

Housing & Town Health Officers

Inspect – Educate - Enforce

Healthy Homes Conference

October 2, 2019



Our Education Goals

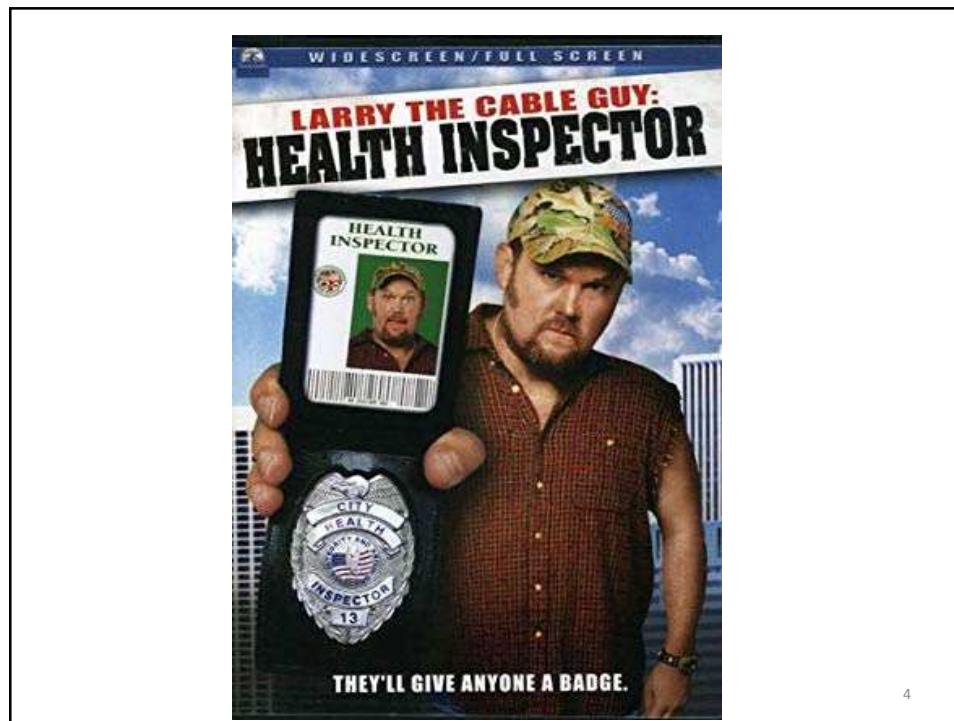
- Be able to describe the role of the health officer in healthy and safe housing.
- Be able to list the top 2-3 State laws that health officers enforce.
- Be able to identify 2-3 health issues affecting homes and rental housing
- Describe the wants and needs of housing advocates

