

Offered by COUNCILOR MAUREEN FEENEY



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING TO DISCUSS LANDLORD ACCOUNTABILITY FOR PROBLEM PROPERTIES

WHEREAS, This body endeavors to enact the most responsive policies that address resident concerns, including noise complaints, disturbing the peace violations and other quality of life issues; and,

WHEREAS, The City Code, along with state law, prohibits excessive noise and disturbing the peace in residential settings. Enforcement of these laws falls on the Boston Police Department, the Air Pollution Control Commission or the Commissioner of Inspectional Services. Unfortunately, many times the disturbances surrounding residential properties often involve tenants whose landlords are absentee or out-of-state; and,

WHEREAS, If a landlord isn't made aware of residential disturbances, they cannot work to resolve the problem. The City's Code on noise and disturbing the peace provides for some landlord notification and penalties, including a provision that imposes a fine of \$150 at the time of the third violation and \$300 per violation each time thereafter within a twelve month period. However, this landlord fine structure is somewhat unclear as to what types of violations it applies to; and,

WHEREAS, The Code also describes a landlord notification process, but it is not a definite and guaranteed notification to the landlord because the language of the provision does not explicitly state the criteria for reporting the violation to the violator's landlord. This leaves open the possibility that notification may not be received by the landlord; and,

WHEREAS, Landlord notification and accountability for residential noise problems, disturbing the peace violations and other problem property issues is essential to improving the quality of life for all Bostonians. Although there are some provisions on the books providing for landlord accountability, the enforcement and scope of these laws remain unclear. The City of Boston must examine the current process of landlord accountability and seek to improve and expand the process to strengthen our neighborhoods; *NOW,*

THEREFORE BE IT ORDERED,

That the appropriate committee of the Boston City Council hold a hearing to examine how landlords are notified and held accountable for problem properties under the City's existing noise and disturbing the peace laws and how the City can expand the scope of these laws to hold landlords responsible for other quality of life problems related to these residences and tenant behavior.

Filed on: October 23, 2009