



TOWN OF MANSFIELD
Ad Hoc Committee on Rental Regulations and Enforcement
Wednesday, February 8, 2017
5:30 P.M.
Mansfield Public Library
Buchanan Center

AGENDA

1. Call to Order/Roll Call
2. Approval of Minutes
3. Opportunity for Public to Address the Committee
4. Staff Reports
 - a) Town Manager's Update
 - b) Review and discuss draft letter of what the committee accomplished and what additional recommendations the committee has for Council and PZC
5. Adjournment

Minutes Ad Hoc Committee on Rental Regulations

January 11, 2017

1. **Members Present:** Chairperson T. Moran called the meeting to order at 5:30 pm, B. Ryan, M. Sargent, C. Ausburger, V. Ward, P. Aho
2. **Other Council Members Present:** P. Shapiro
3. **Staff Present:** M. Ninteau, J. Mullen, L. Painter, M. Hart
4. **Approval of Minutes:** November 9, 2016 Moved Sargent, Second Ward, Approved unanimous
5. **Chair Report:** Chairperson Moran reported to the committee that a separate Ad Hoc committee formed by the Town Council was investigating possible changes to the certificate fee portion of the Town's Housing code. She added that a mock inspection was conducted at her rental unit for educational purposes and that the exercise was enlightening. It was also mentioned that there is another Council subcommittee reviewing possible weekend enforcement of Town regulations as part of the Police Services study. The Chair referenced a memorandum provided by staff to document the committee's activities since inception to date.
6. **Public Comment:** B. Shafer, Echo Road raised concerns regarding a party that was held at 55 Echo Rd. She stated her belief that the Town should be conducting off hour inspections. Brian Coleman, Center Street spoke with regard to a meeting he had with the Town Manager. He stated they discussed possible model lease provisions to be posted by the Town, certificate fee reduction criteria, and his perception of negative rhetoric against many stakeholders. He distributed a form used in Rhode Island for informational purposes.
7. **Staff Reports:** M. Ninteau explained that site inspections for overcrowding, blight and parking are continuing and that as requested by the committee the change of definition of ownership in the regulations had led to the identification of 15 properties now subject to the regulations. J. Mullen spoke briefly regarding enforcement of regulations and that research she is conducting regarding what other college host communities do with regard to occupancy limitations continues. M. Hart provided the committee with a memorandum regarding suggested possible next steps this committee could refer to the Town Council and Planning & Zoning Commission for consideration. (Attached)
8. **Future Discussion Topics:** The following topics were flagged for future discussion:
 - Staff to provide a draft wrap up letter of recommendations for committee's review.
9. **Adjournment:** By unanimous consent 6:58

Respectfully submitted.

Mike Ninteau, Director of Building & Housing Inspection

AD-HOC COMMITTEE ON RENTAL HOUSING REGULATIONS & ENFORCEMENT

FINAL REPORT | FEBRUARY 8, 2017

BACKGROUND

In October 2015, a group of concerned citizens voiced concern that neighborhoods were being converted from a predominance of owner-occupied properties to rental units. After a presentation from staff regarding rental housing regulation and enforcement on November 9, 2015, the Town Council formed the Ad Hoc Committee on Rental Housing Regulations and Enforcement to:

- Review rental housing regulations and their enforcement;
- Review proposals for additional regulations for the purpose of preserving single-family residential neighborhoods and ensuring the quality of housing available for rental; and
- Work with the Planning and Zoning Commission to integrate zoning and housing regulations.

To facilitate coordination with the Planning and Zoning Commission, the committee was comprised of the following members from the Town Council and Planning and Zoning Commission:

- Toni Moran, Chair (Town Council)
- JoAnn Goodwin, Vice Chair (Planning and Zoning Commission)*
- Charles Ausberger (Planning and Zoning Commission)
- Bill Ryan (Town Council)
- Mark Sargent (Town Council)
- Vera Ward (Planning and Zoning Commission)

