

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, OCTOBER 7, 2015

Present: Ald. Rice (Acting Chair), Sangiolo, Rice, Kalis, Blazar, Norton, Hess-Mahan and Leary

Absent: Ald. Baker

School Committee Present: Margaret Albright

City Staff Present: Karyn Dean (Committee Clerk)

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#464-14      ALD. SANGIOLO requesting discussion with the Department of Veteran's Services and the Executive Department regarding updates on programming at the Newton Senior Center and budgeting for new initiatives.[11/24/14 @ 3:41PM]

**ACTION:**      **NO ACTION NECESSARY 7-0**

**NOTE:** Please see note below as both items were discussed together. The Committee No Action Necessary on this item as they received an update on programming.

#377-14      THE PROGRAMS & SERVICES COMMITTEE requesting a discussion with the Director of Senior Services, the Council on Aging and the Executive Department relative to changes in the use of the Senior Center at 345 Walnut Street. [10/16/14 @ 5:43PM]

**ACTION:**      **HELD 7-0**

**NOTE:** Marian Knapp, from the Council on Aging joined the Committee. She explained that about a year ago she and other Council on Aging members, as well as Jayne Colino, Director of the Senior Center discussed this item with the Committee. At that time, they reported that there had been discussions relative to changing the name of the Senior Center by the Mayor's Office without any consultation with the Council on Aging or the Department of Senior Services. The name of the Senior Center was not being used in conjunction with the Veteran's events that were being held there and instead was being identified as "345 Walnut Street". There building was being used without really understanding the capacity of the building or the appropriateness of the programs to be held there. Ald. Sangiolo asked Ms. Knapp to come this evening for an update on these issues. Jayne Colino was unable to attend but sent a letter, which is attached.

Update

Ms. Knapp reported that since that time, there has been no action that she is aware of to initiate a name change to the building. However, the Senior Center is still being referred to as "345 Walnut Street" on the City's website. Last year, it was specifically asked that be changed back to the "The Senior Center" but that change has not been made. With the exception of the Veteran's Center, there has been minimal additional programming requested by the City. Ms. Colino has welcomed the new Veteran's Services Agent, Seth Bai. The Veteran's Center is opened for a very limited time and the arrangement is working satisfactorily. There were STEM

programs early on last year, but those were not appropriate to the Senior Center and were moved to Newton North High School.

She is happy to report that the Senior Center continues to grow in its activities and numbers of people attending. There are waitlists for many classes and the building is heavily used at night by community members for other activities. In general, the building is becoming very busy and there is only so much that can be done. Each year, the Senior Center and Council on Aging produces an annual report which goes to the Mayor. Copies of that presentation were distributed at the meeting and are attached to this report.

#### World Health Organization Age-Friendly Community

A strategy group has also been formed to talk about and promote Newton becoming a World Health Organization (WHO) Age-Friendly Community. About 10 years ago, the WHO addressed the fact that the whole world population was aging. They created this model which defines what makes a city livable for older people. The notion is that if it's good for older people, it's good for everybody. AARP is working with the WHO on the initiative as well. Boston and New York City have also applied. Newton residents with expertise in planning, housing, transportation, communication and outreach are members of this strategy group. Ald. Cheryl Lappin has also been asked to join the group and the Mayor has been informed of this initiative. A letter has been sent to the Mayor to sign to show his support but they have not heard back from him at this time. This program does not come with any funding. The idea is to use what is available in the community to make the City more livable for seniors and all people. There are several domains that this program focuses on including buildings and outdoor spaces, transportation, community involvement and engagement, and economic opportunity.

#### Housing Criteria

Ms. Knapp reported that they have also formed a housing subcommittee which created a set of housing criteria which have been vetted by universal design experts. It is attached. The Council on Aging was receiving requests from some developers to endorse their projects, which they could not for many reasons. Instead, they decided to create these criteria that a decision maker or builder could look at for guidance and suggestions. James Freas, Acting Director of the Planning Department liked these and suggested they be provided to developers. The plan is to docket the housing criteria as an item to the Board of Aldermen.

Ald. Hess-Mahan said the Fair Housing Committee has criteria they look at. Jini Fairly, the ADA Coordinator and staffs the Commission on Disability (COD). The COD has always been part of the design review team looking at accessibility issues. He felt the Council on Aging criteria was excellent and a good way to get developers thinking about the needs of the population. There is also a Housing Guide that the Council on Aging has developed which helps people decide how to stay in their home, what they would need in a new home, or how to make the decision on whether to stay or move.

#### Intergenerational Center

The Council on Aging has been aware that there has been a discussion of an intergenerational center. They would assume they would be asked to be involved in any further discussions.

Ald. Leary said that an elevator has been installed at the Post 440 and the lack of accessibility was one of the main reasons the Veteran's Center moved to the Senior Center. She has run into Mr. Bai and he expressed how very busy he is and his needs might be changing as the program expands. Now that they have the elevator, she wondered if programs might be moved back to the Post. He also told Ald. Leary that he would like to speak to Programs & Services with an update. It was noted that the new commander of the Post is the former Veteran's Agent. Committee members were not sure if that would be an issue.

The Committee voted to hold this item in order to receive updates on any changes in use at the Senior Center.

**REFERRED TO PUB FACIL, PROG & SERV, AND PS&T COMMITTEES**

#46-15 ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]

**ACTION:** **HELD 7-0**

**NOTE:** Commissioner of Public Works, Jim McGonagle and others were unable to attend this meeting. The item will be taken up at the October 21<sup>st</sup> Programs & Service meeting. The Committee voted to hold this item.

#126-15 ALD. JOHNSON, ALBRIGHT, NORTON AND SCHOOL COMMITTEE MEMBER ALBRIGHT requesting a discussion with the Newton School Department, Newton North High School principal, and the Newton Police Department regarding ways to address the student smoking issue at Newton North High School. [05/11/15 @ 9:30AM]

**ACTION:** **NO ACTION NECESSARY 7-0**

**NOTE:** School Committee Member, Margaret Albright commented that she did see some additional signage about no smoking areas on the campus and in the area. She has not heard of any more complaints. There is now an interim Principal and Vice Principal so she's not sure how much they are involved in the process or know about it. Ald. Sangiolo noted that if the issues were relayed to the Superintendent level, they would stay on the radar as other personnel changed. A resident from the area had been to the last meeting on this topic and complained about students outside his home smoking. Ms. Albright and some Committee members reported that they have not heard from him. A Committee member suggested that the problem just moves from one place to another, most likely.

