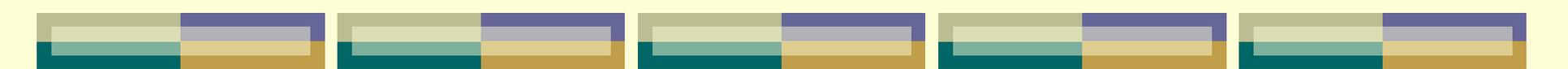


Housing Code Enforcement

Presented by: Duane Groeger, R.E.H.S.
Housing Administrator
Akron Housing Compliance Division



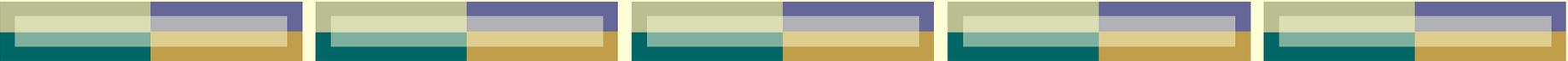
Housing Compliance Division Programs

In February, 2010, the Housing Division was transferred from the Health Department to the Department of Public Service. In June, 2012, the Housing Division was transferred to the newly-created Department of Neighborhood Assistance. Current Housing Division programs:

- **Complaint & Referral (housing repair complaints)**
- **Landlord rental registration**
- **Short-term rental registration**
- **Housing Appeals Board**
- **Vacant Commercial & Industrial Buildings Board/Vacant Building registration**
- **Securing vacant, open residential structures**
- **Landlord mandatory inspections**
- **Residential & commercial demolitions**

Also collaborate with Nuisance Division staff on referrals for high grass, junk vehicles, exterior trash conditions, and graffiti.



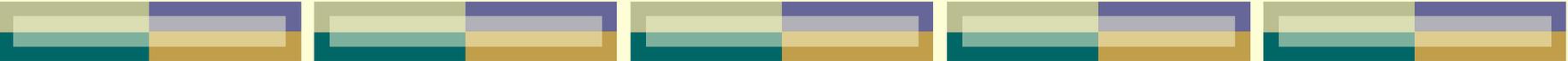


Housing Staff

- **1 Administrator**
- **2 Sanitarian Supervisors**
- **1 Code Compliance Supervisor**
- **7 Code Compliance Inspectors**
- **3 Demolition Program staff**
- **2 Full-time Clerical**

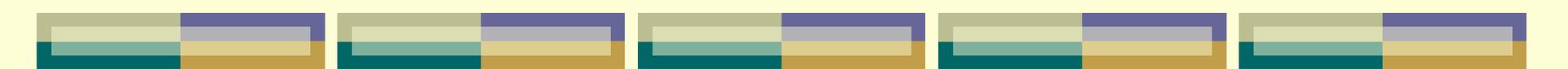
Current active caseload: 2,063 properties with repair orders





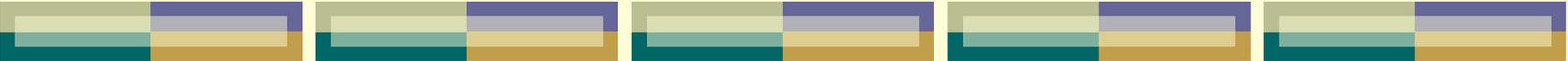
Complaint Referral Program

- **1500-2000 per year**
 - **Complaints from the public**
 - **Referrals from:**
 - Mayor's Office/City Council**
 - Fire Department**
 - Police Department**
 - Children Services**
 - Doctors/Hospitals**
 - Humane Society**
 - Block Clubs/Community Groups**
 - Zoning Division**
 - Summit County Health Dept**
- 



How are complaints/referrals received?