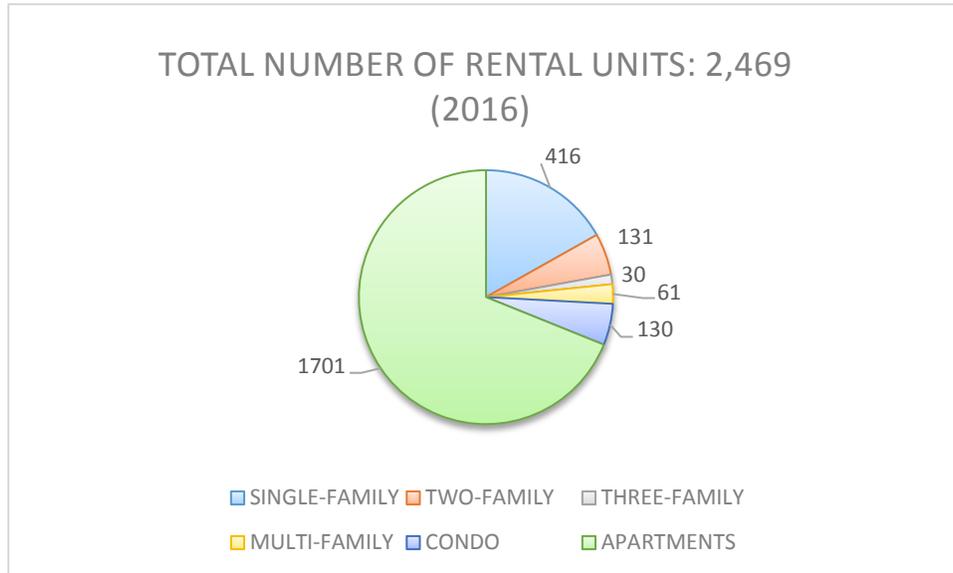
*Ms. Goodwin resigned from the Committee in the fall of 2016 and was replaced by Paul Aho.

The Committee held its first meeting in February 2016 and met on a monthly basis with the exception of July, October and December 2016. In January 2017, the Committee determined that it had completed its mission as established by the Town Council and directed staff to prepare this final report summarizing the Committee's activities and accomplishments.

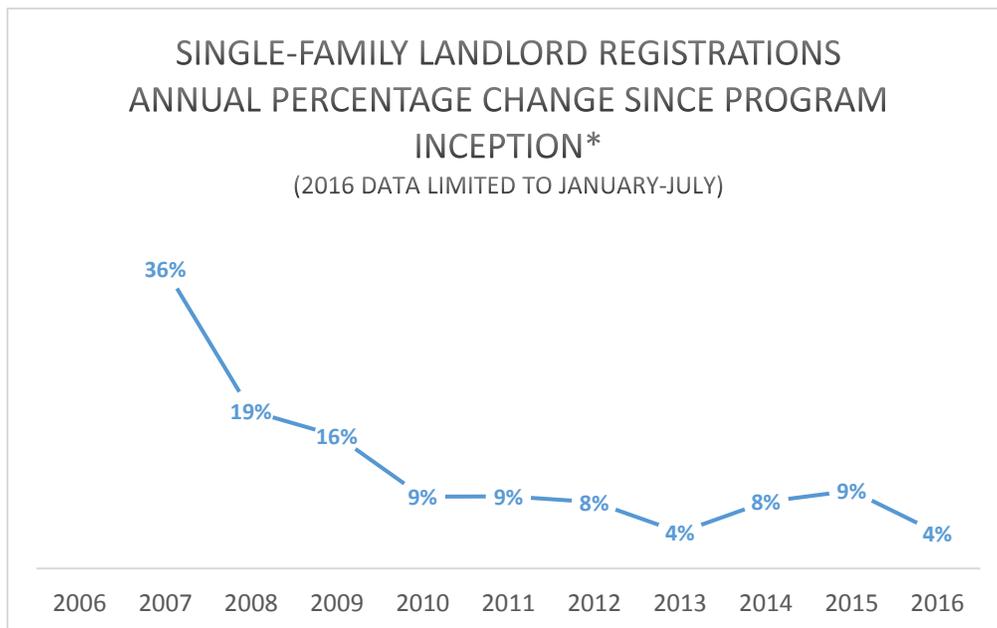
OVERVIEW OF MANSFIELD RENTAL HOUSING REGULATIONS

Concern with the proliferation of rental housing in Mansfield is not a new issue in Mansfield. The Town Council first started grappling with issues related to rental housing in 2004. The following graphic displays the number and type of rental units as of July 2016; 416 of these

rentals are single family homes throughout the Town. For the purposes of this chart, multi-family can be defined as residences with 4, 5, or 6 dwelling units.



