

City of Cambridge

COUNCILLOR DAVID SULLIVAN

~~---(AMENDED-CALENDAR-ITEM-NO.-3)~~
CALENDAR ITEM NO. 5

IN CITY COUNCIL

~~October 15, 1984~~
October 22, 1984

- ORDERED: That the City Council understands that the Inspectional Services Department will carry out the policies described in Order No. 12 of June 11, 1984, as amended, except for those issues on which the opinion of the City Solicitor has been requested, namely liability for faulty inspections and ability to require re-occupancy by tenants forced to vacate, said order as amended, which reads as follows:
- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
- WHEREAS: It is essential that further erosion of the quality of rental housing stock be halted; and
- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
- ORDERED: That the City Manager inform the Inspectional Services Commissioner that it is the sense of the City Council that the Department adhere to the following policies:
1. Members of the Inspectional Services Department or agents or employees of the City should not notify landlords (or their employees, agents, or relatives) of a pending inspection until after the inspection has been completed.
 2. Members of the Department should honor and respond to all telephone requests for inspections within 24 hours as per state law. Under no circumstances should members of the Department require a written request for inspection or on office visit before they respond to a telephone request for inspection.
 3. The Housing Inspection Report and Order form presently used in Cambridge should be revised to comply with the State guidelines. Specifically, all important provisions of the Sanitary Code should be listed. Beside each provision there should be two boxes - one box for "yes the violation is present", the other box for "no, this provision is not violated". Inspectors should be required to check one of the two boxes for each provision.

4. When a tenant first contacts the Inspectional Services Department to request an inspection, the following statement should be read aloud (in substance):

"You have the legal right to a complete inspection of the entire unit and public spaces to document all code violations. You have the legal right to appeal the findings of the inspection if upon its completion you find the report inaccurate, or inadequate, or for any other reason. You have the right to appeal this inspection at a later date if you feel that its findings were not properly and vigorously enforced. At the end of the inspection you will be given an information sheet, along with a copy of the inspection report. It explains your legal rights."

When a member of the Department arrives to do an inspection he, or she, should ask the tenant if they were informed of their rights at the time they requested the inspection. If they were not so informed the member of the Department doing the inspection should read the above statement aloud (in substance) before the inspection begins.

The above statement of tenants rights should be included, in print that is easy to read, at the bottom of all inspection forms. Before signing, the tenant should be asked to check the report form and read the statement of tenants rights. The tenant's signature will signify that at that point the tenant has been properly informed of his, or her rights.

5. The Department should rewrite the information sheet of legal remedies to be more informative. It should include the address and telephone number of the State Division of Community Sanitation. The revised information sheet should be available in the native language of all Cambridge tenants.
- 6(A). Inspectors should give tenants no advice which could be interpreted as discouraging the tenant from seeking to go ahead with the inspection. If inspectors are in doubt about how their advice could be interpreted, they should give none at all. Under no circumstances should tenants be discouraged from having a complete general inspection done.
- 6(B). The Department should give no extensions on the repair deadlines prescribed by the State for each provision of the Code, unless the landlord makes written application and shows that there were circumstances beyond his control. Tenants should be notified, in writing, that such application has been made, and that they have the right to a hearing on the landlord's application within five days.

7. Upon receipt of written application of a valid reason for a work delay from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one, and only one, extension limited to the original time permitted by the State Code for that particular violation.
8. If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take legal action against the landlord within twenty-four hours. This legal action must at a minimum include an injunction against the landlord.
9. All female tenants should be informed that they have the right to request a female member of the Inspectional Services Department to do the inspection of their unit if they so desire. They should be informed that they have a right to have a female inspector at the time they make the request for an inspection.
10. The Inspectional Services Department should develop and implement an affirmative action plan with specific provisions for hiring not less than two female inspectors.
11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
12. The Department should recommend a procedure to guarantee that an occupancy permit will be re-issued for the unit only if the tenant forced to vacate is returned to that unit, or if the tenant swears to a statement that they have found equal housing elsewhere and that they have not been coerced into giving up their right to return to the unit.

ON OCTOBER 15, 1984, THE ORDER WAS ADOPTED AS AMENDED BY THE AFFIRMATIVE VOTE OF 8 MEMBERS. OCTOBER 16, 1984 RECONSIDERATION WAS FILED BY COUNCILLOR WALTER SULLIVAN.

ON OCTOBER 22, 1984, RECONSIDERATION CARRIED ON ROLL CALL OF 5-4-0. ORDER REFERRED TO THE CITY MANAGER FOR REVIEW & RECOMMENDATIONS ON IMPLEMENTATION ON ROLL CALL OF 6-3-0.