- **Complaint forms.** Available at our office(166 S. High St, 8th floor) or by calling 330-375-2366 or 311. Fill out form and return by mail or in person. Anonymous complaints are acceptable.
 - **311 Call Center**...to request a complaint form or to refer a vacant, open structure or a utility shut-off.
 - **Phone**...Call 330-375-2366 to report a vacant, open structure, a utility shut-off, or to request a complaint form.
 - **E-mail** Dgroeger@Akronohio.gov
 - **FAX** (330)375-2328
- 



2,115 active case files

1180 vacant (55.8%)

264 owner occupied (12.5%)

669 occupied rentals (31.6%)





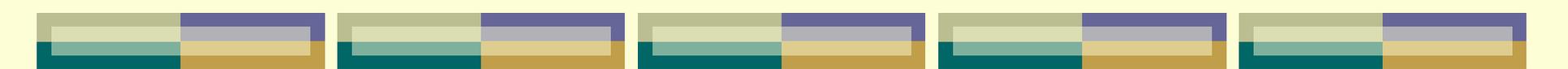
Environmental Health Housing Code

<https://library.municode.com/oh/akron>

Title 15—Land usage

Chapter 150





Environmental Health Housing Code

150.02 - Entry and inspection.

A.

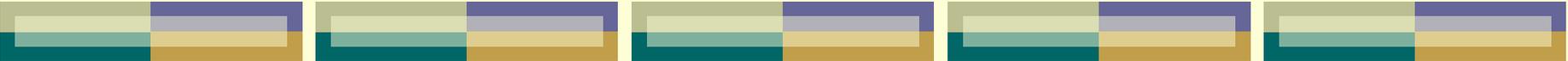
The Housing Inspector is authorized and directed to make inspections to determine the conditions of dwellings, rooming houses and premises located within the city. For the purpose of making the inspections, the Housing Inspector is authorized to enter, examine, and survey, at all reasonable times, all dwellings, dwelling units, rooming units, and premises. The owner or occupant of every dwelling or rooming house or the person in charge thereof, on request of the Housing Inspector, may give the Housing Inspector free access to the dwelling or rooming house and its premises, at all reasonable times, for the purpose of the inspection, examination, and survey. If entry is refused or not obtained, the Housing Inspector shall conduct the inspection only as provided by law. This chapter shall not be construed to require an occupant, operator or owner to consent to a warrantless inspection of a dwelling, rooming house or premises except as provided by law.

B.

Every occupant of a dwelling or rooming house shall give the owner thereof, or his agent or employee, access to any part of the building or its premises, at all reasonable times, for the purpose of making the repairs or alterations as are necessary to effect compliance with the provisions of this chapter, or with any lawful rule or regulation adopted or any lawful order issued pursuant thereto.

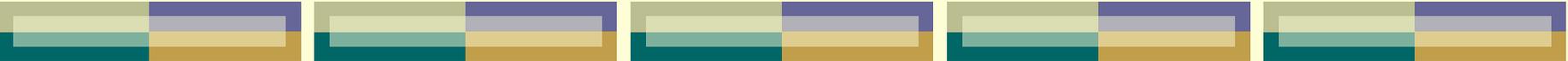
(Ord. 708-1997; Ord. 769-1996; Ord. 113-1972)





The Enforcement Process

- Complaint/referral received and assigned
 - Property inspected
 - Order-to-comply issued(appealable)
 - Reinspections conducted
 - Administrative Hearing or warning letter
 - Compliance or enforcement
- 



Enforcement

- Administrative Penalties

 - First fine up to \$100

 - Second fine up to \$500

 - Third fine up to \$1,000

- Criminal Prosecution

 - Third-degree misdemeanors. \$500 fine/60 days in jail per violation.

- Housing Appeals Board

 - Authority to order structures razed.