Ald. Sangiolo said she did hear from that resident and he wanted to know if any letters had been sent to the community, which was one of the actions that were committed to at the last discussion. There does need to be some follow up to find out if any outreach has taken place. Ms. Albright said she would ask the Deputy Superintendent to find out what has been done. Ald.

Norton asked the Committee Clerk to forward her the comments from the last discussion and she will do all she can to fulfill the obligations that were made.

The Committee voted No Action Necessary on this item with the commitment that a follow-up will be provided.

**REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES**

#140-15 PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES  
requesting that the School Department and/or the Executive Department provide updates on the progress of the potential purchase of the Aquinas site as well as short and long term plans for uses and operations at the site.  
[05/20/15 @8:53 PM]

**ACTION:** **HELD 7-0**

**NOTE:** Dori Zaleznik, Chief Administrative Officer, provided an update in a letter which is attached. Maureen Lemieux also provided an overview of the Aquinas site in the Capital Improvement Plan presentation at the most recent Board of Aldermen meeting.

Margaret Albright said a working group has been put together with Sandy Guryan, Margie Ross-Decter and Diane Fisher Gomberg. The Director of the Preschool has moved to a different position so there is now an interim Preschool Director. Also, there are some issues with the preschool; they are out of compliance with a Department of Education CMR relative to the proportion of regular education and special education students in the preschool. However, the law cannot be obeyed as they currently do not have the necessary space. All of that will be taken into consideration by the working group to determine how the space will be used. The architects for the Cabot and Angier project had already done a study of the site and have some information.

Ald. Leary said she would like to be included in the working group as this is a big issue. Ms. Albright said it was a School Department working group with just School Committee members on it. Ald. Leary would have to speak to Chairman Matt Hills. Ald. Sangiolo said the Programs & Services Committee can ask Mr. Hills to reach out to the Ward 1 Aldermen.

Ald. Rice asked when the intergenerational community center will be organized and when the property might change from the School Department to Parks & Recreation. Ms. Albright said the decision has not been made yet whether it will be transferred or not. There is a bill on Beacon Hill which could implement universal Pre-K which would bring about other space issues. There are so many moving parts, it's difficult to make a decision at this point in time. The Long Range Facilities Plan is currently being updated and will presented at the end of October.

The Committee voted to hold this item.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#216-14 ALD. HESS-MAHAN, ALBRIGHT, BAKER, CROSSLEY, NORTON AND SANGIOLO proposing the following amendments to Chapter 12 Health and Human Services of the Revised Ordinances to:



- require owners of dwellings requiring a Certificate of Habitability under Section 12-1 and real estate agents/brokers who receive compensation in connection with the particular real estate transaction to notify the Commissioner of Health and Human Services whenever an apartment, tenement, or room in a lodging house is vacated by the occupant or when an area in an existing building is converted to a condominium prior to being reoccupied by a new tenant, lodger or occupant;
- require educational institutions to disclose addresses of undergraduates living off-campus in Newton;
- require a fee for certification; and
- impose a fine for violation of these provisions. [05/14/14 @11:51 AM]

**ACTION:**     **HELD 7-0**

**NOTE:** Ald. Hess-Mahan explained that this item was docketed in response to and with concern over a number of fires in off-campus housing in Boston. A student died in one of the fires. Accounts differ as to whether the schools were aware that students were living in these substandard apartments. One landlord in particular held a number of apartments that were not up to code. There is a very real concern about the safety of tenants in Newton because of inspections that may not occur for a number of reasons. Commissioner of Inspectional Services, John Lojek, has reported to the Zoning & Planning Committee on a number of occasions some very unsafe and dangerous conditions he and his staff have seen in some buildings in the City. Boston recently put in place some emergency regulations to deal with this issue with their main focus off-campus housing for students. The City of Boston went to the colleges and asked for off-campus addresses of their students in a way that maintained privacy. The Health Department has the addresses but they are not made public. Information on the City of Boston inspection process is attached.

Newton currently has an ordinance in Chapter 12 that calls for the inspection of apartments by the Health and Human Services Department when tenants leaves, or when an apartment is converted to a condominium, prior to the unit being re-occupied by a new tenant. (This inspection and certification is required only once in any given 24-month period.) See ordinance, attached. This proposed amendment suggests the addition of reporting requirements by owners, real estate brokers, and educational institutions to the City when an apartment turns over. It also proposes a fee for the certification and fine for violation of the provisions. Ald. Hess-Mahan would perhaps consider regulations to deal with the issue as opposed to an ordinance.

Ald. Hess-Mahan noted that part of the delay in moving this item forward has been the absence of a permanent Commissioner of Health and Human Services for over a year. A new Commissioner has been appointed but has only been on the job for a few weeks. Dori Zaleznik, was the last permanent Commissioner of Health and Human Services and told the Committee that the inspections were not being done due to lack of resources and staff. Also, it was almost impossible for the City to know when apartments were being vacated and no one was reporting to the City. Some Committee members felt that it may be difficult to inspect every apartment due to limits on staff and resources in the Health and Human Services Department, there could perhaps be spot checks which could encourage owners to self-report as well as keep their units safe. Newton has a smaller percentage of rental housing than Cambridge, Brookline, Boston or

Somerville, but it is not an insignificant number. Condominium conversions also need to be inspected.

#### Public Comment

*Laurie Lane, 23 Rustic Street*, asked if a property owner has to get a certificate every time a tenant moves out. It was pointed out by a Committee member that the ordinance currently calls for one inspection in a 24-month period.

Ms. Lane said tenants come and go quickly and the turnover time is relatively short. Following another process and paying another fee for something along with insurance, taxes and other expenses involved, adds up for people. The costs could be passed onto the tenant, but pricing people out of Newton is not a good result. The City seems to be trying to encourage a diverse group of people to move to Newton, not just people who can pay a million dollars to buy a house or condo, so this type of fee is onerous and can raise rents and discourage more moderate income people from moving here. Imposing this on every property owner with rental units is unfair when the problem is with very, very few landlords. Condos go through a variety of inspections as well and they get a permit from the City which should cover the concerns. A Committee member noted that not everyone follows the law and gets the permits and inspections that are required. Things slip through the cracks.

*Dominic Sera, 36 Rustic Street*, said that comparing Newton with Boston is unfair. Most landlords take good care of their property and have safe units. The requirement puts a burden on landlords and it is more like a tax than a fee. He said that he hoped there would be some sort of public comment session or public hearing on this before any action is taken.

A Committee member answered that there is a fine for breaking the code. The fee is to provide funds in order to pay for staff to do the inspections, and that there would definitely be an opportunity for public comment before any action is taken by the Committee. Based on the fires in Boston and the death of a student, this issue is relative to Newton as there is a large student population living here.