Since its initial foray into regulating rental housing, the Town has continued to refine and, as necessary, expand its regulation of rental units. The following chart displays the percentage change in landlord registrations for single family houses from the time landlords were required to register with the Town. .



The Ad Hoc Committee on Rental Housing Regulations and Enforcement is the third committee established by the Town Council to address concerns related to rental housing. Prior activities

were undertaken by the Committee on Community Quality of Life, which met from 2004-2005 and from 2008-2012. The work of the Committee on Community Quality of Life resulted in the following changes to regulations.

- Litter and Blight Standards (2005)
- Minimum housing standards and rental certification requirements for Storrs area (2006)
- Landlord Registration Requirements (2006)
- Rental Certification Zone expanded to cover 75% of town (2008)
- Off-street parking requirements (2010)
- Maximum Occupancy by Unrelated Individuals reduced from 4 to 3 (2010)
- Neighborhood Nuisance Ordinance (2011)
- Rental Certification Zone expanded townwide (2014)

Learning about the above regulations in more detail served as a starting point for the Committee on Rental Housing Regulations and Enforcement. In addition to in-depth staff presentations regarding existing regulations, the Committee also received presentations from the Town Attorney, Resident State Trooper and UConn staff.

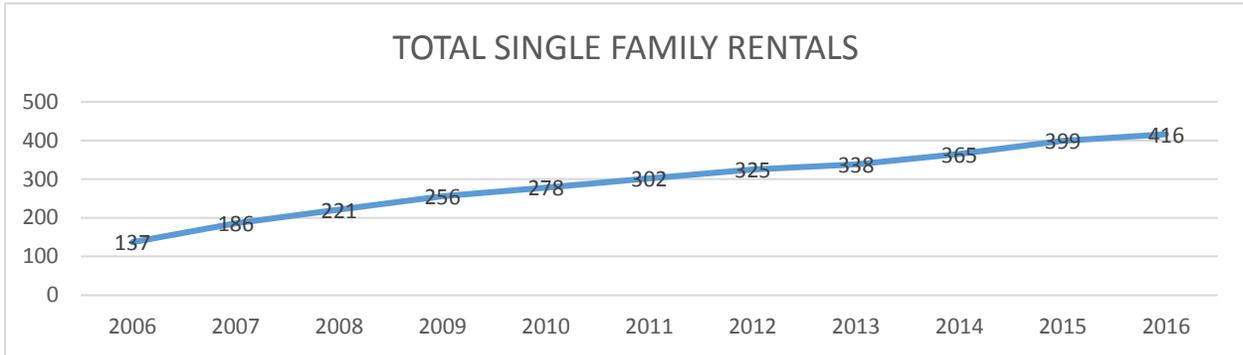
In addition to staff presentations, residents were able to address the Committee during the public comment portion of the meetings. The Committee received several comments regarding existing regulations and enforcement over the course of the year, both from residents concerned with the proliferation of rental housing and the impact on surrounding neighborhoods as well as landlords. The Committee and staff researched the feasibility of several suggestions for changes to regulations presented by the Mansfield Neighborhood Preservation group, including but not limited to, a moratorium on single family homes being converted to rental units. Ultimately, many of these suggestions, including the proposed moratorium on single-family rentals, were not pursued as the Town Attorney determined such regulations would not be legal under current State law.