10 Most Frequently Issued Quick Codes – INTERIOR

| Ranking | Quick Code Number | Code Description | Number of Issuanc |
|---------|-------------------|--|-------------------|
| 1 | 12.6 | Maintain premises in a neat and sanitary manner. (COMPLY IMMEDIATELY) | 63 |
| 2 | 10.7 | Repair walls and ceilings where necessary. | 39 |
| 3 | 20.1 | Do not enter dwelling unit except between the hours of 7:00 a.m. and 7:00 p.m. for the specific purpose of repairing the dwelling, or such other lawful purpose as authorized by the Housing Inspector. | 38 |
| 4 | 20.2 | Do not reoccupy property until all orders have been complied and written permission to reoccupy has been obtained from the Akron Department of Neighborhood Assistance - Housing Inspector. | 38 |
| 5 | 9.1 | The wiring does not meet the regulations of Section 150.09 of the Akron Housing Code and must be corrected. All repairs must be done in accordance with the Summit County Building Code with necessary permits. Consult a licensed electrical contractor to have the necessary work performed. | 35 |
| 6 | 10.4 | Have existing plumbing fixtures and appurtenances put in a good state of repair. | 33 |
| 7 | 8.11 | Install and/or maintain smoke detectors in an approved manner. Every dwelling shall be equipped with smoke alarms installed outside of each separate sleeping area in the immediate vicinity of each sleeping area and on each story of the dwelling, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke alarm shall be installed on each level. | 26 |
| 8 | 10.51 | Eliminate all mold and sources of excessive moisture from the dwelling. | 24 |
| 9 | 10.8B | Recover worn flooring in bathroom (floor surface must be reasonably impervious to water and able to be easily kept in a clean and sanitary condition). | 20 |
| 10 | 10.53(A) | No owner, operator, or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Housing Enforcement Officer. Restore water service to dwelling within ten (10) days. | 19 |

**Totals were derived from randomly selecting twenty case files from each of the ten wards. Codes under Administrative penalty were not included.*

10 Most Frequently Issued Quick Codes – EXTERIOR

| Ranking | Quick Code Number | Code Description | Number of Issuanc |
|-----------|-------------------|--|-------------------|
| 1 | 10.18 | Have exterior doors and windows made weather-tight & put in a good state of repair. | 110 |
| 2 | 10.17 | Repair/replace gutters and downspouts in an approved manner. | 99 |
| 3 | 10.23 | Clean and properly protect all exterior structural surfaces by painting or use of other approved protective covering. | 83 |
| 4 | 10.12 | Replace broken or missing window glass. | 80 |
| 5 | 10.19 | Repair or replace siding and trim where necessary. | 79 |
| 6 | 10.20 | Repair or replace porch floor(s), steps, rail and roof supports where necessary. | 73 |
| 7 | 9.14 | Provide screening for all doorways and windows opening directly from a dwelling unit to outdoor space. | 58 |
| 8 | 10.16 | Repair eaves. | 54 |
| 9 | 10.27 | Rehabilitate garage or demolish and remove from premises. | 53 |
| 10 | 10.34 | Properly secure structure within 72 hours and keep structure secured against unlawful entry. Failure to do so may result in the Director of Neighborhood Assistance or his representative causing to have the necessary work performed with the cost and an administrative charge assessed as a lien against the property. | 52 |

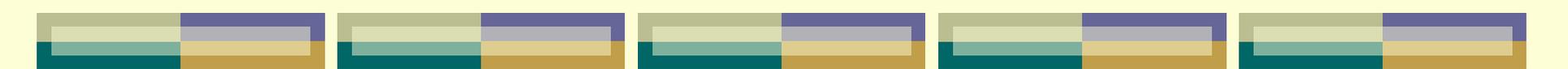
**Totals were derived from randomly selecting twenty case files from each of the ten wards. Codes under Administrative penalty were not included.*