#### Follow Up

Committee members suggested having the Commissioner of Health and Human Services, landlords, representatives from the colleges in the City, as well as real estate brokers join the discussion. It was noted that a former Alderman is a real estate broker, and the word can get out to the landlord community about this issue via brokers. Ald. Sangiolo would like to schedule this item for the first meeting in December. The item will then be referred to the next Board of Aldermen and will be taken up by the 2016-2017 Programs & Services Committee at the discretion of its future Chair.

#10-15      ALD. HESS-MAHAN, BAKER, BROUSAL-GLASER, COTE, JOHNSON, SANGIOLO proposing a RESOLUTION requesting the Licensing Commission to adopt a policy requiring all applicants for a license to notify the Aldermen from the respective ward whenever applicants are required to send legal notice to abutters, public or private schools, churches, synagogues, religious institutions of

worship and/or hospitals within 500 feet from the proposed licensed premises regarding their application. [12/29/14 @ 12:17 PM]

**ACTION:**     **NO ACTION NECESSARY 7-0**

**NOTE:** Ald. Hess-Mahan explained that this item came about because of a liquor mart that was given a liquor license. The location was near a community center and pre-school and people in the area were not pleased about it. The aldermen in the Ward were not made aware of the application for this location. He wanted to see more notice to the 3 ward aldermen from the Licensing Commission when applications for full liquor licenses come in. The Committee had a discussion with the Licensing Commission at a previous meeting and they have been sending the ward aldermen the agendas and have been encouraging applicants to talk to their aldermen as well.

Ald. Sangiolo asked Steve Feller, Chairman of the Economic Development Commission if the EDC received notice of licenses. He said they did not but it would be helpful. He explained that notices tend to go to property owners and not tenants. Ald. Sangiolo suggested that Mr. Feller contact the Licensing Commission staff to get on the same list as the aldermen for receiving the information.

The Committee voted No Action Necessary unanimously.

Meeting adjourned.

Respectfully Submitted,

Amy Mah Sangiolo

**Karyn Dean**

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**Subject:** RE: written response to Programs and Services

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**From:** Jayne Colino  
**Sent:** Tuesday, October 06, 2015 3:18 PM  
**To:** Karyn Dean  
**Cc:** Dori F. Zaleznik; Marian Knapp  
**Subject:** written response to Programs and Services

Dear Programs and Services Committee Members,

I am not able to be at the committee meeting scheduled for October 7<sup>th</sup> but did want provide you with some information.

There has been no further expansion of use of the Senior Center building by Veterans services beyond the monthly Veterans Center meeting and a few other planned programs with the VSO, Seth Bai.

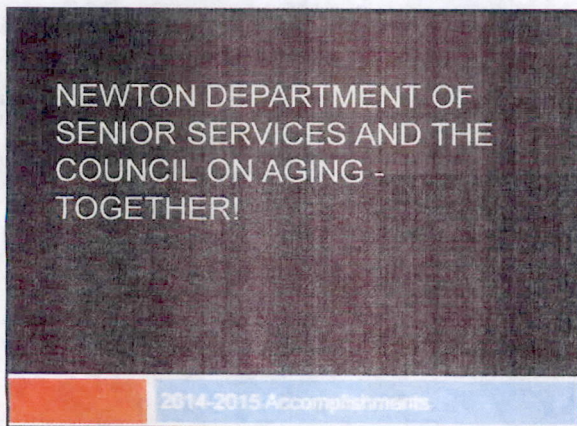
New air handlers were installed and improvements continue to be made to the HVAC systems. These changes are improving air quality, efficiency and consistency of temperatures throughout the building.

We are working with the Public Buildings Department for new floor installation in the lower level through non-CIP funding. The project is slated to begin this week. The floor installation is to replace flooring that has been effected by water infiltration and wear and tear.

Thanks for your interest in the Newton Department of Senior Services/The Newton Senior Center/ Council on Aging.

Please let me know if you have any other questions.

Jayne Colino, Director  
Newton Department of Senior Services  
345 Walnut Street  
Newtonville, MA 02460  
Direct: 617-796-1671  
[www.newtonseniors.org](http://www.newtonseniors.org)  
Like us on [Facebook](#)



### NDSS & COA Shared Focus

Newton as an Age-friendly and Livable  
Community

World Health Organization  
AARP

### NDSS & COA VISION

**2013 NDSS & NCOA Strategic Plan**

Provide sustained leadership that helps Newton  
be a Livable and Age Friendly Community for all  
who choose to live here.

### Age-friendly – Livable Domains

- Outdoor Spaces and Buildings
- Transportation
- Housing
- Social Participation
- Respect and Social Inclusion
- Civic Participation and Employment
- Communication and Information
- Community and Health Services

### NDSS & COA MISSION

Optimize quality of life for older adults and those  
who support them through welcoming,  
respectful, and meaningful opportunities that  
engage and value older people, and empower  
them to remain independent and to be important  
assets in our community

### A-F/LIVABLE STRATEGY GOALS

- Achieve Financial Sustainability
  - to continue to provide service & leadership
- Identify senior population needs, skills & diversity
- Advocate for seniors & those who support them
- Build partnerships & bridges
- Improve community awareness
- Ensure & improve access to resources
- Develop effective marketing & communication
- Maintain, strengthen & create programs



### Goal: FINANCIAL SUSTAINABILITY

- ▣ Level funding from City Budget
- ▣ CDBG grants awarded for FY 16
- ▣ DOT grant for STRAITS mobility management program
- ▣ Advocated successfully for an increase to State Formula Grant= additional \$20,000
- ▣ Sylvia Goldberg Memorial Fund
- ▣ SCFN annual letter to support outreach and raising awareness

### Goal: ADVOCATE FOR SENIORS & FAMILIES - Continued

- ▣ COA Housing Sub-group
  - Housing Criteria
  - Housing Guide
- ▣ Austin Street Endorsement
- ▣ LGBT Initiatives
- ▣ COA self-education: Guest speakers

### Goal: ID Population Needs....

- ▣ Living & Aging in Newton: Now & in the Future  
UMASS Boston
- ▣ Healthy Aging Database – Newton Profile  
Tufts Health Plan Foundation/UMASS
- ▣ NDSS Data –  
Programs, Services, Transportation
- ▣ Newton City DataStat

### Goal: BUILD PARTNERSHIPS & BRIDGES - Newton

- ▣ Livable Community Strategy Group
  - Interviewed potential members
  - Expertise in the eight domains
  - First meeting – June 12, 2015!
- ▣ Department of Parks and Recreation
  - Transportation to P & R programs
  - Senior Prom
    - ▣ with All Students Care (ASC) and high school students