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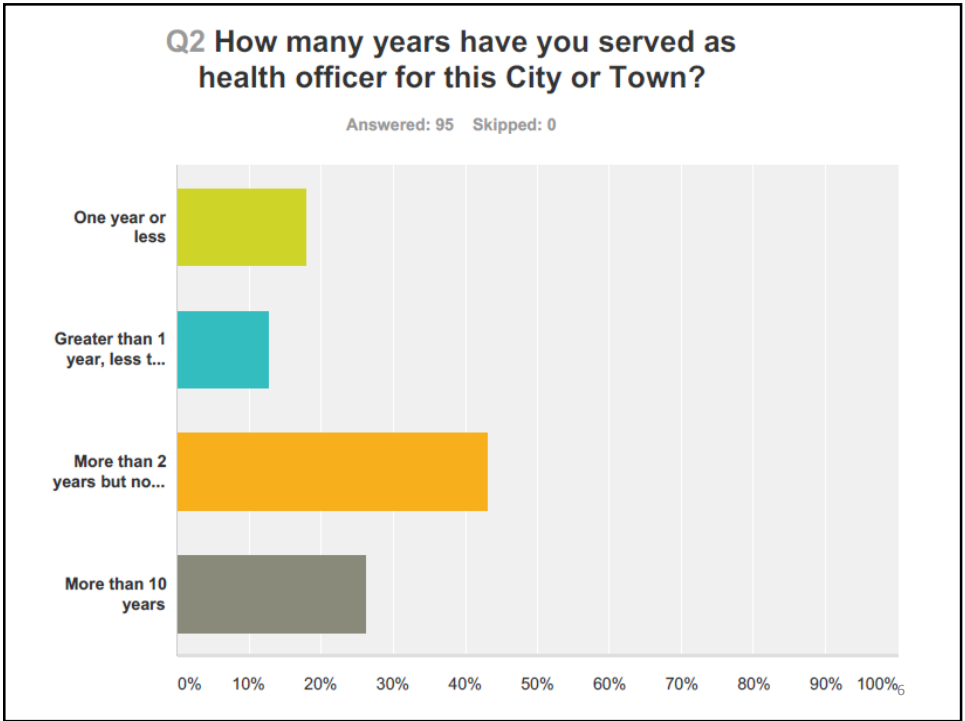
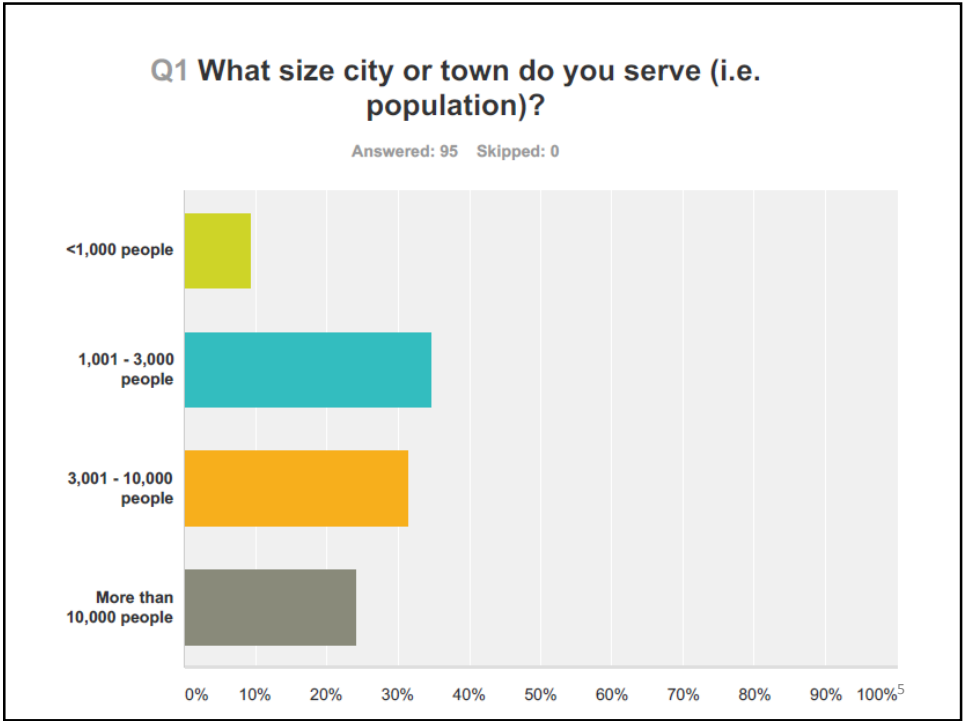
What is a Public Servant?

- A person employed in the public sector, i.e. for the public good
- Identified in State law as someone who either “shall” or “may” act
- Hired on personal merit rather than appointment or election
- Tenure typically survives transitions of political leadership.

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Why support health officers?

- They ensure sanitary conditions
- They work to break the 'chain of exposure' for pollutants that affect food, water, septic, property, and housing
- They work to stop infestations of rodents, insects & bed bugs
- They educate, inspect & enforce
- They're affordable
- They're local

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What Laws do They Enforce?

- RSA 128: Town Health Officer, duties.
- RSA 48-A: Rental housing Standards
- RSA 147: Health nuisances like trash, noise, odors, pest infestations, and septic problems.
- RSA 200: Inspection of schools
- RSA 170: Inspection of daycare, foster, adoptive homes
- Other notification laws – Disinterment, lead poisonings, asbestos reports, etc.