• Securing vacant, opens

• Number of houses secured by AHD

| | |
|-----------|-------|
| 2001..... | 58 |
| 2002..... | 103 |
| 2003..... | 144 |
| 2004..... | 203 |
| 2005..... | 218 |
| 2006..... | 258 |
| 2007..... | 494 |
| 2008..... | 658 |
| 2009..... | 672 |
| 2010..... | 687 |
| 2011..... | 857 |
| 2012..... | 1,005 |
| 2013..... | 744 |
| 2014..... | 766 |
| 2015..... | 552 |
| 2016..... | 466 |
| 2017..... | 446 |
| 2018..... | 405 |
| 2019..... | 469 |
| 2020..... | 425 |
| 2021..... | 335 |
| 2022..... | 424 |
| 2023..... | 306 |

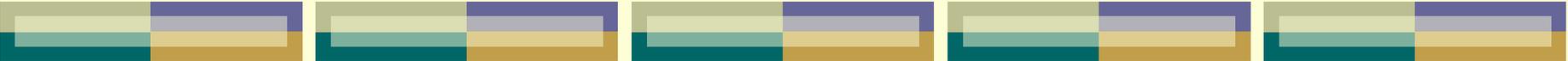
| | |
|------------------------------------|-----------|
| Annual board-up budget in 2001.... | \$3,000 |
| In 2008..... | \$20,000 |
| In 2010..... | \$30,000 |
| In 2012..... | \$75,000 |
| In 2014..... | \$100,000 |
| In 2018..... | \$75,000 |
| In 2023..... | \$75,000 |



Landlord Responsibilities

150.07 Dwellings--Requirements.

- No person shall own, operate, occupy, or let to another for occupancy, any dwelling for the purpose of living, sleeping, cooking, or eating therein, which does not comply with all of the applicable requirements of this chapter. Penalty, see §150.99. (Ord. 708-1997; Ord. 769-1996; Ord. 113-1972)
 - **A. Owner to Maintain Sanitary Conditions.** Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining, in a clean and sanitary condition, the common or public areas of the dwelling and premises thereof. Every owner of a vacant dwelling or premises shall keep the dwelling and premises in a clean and sanitary condition.
- 



Landlord Responsibilities

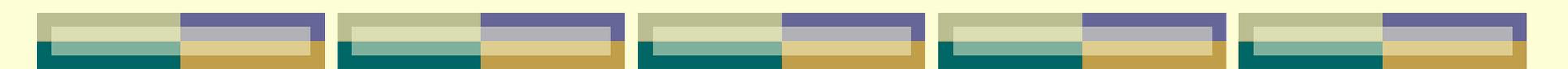


150.09 - Light, ventilation, electricity, and heating.

- E. Heating Facilities.
 - 1. Every dwelling unit shall be provided with heating facilities capable of **maintaining an average temperature of sixty-eight degrees Fahrenheit in all habitable rooms, kitchens, bathrooms, and water closet compartments when the outdoor temperature is below sixty degrees Fahrenheit.**
 - 2. The owner or operator in charge of a dwelling, who rents or leases any dwelling unit therein under an agreement, express or implied, to supply or furnish heat to the occupants thereof, shall supply heat adequate to maintain an inside temperature of not less than sixty-eight degrees Fahrenheit for each hour of the entire twenty-four-hour period of each day in all habitable rooms, bathrooms, water closet compartments, and kitchens, whenever the outside temperature falls below sixty degrees Fahrenheit. The inside temperature shall be measured at a point three feet above the floor and two feet from exterior walls in all habitable rooms
 - a. The owner of a hotel or apartment building shall furnish heat sufficient to maintain the following minimum temperatures: between the hours of 6:00 a.m. and 11:00 p.m., sixty-eight degrees Fahrenheit; between the hours of 11:00 p.m. and 6:00 a.m., sixty-five degrees Fahrenheit.
 - b. The requirements of this section do not apply to any lobby, corridor, stairway, or other similar area, nor to any room or suite of rooms not occupied by guests or tenants for pay, nor to any room or suite of rooms

provided with a separate heating plant under the care and control of the tenant or occupant thereof.





Landlord Responsibilities

150.32 - Duty of owner to disclose notice of violations to buyer.