### Goal: ADVOCATE FOR SENIORS & FAMILIES

- ▣ Added new COA/AB Members
- ▣ Newton City Committee representation
  - TAG - Transportation/Mobility
  - West Suburban Area Alzheimer's Partnership
  - Relationship Violence Action Committee
  - Newton Cares Coalition
  - West Suburban Outreach Group
  - Hoarding Task Force
  - CDBG Consolidated Planning process
  - All Students Care

### Goal: BUILD PARTNERSHIPS & BRIDGES – Newton (continued)

- ▣ Newton Schools
  - Spring Fling with ASC
  - Horace Mann 5<sup>th</sup> grade annual program
  - NSHS Crossing Generations Club
  - MBTA – Charlie Cards
- ▣ Host community programs and meetings
- ▣ Newton Free Library-Living and Aging in Newton series
- ▣ Host site of Veterans' Center
- ▣ Alzheimer's Association-Walk to End Alzheimer's
- ▣ Newton Community Farm
- ▣ Ongoing financial support from the Senior Citizens Fund of Newton Inc.



### Goal: BUILD PARTNERSHIPS & BRIDGES - Region

- ▣ Brookline – B-Can
- ▣ Boston – Elderly Affairs
- ▣ AARP Massachusetts
- ▣ UMASS Boston
- ▣ Lasell College
- ▣ Boston College

### Goal: EFFECTIVE MARKETING STRATEGIES (See Awareness)

- Newsletter
- TAB- column, articles on special topics, 55 + page
- Presentations
  - Multiple venues
- Video - 2014
- Facebook presence
- Expanded list-serves for communications
- Representation on City Committees

### Goal: IMPROVE COMMUNITY AWARENESS

- ▣ Newsletter-mailed to 40% of households six times/year
- ▣ Newton TAB
  - Meeting with Andy Levin
  - "Aging in Places" column
  - Improved 55 + page
  - Articles on "Living and Aging in Newton"
- ▣ Presentations
  - Board of Aldermen
  - Newton Free Library
  - Newton Clergy Association
  - Newton – Needham Chamber of Commerce
- ▣ NewTV – initial discussions
- ▣ Facebook presence
- ▣ Created a senior services list serve to promote programming
- ▣ Planned presentation of Needs Assessment finding and implications.

### Goal: CREATE PROGRAMS & SERVICES

- ▣ New Staff: Programs and Services
- ▣ Expanded fitness options
- ▣ LGBT advisory board and programs
- ▣ Trips: Theater, Museums
- ▣ Bird Walks
- ▣ Improved computer classes
- ▣ Friendly visiting/calling program
- ▣ Handyman service
- ▣ Theater workshop/programs
- ▣ New art classes
- ▣ Brain Wellness program

### Goal: ENSURE & IMPROVE ACCESS

- ▣ Transportation
  - To City programs
  - To Village Centers
- ▣ Charlie Card passes
- ▣ Increased Parking sticker sales
- ▣ Increased numbers served through social services
- ▣ Increased pieces of Durable Medical Equipment

### 2015-2016

- ▣ Continue "Livable Strategy Group" work
  - Begin initial steps – self-education
- ▣ Library Program – three sessions
- ▣ New COA members to be recruited
- ▣ Present finding & implication of Needs Assessment
- ▣ Expand volunteer roles
- ▣ Expand transportation: frequency & destinations
- ▣ Initiate WHO/AARP Age-friendly/Livability process
- ▣ Expand programming beyond the walls of the center
- ▣ MORE, MORE, MORE.....



## Newton Council on Aging & Newton Department of Senior Services

### Housing Criteria for a Livable and Friendly Newton for Everyone

**These criteria are intended to be used a guide for developers in the design of housing for older people, city officials to guide decisions on age-friendly housing developments, and individuals to assess their housing requirements.**

The Newton Council on Aging (NCOA) and the Newton Department of Senior Services (NDSS) work to create and sustain Newton as an Age-friendly/Livable Community. Essential to this vision is adequate and appropriate housing for people of all ages; age-friendly homes are suitable and desirable for all members of the community. We believe that housing built to accommodate changing health and safety needs for a growing older population is essential for enhancing Newton's future as a diverse community. In general, we support the creation of a diversity of housing that accommodates a wide range of household incomes within the city. Specifically, we advocate for housing with the following characteristics:

#### **General**

- Environmentally friendly, energy efficient, and low maintenance

#### **Community Environment** Pedestrian-friendly access to:

- Food shopping and pharmacies
- Public transportation
- Social gathering places
- Open green spaces

#### **Overall Home Environment**

- Living space, bedroom, bath, kitchen and laundry on one floor
- Level flooring throughout the house
- Slip-resistant walkways and entryways
- Handrails on both sides of all stairways
- Lever style handles on doors and faucets
- Electrical outlets 18 inches off the floor
- Easy-touch, rocker-style light switches 42 inches off the floor
- Anti-scald feature on faucets
- Generous electrical outlets to accommodate future technology or medical-equipment needs, particularly in the bedroom, den and kitchen
- Bright, non-glare lighting, with good task lighting over sink, stove and work areas.
- Common spaces in multi-unit buildings for residents to socialize



### Entryways and Exits

- At least one no-step pathway into the dwelling
- Covered entrance to protect from inclement weather
- Bright lighting inside and outside entries
- Space near entrance to place packages
- Easy-open door locks
- Zero-threshold doorway
- High-visibility house numbers
- Lighted, easily reachable doorbell

### Kitchen

- Easy-glide, self-close drawers
- Accessible garbage-disposal switch
- Multi-height, rounded-edge countertops
- Counter space next to sink & appliances
- Easy-access storage, such as pull-out pantry or adjustable-height shelving
- Front-mounted appliance controls that are highly visible or touch operated
- Extra electrical outlets for small appliances; outlets under countertops

### Stairways and Halls

- No open or see-through risers on stairs
- Calm, not disorienting, carpet pattern
- Chair rail with 1" ledge along hallways
- Rocker style light switches at top and bottom of stairs
- Stair treads that accommodate firm placement of the foot
- Contrasting color at front edges of steps, for visual orientation, or non-slip adhesive strips

### Laundry

- Non-slip flooring
- Front-loading washer/dryer, stacked or on raised platform, front controls
- Laundry sink and countertop no more than 34 inches above floor with knee space below for seated users