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NH Rental Housing Law

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Housing Standards: RSA 48-A

- Primarily for rental 'dwellings', not owner-occupied private homes or condos
- Law provides for making of local housing codes, and enforcement
- Defines the 11 minimum housing standards

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The Inspection Process

- Report of a rental housing problem
- Health officer will triage, and inspect if needed
- May request a building floorplan and list of occupants
- May Inspect and gather evidence
- May give a verbal and written warning, then an official notice to resolve the housing problem
- May need to pursue a court order

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Three-Strikes Inspection Form

Location of Property: _____ Date: _____

Reported by: _____ Address: _____ Tel: _____

Tenant: _____ Address: _____ Tel: _____

Owner/Agent _____

Address: _____ Tel: _____

Complaint: _____

Conditions found: _____ Date of visit: _____

1st Notice: _____ Reinspection Date: _____

2nd Notice: _____ Reinspection Date: _____

First Notice: _____ <small>(Date)</small>	Second Notice: _____ <small>(Date)</small>	1 st Citation issued: _____ <small>(Date)</small>	Citation #: _____
Time Given: _____	Time Given: _____	2 nd Citation issued: _____ <small>(Date)</small>	Citation #: _____
Reinspection: _____	Reinspection: _____	3 rd Citation issued: _____ <small>(Date)</small>	Citation #: _____

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Eleven Housing Standards

"No landlord... renting or leasing a residential dwelling...shall maintain those rented premises in a condition in which:"

- I. The premises are **infested by insects and rodents** where the landlord is not conducting a periodic inspection and eradication program;
- I-a. The premises are **infested by bed bugs** and the landlord is not conducting a periodic inspection and remediation program. In this paragraph "remediation" means action taken by the landlord that substantially reduces the presence of bed bugs in a dwelling unit for a period of at least 60 days;
- II. There is **defective internal plumbing or a back-up of sewage** caused by a faulty septic or sewage system;
- III. There are **exposed wires, improper connectors, defective switches or outlets** or other conditions which create a danger of electrical shock or fire;
- IV. The **roof or walls leak** consistently;
- V. The **plaster is falling or has fallen** from the walls or ceilings;
- VI. The floors, walls or ceilings contain **substantial holes that seriously reduce their function** or render them dangerous to the inhabitants;

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RSA 48-A Continued...

- VII. The porches, stairs or railings are **not structurally sound**;
- VIII. There is an **accumulation of garbage or rubbish in common areas** resulting from the failure of the landlord to remove or provide a sufficient number of receptacles for storage prior to removal unless the tenant has agreed to be responsible for removal under the rental agreement and the landlord has removed all garbage at the beginning of the tenancy;
- IX. There is an **inadequate supply of water** or whatever equipment that is available to heat water is not properly operating;
- X. There are **leaks in any gas lines or leaks or defective pilot lights** in any appliances furnished by the landlord; or
- XI. The premises do not have heating facilities that are properly installed, safely maintained and in good working condition, or are not capable of safely and adequately **heating all habitable rooms, bathrooms and toilet rooms located therein, to a temperature of at least an average of 65 degrees F.**; or, when the landlord supplies heat in consideration for the rent, the premises are not actually maintained at a minimum average room temperature of 65 degrees F. in all habitable rooms.

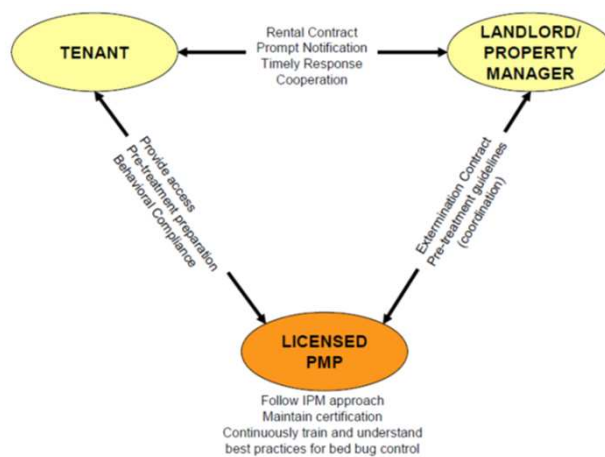
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Special Housing Issues

- Insect and rodent pests
- Bedbug pests
- Home visitors
- Water damage & mold
- Nuisances from waste, odor & noise
- Hoarding

