass in a window that a landlord puts a piece of cardboard in place of and asked what would happen.

Manager Oswalt stated this could impact the tenant's heating or cooling bill. If this issue existed today, there would be little the Township could do to resolve the matter.

Chairman Stefanowicz wanted to make sure that we were not giving people the impression that we are trying to make money to employ another person.

C. Richards is not concerned about that perception but is instead worried about government overreach. If a landlord complies, he does not feel their property should be inspected as often. He would pay the annual license fee.

There was then general discussion of the program fees, which are currently proposed as \$100 per year for the first rental and \$50 for each rental after that. The inspections would be bi-annual. There was some concern about the larger rental facilities and the fees to be paid by those organizations. It was also mentioned that these costs would just be passed along to the tenants.

C. Rausch questioned what the inspection would include.

J. McLucas stated things like fire alarms, fire extinguishers, handrails, no loose wires, working appliances, hot water, etc. The point behind this is to ensure safety and combat blight.

Manager Oswalt stated that she is not a landlord but was one for about ten years. In order to manage the rental, a management company was hired. The management company had the responsibility to deal with tenant issues for a fee and check on the property to ensure it was in good condition. If an issue arose, they did take care of it, but because we had no inspection program there were no guidelines for them to keep the property in good condition. Therefore, they did not do checks on its condition. This led to cleanliness issues and damages that were not adequately dealt with at the proper time.

C. Richards indicated he has a farm insurance policy, and it is inspected by the insurance company on a periodic basis.

J. McLucas questioned whether the inspection is on the same items.

C. Richards stated there are more items involved in that inspection.

C. Harris commented all property owners do not go about keeping their property in good condition or renting to good tenants. She happens to live next to a property like that in her Borough and it is a difficult situation to deal with.

C. Rausch questioned whether this program would be applied to short term rentals.

J. McLucas commented it would and we have had an issue with short term rentals in our community.

M. Cashman stated we could have an open forum discussion about this subject where both landlords and tenants can speak on the issue.

J. McLucas commented this concept came from the 2020 Joint Comprehensive Plan Housing Chapter as a main goal of this section. There was a good amount of public input that led to the concept being proposed in the plan. The concept was also included in the Fire Marshall's memo the Board received last month. A forum could be held, but the concept did come from the community originally.

Manager Oswalt stated the reason that Emergency Services are in favor of this type of program is because there are situations where people are living in conditions that make it difficult for them to rescue residents out of a burning structure or provide emergency medical aid and transport.

C. Richards questioned what happens where there are hoarding conditions in a property that is resided in by the owner. How would this matter be addressed?

Manager Oswalt stated with an adequate property maintenance code in place, when an emergency call occurs and these conditions are discovered, Emergency Services can contact the Township for enforcement action.

J. McLucas reported there was in fact a circumstance like this on Rohlers Church Road within the last year or so.

C. Harris commented the program could be a benefit to rental property owners in that if the property is "inspected" by the Township, it adds value to the tenant in knowing that it meets a certain standard.

Manager Oswalt stated it could possibly reduce the liability for the landlord by ensuring issues are being addressed.

M. Cashman commented he likes the idea that the service could make the property more marketable. We could issue a yard sign or license that is displayed.

Chairman Stefanowicz asked what the next steps would be.

J. McLucas stated he needs to know what the specific issues are with the program.

S. Parthree remarked he was unclear whether the Board agreed with this program. He felt there was subjectivity to the concept. He would prefer to require basic and non-subjective items.

J. McLucas stated this can definitely be reviewed.

It was agreed upon by the Board collectively that they would need to go through the material together at another meeting. Additionally, C. Rausch commented he and J. McLucas should discuss any language issues that need addressed.

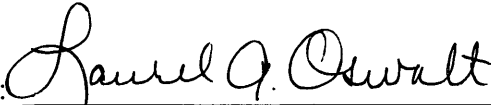
Manager Oswalt reported the 2022 Budget does include revenue for the start of this program, so if the Board does not choose to move it forward this year, this line item would need to be removed.

At this time, Mr. and Mrs. Gohn of Cardinal Lane had entered the meeting room for the regular meeting.

S. Parthree asked how they felt about the idea of a rental inspection program.

They indicated they owned a rental property in West York until it was sold this year. They sold it because the tenants were not paying the rent. West York Borough has a rental inspection program. They did not find the program to be burdensome and actually felt it was beneficial to them as the property owner. The program was bi-annual and cost about \$75 a year.

With no further discussion on this matter, Chairman Stefanowicz adjourned the Work Session at 6:45 PM to be followed by the regular Board of Supervisors meeting at 6:56 PM.

Respectfully submitted by:  _____

Laurel A. Oswalt, Township Manager