A.

The owner of any property who has received written notice pursuant to Sections [150.03](#) or [150.031](#) of this chapter that the property is in violation of the Housing Code shall give the purchaser or grantee of the property written notice of the code violations prior to entering into an agreement for the transfer of title to the property, or if the owner does not enter into a written agreement for the transfer or subsequently receives notice of code violations, prior to the filing for record of a deed to the property.

B.

The owner shall obtain written acknowledgement from the purchaser or grantee of the written notice of the code violations required in subsection (A), including a residential property disclosure form as required by O.R.C. § 5302.30, if applicable.

C.

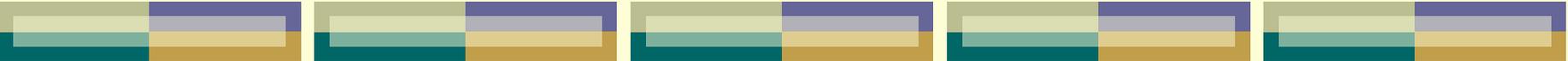
The transfer of title to, or any interest in, real property in which a Housing Code violation exists shall not be grounds for dismissal of charges in any court against a previous owner of the real property for failure to comply with a notice for correction of a Housing Code violation.

D.

Notwithstanding the failure of an owner to provide notice pursuant to subsection (A), the notice of violation to the owner is notice to all subsequent purchasers, transferees or other persons who acquire any interest in the real property in which the violation exists, and may be enforced against their interest in the real property without further notice or order to them.

(Ord. 70-2013)





Landlord Responsibilities

150.33 - Duty of owner to disclose notice of violations to occupant and prospective occupant.

A.

The owner of any rental unit who has received written notice pursuant to Sections [150.03](#) or [150.031](#) of this chapter that the property is in violation of the housing code shall, within fourteen (14) days of receipt, give an occupant of the property written notice of the violations or, if the notice of violations is pending when a new tenancy is created, then the written notice of the violations shall be provided to a prospective occupant prior to entering into a written lease agreement, or if no written lease agreement is entered into, then prior to accepting any payment related to the occupancy of the property.

B.

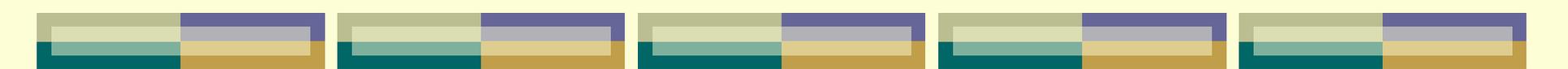
The owner shall obtain written acknowledgement of receipt of the written notice of violations required in subsection (A).

C.

Upon inspection and approval of repair of each and every violation of the Akron Housing Code by the Akron Housing Inspector, the notice required by subsection (A) shall cease.

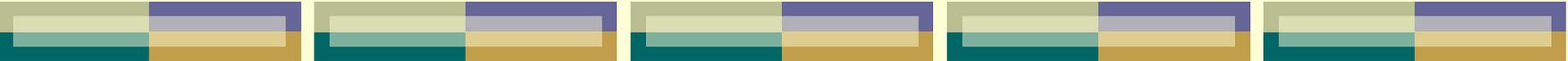
(Ord. 378-2015)





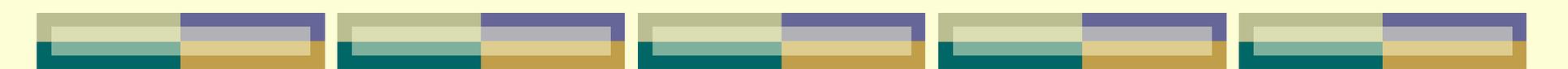
Tenant Responsibilities (150.12)