### Bathrooms

- Non-skid floor
- Walk-in shower
- Countertops with rounded edges
- Built-in bench or seating in shower
- Easy-glide drawers that close automatically
- Maneuvering space that accommodates a 60-inch turning radius
- Hand-held, adjustable-height showerhead with easily operable controls
- Grab bars or wall-blocking for future installation in tub, shower and near toilet

### Bedrooms

- Multi-level shelving and clothes rod in closet
- Quality wire mesh shelving for visibility
- Avoid bi-fold or accordion closet doors

### Additional Recommendations

- Adaptable space that enables reconfiguration without unnecessary disruption/expense
- Base cabinets with removable shelves to accommodate seated users
- Color-contrast front edges on counter tops
- Drawer-style dishwasher or raised platform to reduce bending
- D-shaped or pull-style cabinet/drawer handles
- Toilet center 18 inches from any side wall, tub, or cabinet
- Comfort height toilet
- 36-inch-wide doors (or for interior doors, pocket doors)
- Ample and level maneuvering room (5 feet by 5 feet) in entryway
- Emergency alert feature (esp. bathrooms)

**Karyn Dean**

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**From:** Dori F. Zaleznik  
**Sent:** Tuesday, October 06, 2015 3:43 PM  
**To:** Karyn Dean  
**Subject:** update on Aquinas

Dear Members of the Programs & Services Committee:

I am not able to be at your meeting, but I wanted to provide you with an update on the status of the Aquinas property. The City closed on the purchase of the property on September 2, 2015. The old windows will be removed before any school activities are done in the building. The City through our on call architects is examining how many and in what configuration new windows should be installed. The current building has a higher proportion of glass than most current school buildings. Since we would like to only replace windows once, if possible, it is important to determine how many windows the building should have and where they should be installed. It is still planned to have the window project completed prior to September 2016 when the School Department plans to locate the consolidated preschool at Aquinas. Further down the road are building new preschool space and renovating the existing building to house the Lincoln Eliot school.

Dori Zaleznik, MD  
Chief Administrative Officer  
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Newton, MA 02459  
[dzaleznik@newtonma.gov](mailto:dzaleznik@newtonma.gov)



## Chapter 12

**HEALTH AND HUMAN SERVICES\***

- Art. I. In General, §§12-1 - 12-17  
 Art. II. Health and Human Services Department, §§12-18 - 12-20  
 Art. III. Recombinant DNA Research, §§12-21 - 12-39  
 Art. IV. Emergency Relief Fund, §§12-40 - 12-49  
 Art. V. Human Rights Commission and Advisory Council, §§12-50 - 59  
 Art. VI. Youth Commission, §§12-60 - 12-65  
 Art. VII. Health Care Advisory Committee, §§12-66 - 12-69

**ARTICLE I. IN GENERAL****Sec. 12-1. Change of certificate of habitability.**

Whenever an apartment, tenement, or room in a lodging house is vacated by the occupant thereof, or when an area in an existing building is converted to a condominium, it must be certified by the commissioner of health and human service, prior to being reoccupied by a new tenant, lodger or occupant, as meeting the standards set forth in "The State Sanitary Code, Chapter 11, Minimum Standards of Fitness for Human Habitation" as promulgated and from time to time amended by the Department of Public Health of the Commonwealth of Massachusetts under the authority of General Laws, Chapter 111, Section 127A. Each apartment, tenement or room in a lodging house shall be required to be certified only once in any given twenty-four month period. Condominiums are to be certified only at the time of the initial conversion. Electricity may be ordered turned off by the commissioner of health and human service if such apartment, tenement, room in a lodging house or condominium unit is not certified as being fit for human habitation. If inspection is not made within forty-eight hours after notification is received by the Newton health and human services department that the apartment, tenement or room in a lodging house is vacated or that the condominium conversion is completed, a temporary certificate of habitability may be issued upon request of the owner filed with the commissioner of health and human services, pending inspection. A temporary certificate of

habitability may also be issued if, in the judgment of the commissioner of health and human services or his duly authorized agents, the owner is entitled to a reasonable period of time to make necessary repairs and the health and safety of the occupant is not thereby endangered. Certificates of habitability and temporary certificates of habitability shall be issued by the commissioner of health and human services or his duly authorized agents. Before electricity is ordered to be shut off by the commissioner of health and human services, the owner or person in control of the premises shall be given and receive three (3) days notice that such action is to be taken. (Rev. Ords. 1973, § 8-3; Ord. No. R-151, 6-1-81; Ord. No. S-306, 3-21-88; Ord. No. X-175, 05-26-05)

**Cross reference**—Licensing and permits generally, Ch. 17

**Secs. 12-2—12-17. Reserved.****ARTICLE II. HEALTH AND HUMAN SERVICES DEPARTMENT****Sec. 12-18. Department established.**

(a) There is hereby established a health and human services department which shall be under the charge of the commissioner of health and human services.

(b) The department shall carry out all public health functions of the city.

(c) The department shall carry out human services functions whose purpose shall be to foster,

\***Cross references**—Animals and fowl, Ch. 3; recycling and trash, Ch. 11; zones of quiet around hospitals established, § 19-4; taxicabs carrying persons with contagious diseases prohibited, § 19-309

**State law references**—Health generally, G.L. c. 111; crimes against public health, G.L. c. 270



## Rental Registration and Inspection Program Frequently Asked Questions

City of Boston Code Ordinance CBC 9-1.3 requires private rental units to be registered on an annual basis and inspections will be conducted for non-exempt units on a 5-year cycle starting January 2014.

+Expand All Answers

### What are the Rental Registration Requirements?

Property owners of private rental units are required to register rental units on an annual basis. Property owners must provide contact information, the number of units owned at each address registered; and if owner is outside of Massachusetts he/she must contract with a Boston based agent. Owners must also attest and affirm that they will abide by all rules and regulations as it pertains to state and local city regulations

### Who is required to register rental units? Do I need to register my units?

All privately owned dwelling units not occupied by the property owner must be registered even if the unit:

- is vacant,
- is occupied by a relative who is 18 years of age and not on the deed, and
- you are not collecting any rent.

Example: Three family house - the property owner does not register the unit they live in but she/he does have to register the other two units. Because the building is owner-occupied and has six or fewer units, all three units are exempt from the inspection section.

### How can a property owner register his/her rental unit(s)?

Owners must register with ISD's Housing Division. You may register electronically ([www.cityofboston.gov/isd/housing](http://www.cityofboston.gov/isd/housing)) on the "Rental Inspection Program" page or fill out a paper form and submit via mail or in person at ISD's Office (1010 Massachusetts Ave).