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Pests – The Triad of Responsibility



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Moisture & Mold

- Damp conditions are unhealthy
 - “Every mold problem is a moisture problem”
- Primarily an allergen and asthma trigger, no strong evidence of toxic properties
 - The term ‘black toxic mold’ not accurate
- Invest time and money in fixing the moisture problem with repairs & weatherization
- Avoid mold testing, in most cases
 - “If you can see it, and smell it, you’ve got it”

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Safety for Home Visitors

- Protect your own health first. Bring only what you need for the job - phone, forms, etc.
- Use a buddy system - where you’re going, when you’ll be back, and your phone number.
- Know who your clients are - ask town staff, neighbors or local police.
- Make yourself an island, and avoid bringing any pest problems back with you

<https://www.dhhs.nh.gov/dphs/holu/documents/hom-bbvisitor.pdf>

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NH Health Nuisance Law

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Nuisances: RSA 147

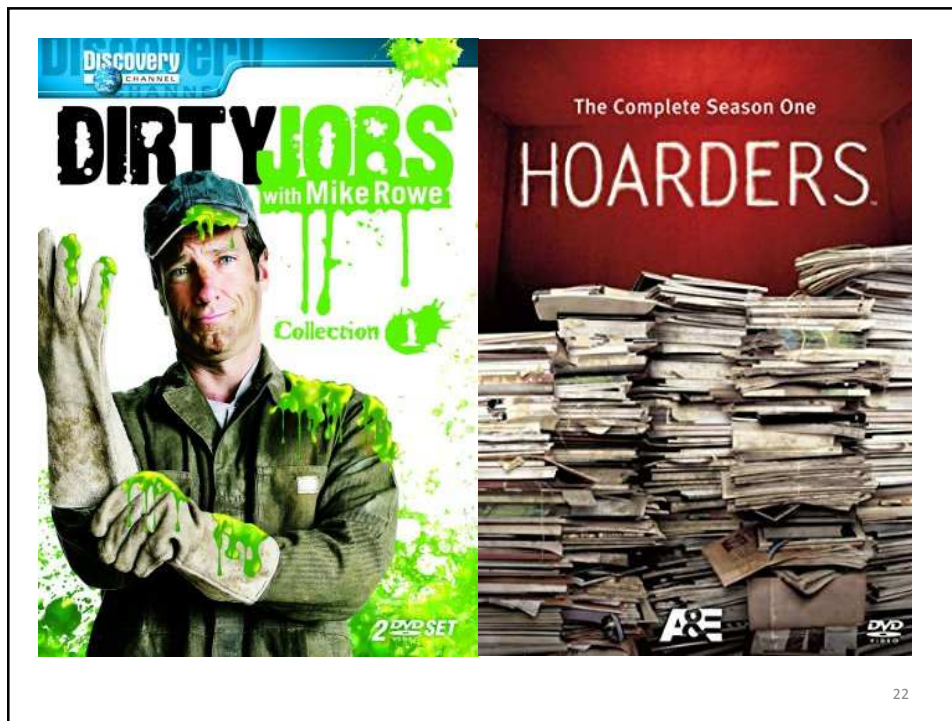
- A health nuisance is defined by the health officer as something 'injurious' to the public health
- A health officer **shall** make inquiries into nuisances in the community
- Required to create local codes or regulations in order to enforce

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Common Health Nuisances

- Pests, especially rats and other rodents moving between properties
- Septic pits or human waste
- Septic system failures
- Nuisance garbage, or putrid waste
- Nuisance odors, Outdoor Wood-Fired Heaters.
- Nuisance noise
- Hoarding of animals or possessions