- **B. Occupant to Maintain Sanitary Condition.** Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition and in good repair that part of the dwelling, dwelling unit, and premises thereof which he occupies and controls.
 - **C. Disposal of Garbage and Rubbish.** Every occupant of a dwelling or dwelling unit shall dispose of all his garbage, rubbish, and any other organic waste which might provide food for rodents, in a clean and sanitary manner, by placing it in the garbage or rubbish disposal facilities or garbage storage containers required by §150.08(F) of this chapter.
- 



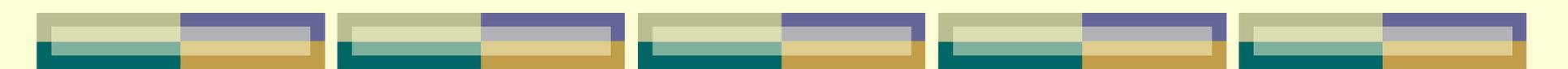
Tenant Responsibilities

- **E. Rodent Extermination.** Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this section, whenever infestation is caused by failure of the owner to maintain a dwelling in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the common or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.
- 



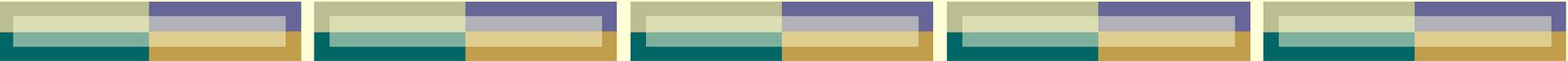
Tenant Responsibilities

- **D. Screens and Storm Windows.** Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens, double or storm doors, and windows, whenever the same are required under the provisions of this chapter or of any rule or regulation adopted pursuant thereto, except where the owner has agreed to supply the service.
 - **F. Plumbing Fixtures.** Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- 



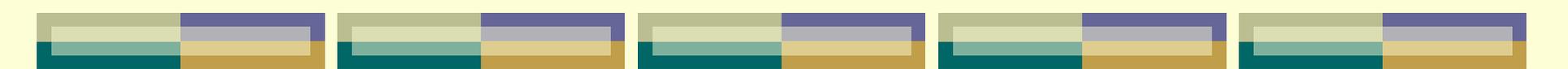
Utility disconnections

- **150.21 Discontinuance of utilities.**
 - No owner, operator, or occupant shall cause any service, facility, equipment, or utility which is required under §§150.09(D) and (E) and 150.08(A), (B), (C), (D), and (G), of this code to be removed from, shut off from, or discontinued from any occupied dwelling let or occupied by the owner, operator, or occupant, including by reason of nonpayment, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the Housing Inspector. Penalty, see §150.99. (Ord. 708-1997; Ord. 769-1996; Ord. 113-1972)
- 



Utility disconnections

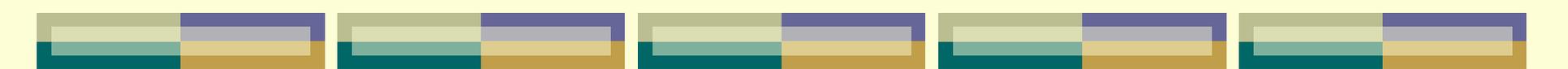
- **What does this mean?**
 - A. Owner is responsible for ALL utilities.
 - B. Occupant is responsible for utilities in their name; or those they have agreed to pay in their lease.
 - C. Housing Compliance Division can order both the landlord and the tenant to restore utilities.
 - D. Properties lacking 2 of the 3 required utilities (gas, water, electric) can be condemned and ordered vacated.
- 



Uninhabitable space

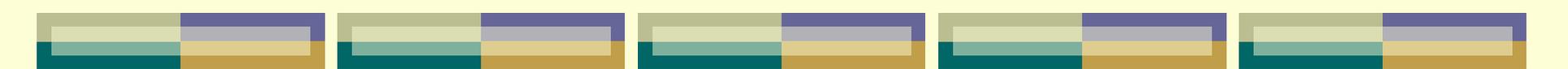
- **E. Basements.** Basement space, when occupied for living, shall meet all requirements of a dwelling unit.