### What is the cost of registration?

Initial registration fee is \$25 per unit. Fees are capped at \$2500 maximum per building; and \$5000 maximum per complex (2 or more buildings on same parcel)

### What will the cost for registration be after the initial year?

The renewal registration fee will be \$15 per unit.

### Will there be any fines or penalties assessed for non-compliance of the registration process?

Yes. Non-compliant owners will be subject to a fine of \$300 per month and assessed 1 point in the 'Chronic Offender' point system for non-compliance.

### Why can't I find my address when registering online?

The City of Boston has some unique designations for some buildings. Try these tips:

**Range addresses** (i.e. #371-#383): enter only the lower number, even if the unit you are trying to register use another number in the range for its mailing address. Clarify the address in the "Description" box on the second screen.

**Prefixes:** directional (North, South, etc.): select prefix from the drop-down box prior to "Street Name"

- Use "MSGR" for Monsignor
- "MT" or "Mount" either spelling is accepted
- "Saint" must be spell out (the abbreviation DOES NOT work)

When completing the address portion enter the building number and the name of the street ONLY (do not add "St", "Rd", "Dorchester" or zip code).

### How do I sign up for an inspection?

Inspections will be conducted once every five years. The Rental Program staff will contact you well in advance, when it is time for your dwelling to be inspected. Instructions will be provided at that time.

### I don't understand the 'Terms and Conditions' section, what is it?

You are being asked if you intend to comply with the stated laws/regulations/ordinances (State Building Code, Delivery Standards Ordinance). Please note this should be a **YES** only answer.

### What's a facade certificate? Or a lead paint certificate? Or a fire escape affidavit?

If you don't know what these documents are, odds are you don't have one. If you are required to have the certificate mentioned and don't; ISD will let you know your responsibilities when your unit(s) are inspected.



**AMENDMENT OF COUNCILOR MATT O'MALLEY TO DOCKET #1588**CBC 9-1.3 Section M

M. In an effort to evaluate the effectiveness of the inspection programs delineated herein, the Commissioner shall annually prepare a report detailing the activities of the program no later than July 31<sup>st</sup> of each calendar year, beginning June 30<sup>th</sup>, 2014. The annual written report shall include the following items:

- a) the number of registration statements received by the Commissioner during the prior twelve (12) month period
- b) the number of Owners issued fines or citations by ISD for (i) failing to initially file a registration statement and (ii) for failing to file a registration statement within thirty (30) days of written notice from ISD.
- c) the total number of inspections performed by ISD inspectors during the prior twelve (12) months, along with a district categorized list of the number of inspections performed in such district during such period
- d) the total number of inspections performed on Problem Properties, as defined in Ordinance 16-55.2, along with a break down by district of the number of Problem Properties inspected in such district.
- e) Such other information as may be requested by the City Council

CBC 9-1.3 Section R

R. The provisions of CBC 9-1.3 shall be effective 120 days after its date of passage.



### 9-1.3 Inspection and Re-Inspection of Rental Units

The purpose of this Ordinance is to implement a proactive rental inspection program that maximizes the effectiveness of City resources in rental property code enforcement. It identifies all rental units in the City and their owners on a continuous and recurring basis in order to accommodate the transient nature of the rental market, and prioritizes notorious problem properties in order to economically target City resources toward chronic and priority offenders. It also provides an alternative compliance plan process available to responsible owners who consistently comply with City and State code in order to expedite them through an inspection process aimed at maintaining a uniform minimum standard for conditions exhibited by rental properties in Boston in the interests of public health and safety.

#### A. Definitions:

1. Owner. An Owner shall be defined as a for profit or not for profit individual or corporation, an agent of a for profit or not for profit individual or corporation, or any person having legal charge of or authority over a private dwelling, tenement, lodging house, or other residential rental property dedicated to residential use.
2. Authorized Inspector. An Authorized Inspector shall be defined as any ISD inspector or any other person who (i) is a Commonwealth of Massachusetts Registered Sanitarian or a Commonwealth of Massachusetts Certified Health Officer or a Commonwealth of Massachusetts Certified Home Inspector, or has proof of training acceptable to ISD, and (ii) has demonstrated a proficiency in the application of the State Sanitary Code by satisfactorily completing the ISD certificate program for qualifying authorized professionals to perform inspections under CBC 9-1.3, and has been issued a certificate of completion.
3. Rental Unit. A non-owner occupied room or group of related rooms within a dwelling used or intended for use by one family or household for living, sleeping, cooking and eating. A rental unit shall also mean a non-owner



occupied condominium unit. Dwelling units that have current Lodging House Licenses issued by the Licensing Board for the city of Boston shall not be considered as Rental Units for the purposes of this section, and will continue to be annually licensed and inspected pursuant to M.G.L 140 sections 22 and 25.

4. Problem Property. As defined by Ordinance 16-55.2, as it may be adopted and amended from time to time, a Problem Property is a property that meets the following criteria and is designated as such following recommendation by the Problem Properties Task Force: 1, The Police Department has been called to the property not fewer than four times within the preceding 12 month period for any incident involving any arrestable offense including but not limited to disturbing the peace, trespassing, underage drinking or assault; or 2, the Air Pollution Control Commission has received not fewer than four sustained complaints for noise within the preceding 12 month period; or 3, the Inspectional Services Department or the Public Health Commission have received not fewer than four sustained complaints within the preceding 12 month period for noxious, noisome or unsanitary conditions.
5. Commissioner means Commissioner of the Inspectional Services Department or a designee.
6. Days means consecutive calendar days

B. All owners of private residential rental housing units ("Owners"), including condominium units, in the City of Boston shall register no later than July 1<sup>st</sup> of each year with the Inspectional Services Department ("ISD") identifying the property by street address and the number of units that they own at each address. An owner of a rental unit, who does not reside within the subject dwelling, shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice constructed of durable material, not less than 20 square inches in size, bearing her/his name, address and telephone number. If the owner is a realty trust or partnership, the



name, address and telephone number of the managing trustee or partner shall be posted. If the owner is a corporation, the name, address and telephone number of the president of the corporation shall be posted. Where the owner employs a manager or agent who does not reside in such dwelling, such manager or agent's name, address and telephone number shall also be included in the notice. P.O. Boxes do not satisfy the address requirement of this section. All owners must register each rental unit annually with ISD, and must attest to and affirm that they are familiar with their obligations to comply with this section, the State Sanitary Code (105 CMR 410), the State Building Code (780 CMR), the city of Boston Zoning Code, Federal, State and Local fair housing regulations, and all other regulations applicable to residential dwellings, and that they intend to comply with said regulations, by signing a form provided by and approved by the Commissioner of ISD. An owner owning multiple units in the same building may submit one form representing all said units. Any owner residing outside of the Commonwealth of Massachusetts must designate a Boston based resident agent authorized to accept service on the owner's behalf. All rental unit registrations shall be recorded in an electronic database of all owners for an initial fee of \$25, and annual renewal fees of \$15 for each rental unit. The Commissioner shall work to employ technology to the extent possible in order to optimize the fairness and effectiveness of the registration process in accordance with Section P.