CURRENT RENTAL HOUSING TRENDS

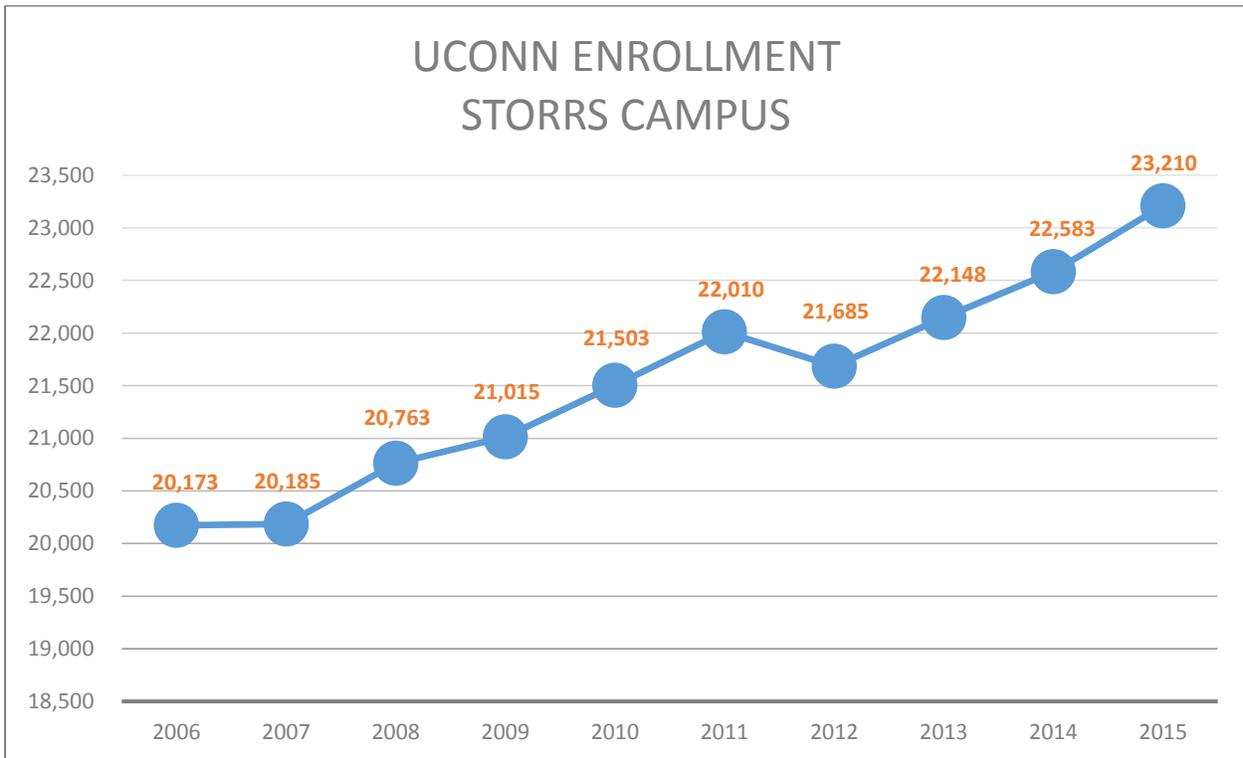
In addition to learning more about existing rental regulations, the Committee also requested information on current rental housing trends to better understand the scope of the issue. Some of the charts being used in this report were first introduced during an Ad Hoc Committee presentation by Town Staff. The following statistics provide an overview of rental housing trends in Mansfield over the last 10 years:

- Total Rental Units: 2,469 (July 2016)
- Of the total number of rental units, 416 (16.8%) were single-family houses

- The number of single-family homes used as rentals has increased from 137 in 2006 (first year that registration was required) to 416 in 2016, as illustrated below.



- Approximately 15% of all single-family houses in Mansfield are rented
- From 2006 to 2016, UConn enrollment at the Storrs Campus increased from 20,173 to 23,210. The following graph illustrates how Storrs Campus enrollment has fluctuated over the past ten years.



- While enrollment increased, the number percentage of undergraduate students living on campus stayed fairly steady over the same timeframe, fluctuating between 69% at its low in 2007 to 74% at its peak in 2010. The percentage of graduate students housed on campus has declined steadily from a peak of 14% in 2007 to just 1% in 2014 and ensuing years.

COMMUNITY OUTREACH AND EDUCATION

As the Committee became familiar with existing regulations, members expressed concern that both property owners and students were not aware of regulations governing rental of housing units. In response to these concerns, the following actions were undertaken by staff to expand community outreach and education with regard to existing regulations and enforcement:

- A notice of rental regulations for all new property owners is now included when a recorded deed is returned to a new property owner, regardless of whether the property is residential in nature or whether it has previously been used as a rental. The notice includes a summary of relevant regulations as well as contact information for the appropriate Town department responsible for enforcing those regulations.
- A list identifying the allowable number of unrelated occupants for all rental units was prepared by the Zoning Agent and Housing Staff. It is updated monthly and posted on the Town's website.
- Working with UConn, staff developed and distributed business cards with a QR code to UConn students at the Spring 2016 off-campus housing fair. The QR code linked directly to the maximum occupancy list described above and was branded as part of UConn's educational campaign: "3 or 4 No More."
- A postcard was sent to all residential property owners advising them of updates to rental regulation requirements, regardless of whether they are currently renting property.
- The Zoning Agent, spurred by her involvement with ITGA, reached out to other municipalities to discuss best practices for over-crowding enforcement, rental registration, and other zoning related issues commonly found in University-Towns. She discovered that enforcement for over-crowding is addressed by other municipalities on a complaint basis. In comparison to other University-Towns in and outside of Connecticut, Mansfield's rental registration program, inspection requirements, parking plans, and enforcement initiatives and its related procedures are very pro-active, well developed, and well documented.



ENFORCEMENT

The enforcement of Zoning Regulations regarding the number of unrelated individuals that can occupy a dwelling unit was a principal concern for both residents and committee members. Over the course of the Committee's work, the following improvements to enforcement of these regulations have been made:

- The Planning and Development Department prepared a written protocol to be followed for enforcement activity regarding over-occupancy issues. This protocol has been amended and approved by the Town Attorney.

- The Town employed an additional inspector and increased the hours of current inspectors to perform early morning inspections of rental units for overcrowding and other quality-of-life ordinance violations. These inspectors were authorized by the PZC to enforcement occupancy limits.
- A grid system was developed by the Director of Housing for inspections to use so that all properties subject to the Town's Off-Street Parking Ordinance would be visited on a systematic basis. This tool is also used for over-occupancy investigations and ensures an equitable process.
- In addition to routine inspections, the Town also continues to investigate complaints from concerned citizens.

REGULATION CHANGES

After learning about the various challenges with existing regulations and enforcement, the Committee identified changes to the Housing Code and off-street parking regulations to close loopholes and improve consistency both between the various ordinances and between ordinances adopted by the Town Council and the Zoning Regulations, which are adopted by the Planning and Zoning Commission.

- The Housing Code was amended to link maximum occupancy to the definition of family contained in the Zoning Regulations. With this change, the Department of Building and Housing Inspection has taken the lead on occupancy enforcement. Housing Inspectors have conducted 1,197 inspections to date. 230 of these inspections failed for overcrowding, meaning that at the time of inspection cars were parked at the property in excess of the tenants allowed at that address.
- Various quality-of-life ordinances were amended to use the same definition of what constitutes an owner-occupied dwelling. With these changes, an occupant must have at least a 50% interest in the property for it to be considered owner-occupied and exempt from Housing Code and off-street parking requirements.
- The Housing Code was amended to prohibit the issuance of a Housing Certificate if staff is aware of any violations of other regulations that are applicable under Zoning Regulations, Health Department jurisdiction or the Fire Marshal.

In addition to the above listed changes, the Committee also discussed the following regulatory changes:

- Reductions in housing certificate fees to reward well-managed properties. A separate Ad Hoc Committee was formed by the Town Council to review proposed changes to the Housing Certificate fee structure that would reduce the cost of rental certificates for landlords who meet certain criteria. The logic behind the proposed change is that well managed properties require fewer resources from the Town to enforce regulations.

- Changes to the Housing Code to address exterior maintenance issues for all vacant dwelling structures in Town. Draft language has been prepared for possible future consideration by the Town Council.

FINAL RECOMMENDATIONS

While the Committee has completed its work based on the charge assigned by the Town Council, it has identified several recommendations for the Town Council, Planning and Zoning Commission, Town Advisory Committees and town staff that will help to address and mitigate ongoing concerns related to rental housing in Mansfield. These recommendations are a multi-faceted action plan that would further the strategy of the Ad-Hoc Committee on Rental Housing Regulations and Enforcement.