 - **(Old code)** No basement space shall be used as a habitable room or dwelling unit unless:
 1. The floor and walls are impervious to leakage of underground and surface runoff water and are insulated against dampness;
 2. The total window area in each room is equal to at least the minimum window area sizes as required in §150.09(A) of this chapter;
 3. The required minimum window area is located entirely above the grade of the ground adjoining the window area;
 4. The total of openable window area in each room is equal to at least the minimum as required under §150.09(B) of this chapter, except where some other device is supplied affording adequate ventilation and approved by the Housing Inspector; and
 5. Basement space, when occupied for living, meets all other requirements of a dwelling unit. Penalty, see §150.99. (Ord. 708-1997; Ord. 769-1996; Ord. 113-1972)
- 



Uninhabitable space

- **Attics/3rd-floor apartments/bedrooms**
 - **D. Ceiling Height.** At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet six inches and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
 - **K. Fire Stairs/Sprinkler System.** Every multiple dwelling having habitable rooms located on floors exceeding two stories in height above grade, not counting basements, shall be provided with not less than two approved independent exits or exterior fire stairs from each floor above the second floor, fully accessible from each dwelling unit on the floor, or as an alternative, the entire dwelling shall be provided with a residential sprinkler system installed in accordance with National Fire Protection Association Standard #13R.
- 



150.40 - Rental unit mandatory inspection required.

The owner or operator of a premises with a rental unit shall have the interior and exterior of the premises, its structures and its rental units inspected semi-annually, for a minimum of four years, to determine compliance with the Health, Safety and Sanitation Code, Litter Code, Housing Code, and Zoning Code, under the following circumstances:

1.

If two or more notices and orders to comply have been issued to the owner or operator pursuant to [Section 150.03](#) or [Section 150.031](#) of this chapter, within any two-year period, concerning the same premises, and have not been complied within the time provided in the notices and orders to comply, the premises that was the subject of the notices and orders to comply shall be subject to semi-annual mandatory inspections as specified in this section;

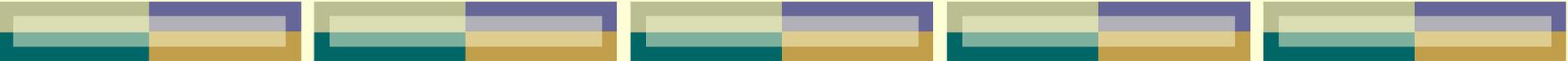
2.

If the owner or operator has been convicted of a violation of this chapter, all premises and structures with a rental unit that the owner owns or that the operator operates shall be subject to semi-annual mandatory inspections as specified in this section; and

3.

If the owner or operator has had a premises ordered razed by the Housing Appeals Board pursuant to [Section 150.051](#) of this chapter, all premises and structures with a rental unit that the owner owns or that the operator operates shall be subject to semi-annual mandatory inspections as specified in this section.





F.

A rental unit semi-annual mandatory inspection fee, per rental unit, which shall include the first two inspections semi-annually, shall be imposed as follows:

1.

A fee of one hundred twenty-five dollars for a premises with one rental unit;

2.

A fee of one hundred seventy-five dollars for a premises with two rental units;

3.

A fee of two hundred twenty-five dollars for a premises with three rental units;

4.

A fee of two hundred fifty dollars for a premises with four rental units; and

5.

A fee of two hundred sixty-five dollars for the first rental unit on a premises with five or more rental units, and a fee of fifteen dollars per rental unit for each additional rental unit on the premises.

G.

A rental unit mandatory inspection re-inspection fee, per rental unit, for each re-inspection semi-annually subsequent to the first two inspections semi-annually, per rental unit, shall be imposed in the amount of fifty dollars.





Questions?

Contact:

Duane Groeger

330-375-2366, Extension 2694

Dgroeger@Akronohio.gov