C. The following rental units shall be exempt from the inspection requirements of this ordinance: (i) Rental units owned or operated by Federal, State, or City Government. (ii) rental units located in dwellings containing six (6) or fewer rental units, one of which is occupied by the owner. ISD will provide exempt unit owners with education materials on all code requirements relative to their units on a regular basis. All non-exempt rental units must be inspected at least once every five (5) years. In order to develop the inspection plan for the first year, and subsequent years of the five (5) year inspections cycle, ISD shall utilize data that may include, but shall not be limited to, inspection records, court records, documented constituent complaints, and any information related to the status of the property with the Problem Property Task Force or information compiled by said Task Force to prioritize a list of properties for inspection in each neighborhood.



Owners may request that ISD conduct the inspection or said owner may engage an "authorized" non- ISD inspector meeting the qualifications enumerated in paragraph "A" of this section. The procedures and fees for such inspections are set forth in paragraphs "D", "H", "I", and "J" of this section. Annual comprehensive apartment inspections conducted by the Boston Housing Authority leased housing program or the Metropolitan Boston Housing Partnership leased housing program, or by other Federal, State, or City inspection programs that are accepted by ISD as being substantially equivalent, may be used to satisfy the 5-year inspection requirement. ISD shall perform periodic and random audit inspections of no less than 5% of the "Authorized" inspections that are filed with ISD.

D. Residential rental unit owners may fulfill the requirements of CBC 9-1.3 by requesting an inspection from ISD, within 30 calendar days from issuance of an inspection notice, or notifying ISD within 30 calendar days that the inspection will be completed utilizing one of the alternate methods outlined in paragraph "C". Non-ISD inspection reports must be submitted subject to the regulations promulgated by the Commissioner according to Section P. Failed Non-ISD inspections must be accompanied by a compliance plan acceptable to ISD that will bring the subject rental unit into compliance with the minimum standards for human habitation for a residential dwelling as set forth in the Massachusetts State Sanitary Code (105 CMR 410), as it may be adopted and amended from time to time. All inspections shall include a sworn statement and shall be signed by an ISD Housing Inspector, Boston Housing Authority Housing Inspector, a Metropolitan Boston Housing Partnership Housing Inspector, or an "Authorized Inspector". An Authorized Inspector shall be prohibited from charging more than one hundred thirty-three percent (133%) of the fee charged by the City of Boston for an inspection performed under these sections.

E. An Owner of a Unit or Units may apply to the Commissioner for a "5-Year" alternative compliance plan under this ordinance to inspect a rental Unit once every five (5) years for the compliance with the provisions of the State Sanitary Code. An Owner seeking such an alternative plan shall file an application in a format approved by the



Commissioner. The Commissioner shall issue written findings regarding the approval or denial of an alternative plan within thirty (30) business days of such application, and shall base the written findings on factors including, but not limited to, the following: (i) a review of the Owner's history of property management on file with the City of Boston and a management plan submitted for the property, (ii) a review of the Unit's history of compliance with the Massachusetts State Sanitary Code, (iii) a site visit of the property for which the exemption is sought, and (iv) if relevant, a history of compliance with CBC 9-1.3. An alternative plan approved by the Commissioner shall be subject to revocation following a hearing held by ISD if the Unit subject to the alternative plan has one (1) or more violations of the Massachusetts State Sanitary Code and if, upon proper notice of those violations to the Owner, the violations have not been corrected in the time provided in such notice. An Owner approved for an alternative plan shall be required to maintain maintenance records for any and all alternative plan Units for the duration of the effectiveness of the alternative plan, and such records shall be available for review by ISD during regular business hours or upon reasonable notice to the Owner. An Owner approved for an alternative plan shall be required to maintain compliance with all of the requirements of CBC 9-1.3.

The Commissioner shall charge a fee of: (i) fifty dollars (\$50.00) for the first unit for a five (5) year alternative compliance plan from CBC 9-1.3 and (ii) an additional ten dollars (\$10.00) for each additional unit in the same building up to a maximum of three thousand dollars (\$3000.00) per building and if two (2) or more buildings comprise a complex owned by the same Owner then the fee shall not exceed six thousand dollars (\$6,000.00). An Owner may apply for an extension of an alternative compliance plan upon expiration, provided that the Owner shall complete the entire alternative compliance plan application process and ISD may cause ten to twenty percent (10% to 20%) of the Units to be inspected pursuant to CBC 9-1.3. The Commissioner shall follow the same process and procedure as for an original alternative compliance plan application. Alternative compliance plan extensions shall be granted contingently upon a site visit, if ISD determines it is needed, and a favorable review of the unit history dating back to its last inspection. Consistent records of ownership and compliance shall be weighed



heavily in the granting of alternative compliance plan extensions and may render such an extension a formality at the discretion of ISD barring any documented circumstances examined on a case by case basis.

F. Any rental unit determined to be a Problem Property as defined by Ordinance 16-55.2, as it may be adopted and amended from time to time, must annually request an inspection from ISD. Each owner of a Problem Property shall also file with ISD an annual management plan, within 30 days of its classification as a Problem Property, outlining the remediation of any outstanding code violations or other persistent conditions requiring the landlord's affirmative response as identified by the Task Force. Said management Plan shall identify the deficiencies in the property, identify consultants and contractors engaged to proceed with any remediation work, detail any proposal made by the contractors or consultants, and set out a timeline over which the work will be completed.

G. Chronic Offender Point System: Residential rental property owners who fail to register or who repeatedly fail to comply with notices of violations, or warnings of non-compliance, or municipal fines, shall be assessed points based on the following schedule at the time of registration or at the time the violation is found (property owners cannot be assessed points under more than one of the following sections for the same violation):

- 1) Inclusion on the Problem Property list, (2 points)
- 2) Failure to comply with an ISD notice of violation under the state sanitary code (105 CMR 400 & 410) the state building code (780 CMR), or Boston zoning code, within the time frame provided, (1 point)
- 3) Failure to make a good faith effort to correct emergency violations after 2 inspections (2 points).
- 4) Failure to register and/ or complete the inspection requirements of CBC 9-1.3, (1 point).

