

Article 29 - Residential Rental Property Bylaw

John Musante, Town Manager

May 20, 2013

- Safe & Healthy Neighborhoods Work Group developed recommendations to preserve and enhance existing residential neighborhoods in response to changing housing needs, including the acceleration over the past few years of conversions of owner-occupied housing to rental properties
- The proposed Bylaw is responsive to issues identified including
 - ✓ the need to establish baseline compliance with life safety and sanitary codes
 - ✓ increase awareness by tenants and landlords of Town noise, alcohol, and nuisance house bylaws and health regulations
 - ✓ establish parking plans appropriate to each property, and
 - ✓ establish penalties for egregious non-compliance

The Bylaw will complement other existing initiatives

- ✓ Landlords' implementation of property management and leasing best practices,
- ✓ UMass launch of a new online web learning (OWL) program for students who are moving into off-campus housing to help them become more responsible and successful tenants,
- ✓ Application of the Student Code of Conduct for off-campus behavior, and
- ✓ Continued public safety and code enforcement
- Complaint-based rental system with a self-inspection focus is not overly bureaucratic or expensive

Exemptions from the rental permit requirement

- Owner-occupied single family homes with up to 6 boarders
- Hotels, motels, inns, hostels, B&B's
- Group homes exempt under state or federal law

What about other owner-occupied rental properties?

Supplemental Apartments, Two Family Dwellings, Converted Dwellings, Town Houses, Apartments, etc. all require a rental permit whether owner-occupied or not.

Registration and Permitting

- On-line application process
- Permits issued within 14 working days
- Contact information for Responsible Persons
- Distribution of tenant information
- Permits posted at property and on- line
- Annual renewal
- Transferable

Inspections

- Only by complaint response
- Owner's Self-Inspection and Certification



smoke/carbon monoxide detectors removed

Short-Term Rental

Owner-occupied properties up to two units can be rented without a permit for up to one year

- During a pending sale
- During illness, catastrophe, professional or academic scheduling, etc.

Long-Term Tenancies

- Less frequent Self-Inspection and Certification for tenancies that are 3 years or longer

Complaints



- Can be made by any person
- On-line, phone, email or in person
- Response in accordance with applicable law

Parking

Multi family dwelling with parking on lawn and front yard setback



- Regulated by the Zoning Bylaw
- Parking Site Plan required with application
- Plan created using GIS, existing plot plan, prior land use permit
- Waivers available from Code Official

Enforcement

- Standard Enforcement Procedures
- Enforcement focused on compliance
- Non-criminal ticketing available
- Suspension

Local Appeal

- Any decision by the Code Official to suspend a permit may be appealed within 14 days
- Rental Appeals Board decision is final and only overturned by a court