- *Diversify Housing Options*

The Committee believes that continued expansion and diversification of housing options could help to relieve pressure on the rental market in single-family neighborhoods. The conversion of single-family homes to rental properties is a function of supply and demand, both for student housing as well as family housing. Increasing the supply of student housing both on-campus and in locations close to campus can help to reduce rental demand in neighborhoods. At the same time, the Town needs to promote Mansfield as a great place to live for families to increase demand for family housing. As such, the Committee recommends the following actions:

- Actively encourage the development of additional on-campus housing.
Who: Town Representatives on Town-University Relations Committee; Town Council; Planning and Zoning Commission; Town Manager
When: Ongoing
- Encourage the PZC to adopt zoning regulations that promote the development of multi-family units in areas that are appropriately sited to mitigate neighborhood impacts.
Who: Town Council
When: Winter-Spring 2017
- Establish a Housing Trust Fund to support affordable and workplace housing programs in Mansfield, including a homebuyer assistance program with owner-occupancy requirements. Potential funding sources include contributions in lieu of providing affordable units as a part of new multi-unit housing developments; grants and donations. Planning and Development staff would lead the effort to develop the trust fund and identify partnerships with other agencies to help administer a Housing Trust over the long term.
Who: Town Council, Planning and Development, Finance,
When: Spring-Summer 2017
- Expand efforts to brand and market Mansfield as a great place for families.
Who: Town Council, Mansfield Board of Education, Economic Development

Commission
When: FY2018

- *University-Town Relations*

Changes at the University have the potential to impact Mansfield as well. Maintaining an on-going dialogue with UConn about student enrollment, proposed housing projects both on and off campus, and student-community relations, specifically for students living in Mansfield's neighborhoods will help the Town to manage and plan for change instead of simply reacting as it occurs. As such, the Committee recommends the following actions:

- Closely monitor student enrollment trends in order to assess potential impacts to the Town.

Who: Town Representatives on Town-University Relations Committee

When: Ongoing

- Maintain a constructive dialogue with UConn Administration to minimize the impact of enrollment increases on municipal resources and quality of life in our neighborhoods.

Who: Town Manager; Town Council

When: Ongoing

- Maintain a joint UConn-Mansfield membership in the International Town_Gown Association

Who: Zoning Agent; Director of Off-Campus Student Services

When: Ongoing

- *Landlord Outreach*

Many of the concerns identified by the committee through its investigations and comments received from the community relate to rental property management. As such, the Committee recommends the following action:

- Periodically engage the landlord community to encourage and promote responsible landlord practices. This engagement should focus on the importance of property maintenance and measures to prevent problematic behavior.

Who: Town Manager, Department of Building and Housing Inspection

When: Ongoing

- Consider incentives such as fee reductions for well-maintained properties.

Who: Town Council

When: Winter-Spring 2017

- *Community Policing*

In addition to rental property management, another primary concern identified by the Committee is related to behavioral and nuisance issues at rental properties. While the

Town has taken significant steps over the last several years to address these issues, noise and nuisance complaints have a significant effect on the overall quality of life in our neighborhoods. To address these ongoing concerns, the Committee recommends the following actions:

- Increase police resources dedicated to Mansfield. Specifically work to expand the number of neighborhood patrols to allow police officers or troopers to develop relationships with year-round residents, landlords, and student tenants.
Who: Town Council
When: As soon as possible within budgetary constraints
 - Support the Town Manager's efforts to work with Troop C Command to provide regular training on Mansfield ordinances.
Who: Town Council
When: Ongoing
 - Encourage the Resident State Trooper to continue to refer problematic off-campus behavior to UConn's Office of Community Standards.
Who: Town Manager
When: Ongoing
 - Support the Town Manager's continuous efforts to promote the Town's ordinances by UConn Police as well as the cooperation between the UConn Police and State Police.
Who: Town Council, Resident State Trooper
When: Ongoing
 - Recommend that the Resident State Trooper's Office periodically host a citizen's academy for interested residents to help address neighborhood concerns and challenges.
Who: Town Council, Town Manager
When: Annually
- *Community Engagement*
All too often the poor behavior of a few individuals, whether landlords or tenants, leads to the denigration of all who share that status. The reality is that most of our landlords and tenants behave responsibly and are good neighbors. The same is true for the 20,000 plus students at the University of Connecticut. As we grapple with difficult issues, particularly those that affect the quality of life of our residents, comments on both sides can become charged. Encouraging personal interaction between year-round and transient residents can help us build positive relationships and come together as a community.
 - Promote additional community service opportunities for students, especially students living off-campus. Activities such as neighborhood beautification/community clean-up days can bring together all residents in efforts to improve neighborhoods. Adopt-a-road initiatives by student organizations can

also help to address the trash and blight that can accumulate, particularly on weekends.

Who: Town Council; University-Town Relations Committee; Undergraduate Student Government; Off-Campus Student Services.

When: Ongoing