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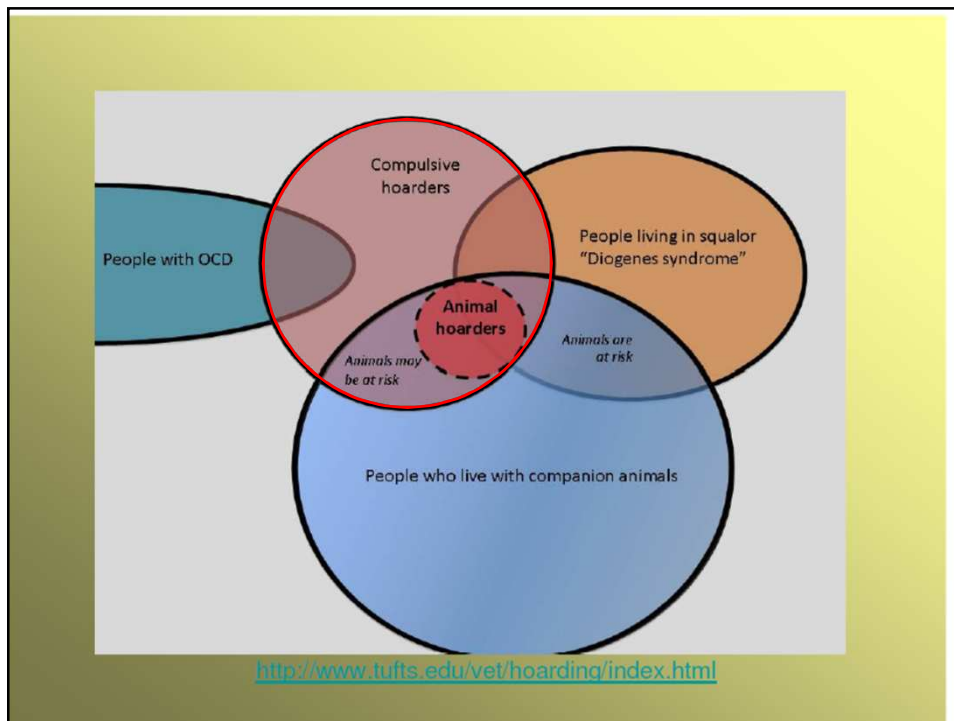


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What is hoarding?

- A form of extreme clutter and disorganization
- Often involves a mental health issue
- May involve possessions or animals

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Nuisance Hoarding Issues

- Hoarding not well defined under NH law
- May be addressed as human or animal neglect
- May be addressed as sanitation or lack of egress
- Related mental health conditions could be anxiety, depression, OCD, or 'hoarding disorder',
- Best strategy is to work with mental health staff
- May need to make a report of 'self-neglect' to DHHS, or ask police for a wellness check.

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Hoarding Case Studies

- Nuisance Hoarding and fire, Salem NH
- Nuisance waste & neglect on private property, Seabrook NH
- Other cases?
- Hoarding problems, Manchester NH. See Hoarders TV Episode #78,

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Actions Against Tenants RSA 540-A

- Defines the rights and responsibilities of the tenant and landlord/owner
- Used to back up RSA 48-A, or municipal health codes
- Defines how a tenant can be evicted
- Allows for a petition to the courts to address any concerns, including health
- Encourages tenants to keep current on rent in order to support any needed repairs
- Primarily a commerce law, not health

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Summary Health Officers and Housing

- Know the role of the health officer and laws they can enforce
 - Rental Housing 48-A, Health Nuisances 147, Actions Against Tenants 540-A
- Known where to find a list of the minimum rental housing standards x 11
- Know that housing conditions are a shared responsibility of landlord and tenants

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Contact Information

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- NH DHHS, DPHS, Bureau of
Public Health Protection, Health
Officer Liaison Unit (HOLU)
- www.dhhs.nh.gov/dphs/holu/index.htm



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Health Officer Liaison Unit

Inspect - Educate – Enforce

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What is Good Citizenship?

Rights

- **Inalienable right to “life, liberty, and the pursuit of happiness.”**
- **Freedom to express yourself.**
- **Freedom to believe (& worship) as you wish.**
- Right to vote in elections for public officials.
- Right to a prompt, fair trial by jury.
- Right to apply for federal employment.
- Right to run for elected office.

Source: US Dept of Homeland Security

Responsibilities

- **Respect the rights of others.**
- **Respect and obey federal, state, and local laws.**
- **Participate in your local community.**
- **Stay informed of the issues affecting your community.**
- **Support and defend the Constitution.**
- Participate in the democratic process.
- Pay income and other taxes honestly, and on time, to federal, state, and local authorities.
- Serve on a jury when called upon.
- Defend the country, if the need should arise.

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