Upon being assessed with points in excess of the amount allowed, as described in table #1 below, ISD shall notify owners of their classification as a "chronic offender" by mail,



return receipt requested. ISD shall notify owners of each point assessed by mail, return receipt requested. The owner shall have 14 days to request a hearing to contest each point assessment or their classification as a "chronic offender". Chronic offenders are subject to fines of \$300, or the maximum allowed, for each subsequent point received in a 12 month rolling period, and may also be subject to court prosecution under the applicable codes and regulations. Chronic offenders shall be required to request an inspection of each rental unit once every three (3) year, and it shall be mandatory that ISD conduct said three (3) year inspection. Chronic offenders with less than 2 points in a rolling 12 month period shall have the chronic offenders classification removed on the last day of the 12<sup>th</sup> month following their classification.

**TABLE 1**

<b># Rental Units owned</b>	<b>Point Threshold in a 12 Month period</b>	<b>Point Threshold in a 16 Month period</b>
1 to 50 units	6	10
51 to 500 units	10	16
501 or more units	14	24

H. All inspections performed under these sections shall be performed in accordance with the requirements of the State Sanitary Code and recorded on a form approved by the ISD. The Commissioner shall charge a filing fee of fifteen five dollars (\$15.00) for any registration or sworn statement filed by an owner, authorized Inspector or other agent of the owner; said filing fees shall be capped at a maximum of two thousand five hundred (\$2,500) per building or five thousand (\$5,000) per complex.

For an inspection performed by ISD, the Commissioner shall charge a fee of fifty dollars (\$50.00) per unit for buildings of one-to-three units and seventy-five dollars (\$75.00) per unit for all other buildings, including condominium units. This inspection fee shall provide up to two (2) inspections, for three (3) or more inspections, the Commissioner shall charge a fee of fifty dollars (\$50.00) per inspection for each rental unit inspected.



I. I. Before conducting an inspection pursuant to CBC 9-1.3 of an occupied unit, reasonable advance notice shall be provided to the occupant in writing. Results of the inspection shall be provided to both the owner and the occupant. If an owner's agent is denied access by the occupant for purposes of conducting a CBC 9-1.3 inspection, the owner of said unit shall notify ISD of such denial within seven (7) calendar days. Such denial shall be noted on a sworn, dated statement filed by an Authorized Inspector. If any person is denied access to a unit for the purposes of conducting such an inspection by the occupant, then ISD shall verify and document in writing such denial, which shall exempt the owner from the inspection requirements of CBC 9-1.3 for the period of one year. Denial of access by the occupant shall neither deem the dwelling to be in compliance with the State Sanitary Code nor bar the occupant from exercising legal rights. The Commissioner may cause the unit to be inspected pursuant to the terms herein in the manner provided for in the State Sanitary Code.

J. Decertification process for Authorized Inspectors and Owners granted an inspection waiver: All Authorized Inspectors shall perform all inspections in a manner consistent with this section and shall refer to Inspectional Services Department any issue involving imminent life safety or health problems. Authorized Inspectors accept the designation to perform these inspections with the understanding that the failure to adhere to the standards of good faith, fair dealing and honesty will result in the revocation of the status as authorized to perform these inspections, action against the professional license and if relevant, notification to authorities for criminal prosecution. ISD shall immediately revoke the approval of any Authorized Inspector, or owner who has been granted an inspection waiver, who misrepresents the condition of a unit or fails to inspect a unit with due care, misrepresents any information on the application form or any form or document submitted under this ordinance, or for any reason demonstrating a failure to honor the requirement of good faith and fair dealing. An Authorized Inspector may request a hearing once aggrieved by such a revocation of approval. A hearing shall be held within thirty (30) days upon a written request from the aggrieved party.



K. Failure to comply with any provisions of this ordinance shall be punishable by a fine as set out in Section R of the CBC 9-1.3.

L. Any and all notices, statements, inspection forms, applications including supporting documentation, and any other documents concerning an inspection pursuant to CBC 9-1.3 shall be a matter of public record.

M. In an effort to evaluate the effectiveness of the inspection programs delineated herein, the Commissioner shall annually prepare a report detailing the activities of the program no later than July 31<sup>st</sup> of each calendar year, beginning June 30<sup>th</sup>, 2014. The annual written report shall include the following items:

- a) the number of registration statements received by the Commissioner during the prior twelve (12) month period
- b) the number of Owners issued fines or citations by ISD for (i) failing to initially file a registration statement and (ii) for failing to file a registration statement within thirty (30) days of written notice from ISD.
- c) the total number of inspections performed by ISD inspectors during the prior twelve (12) months, along with a district categorized list of the number of inspections performed in such district during such period
- d) the total number of inspections performed on Problem Properties, as defined in Ordinance 16-55.2, along with a break down by district of the number of Problem Properties inspected in such district.
- e) Such other information as may be requested by the City Council

N. The provisions of CBC 9-1.3 may be enforced in accordance with the non-criminal disposition process of M.G.L. c. 40, s. 21D, provided that this section shall not preclude the City of Boston from proceeding to restrain a violation by injunction. The provisions of this ordinance may also be enforced according to Chapter 40U of the Massachusetts General Laws as accepted by the City of Boston, also known as the "Green Ticket" law.



O. Transfer or ownership of rental units must be reported to ISD within 30 days of closing. New property owners must register within 30 days of closing and must submit a reasonable maintenance plan that identifies and address the any significant code deficiencies within the subject property. If the property was acquired during its inspection year and the inspections did not occur before the transfer of ownership, then the new owner must, within 90 days, must complete any required inspection or apply for an alternative compliance plan.

P. The Commissioner shall promulgate written rules and regulations necessary to implement and enforce the provisions of CBC 9-1.3. The Commissioner will work to employ and implement technology to the extent possible in order to optimize the fairness and effectiveness of the registration and inspection processes within these rules, which may be revised from time to time.

Q. If any provision of CBC 9-1.3 shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

R. The provisions of CBC 9-1.3 shall be effective 120 days after its date of passage.

S. 9-1.3. Fines for Violation of Rental Re-Inspection

Any failure to comply with Section 9-1.3 will result in the assessment of a fine of three hundred dollars (\$300) per month beginning in the first month in which the property is found not to be in compliance and continuing for each subsequent month thereafter.

*In City Council*      **DEC 19 2012**  
*Passed, yeas 9, nays 4.*  
*Mauraan Spence* **City Clerk**  
**Approved DEC 28 2012**  
*Tom H. Kern*      **Mayor**