City of Cambridge

(AMENDED CALENDAR ITEM NO. 3)

COUNCILLOR DAVID SULLIVAN

IN CITY COUNCIL

October 15, 1984

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5. The Department should rewrite the information sheet of legal remedies to be more informative. It should include the address and telephone number of the State Division of Community Sanitation. The revised information sheet should be available in the native language of all Cambridge tenants.
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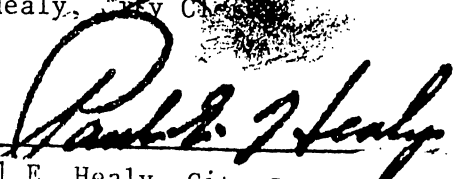
In City Council October 15, 1984.

Adopted as amended by the affirmative vote of 8 members.

Attest:- Paul E. Healy, City Clerk

A true copy;

ATTEST:-


Paul E. Healy, City Clerk



City of Cambridge

(AMENDED CALENDAR ITEM NO. 3)

COUNCILLOR DAVID SULLIVAN

IN CITY COUNCIL

October 15, 1984

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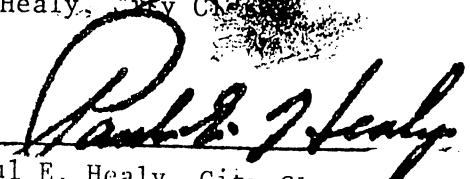
In City Council October 15, 1984.

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City of Cambridge

(AMENDED CALENDAR ITEM NO. 3)

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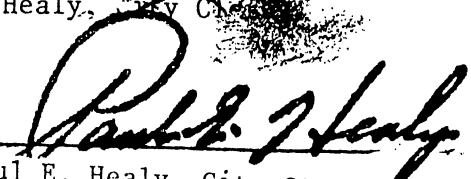
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City of Cambridge

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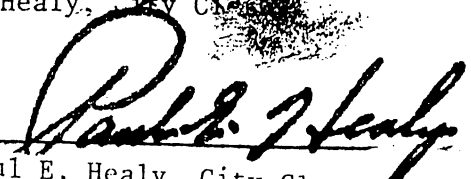
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COUNCILLOR WALTER SULLIVAN HAS FILED RECONSIDERATION IN THIS MATTER



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- 6(B). The Department should give no extensions on the repair deadlines prescribed by the State for each provision of the Code, unless the landlord makes written application and shows that there were circumstances beyond his control. Tenants should be notified, in writing, that such application has been made, and that they have the right to a hearing on the landlord's application within five days.

7. Upon receipt of written application of a valid reason for a work delay from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one, and only one, extension limited to the original time permitted by the State Code for that particular violation.
8. If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take legal action against the landlord within twenty-four hours. This legal action must at a minimum include an injunction against the landlord.
9. All female tenants should be informed that they have the right to request a female member of the Inspectional Services Department to do the inspection of their unit if they so desire. They should be informed that they have a right to have a female inspector at the time they make the request for an inspection.
10. The Inspectional Services Department should develop and implement an affirmative action plan with specific provisions for hiring not less than two female inspectors.
11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
12. The Department should recommend a procedure to guarantee that an occupancy permit will be re-issued for the unit only if the tenant forced to vacate is returned to that unit, or if the tenant swears to a statement that they have found equal housing elsewhere and that they have not been coerced into giving up their right to return to the unit.

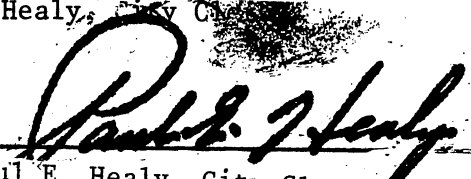
In City Council October 15, 1984.

Adopted as amended by the affirmative vote of 8 members.

Attest:- Paul E. Healy, City Clerk

A true copy;

ATTEST:-


Paul E. Healy, City Clerk

10. The Department should develop and implement an affirmative action plan with specific provisions for hiring women inspectors.
11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
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4. When a member of the Department arrives at a tenant's unit to do an inspection, the following statement should be read aloud (in substance) to the tenant before the inspection begins:

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City of Cambridge

127

(Original Calendar Item No. 3)

COUNCILLOR D. SULLIVAN

IN CITY COUNCIL

~~June 11, 1984~~

October 15, 1984

- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
- WHEREAS: It is essential that further erosion of the quality of rental housing stock be halted; and
- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
- ORDERED: That the City Manager inform the Inspectional Services Commissioner that it is the sense of the City Council that the Department adhere to the following policies:
1. Members of the Inspectional Services Department or agents or employees of the City should not notify landlords (or their employees, agents, or relatives) of a pending inspection until after the inspection has been completed.
 2. Members of the Department should honor and respond to all telephone requests for inspections within 24 hours as per state law. Under no circumstances should members of the Department require a written request for inspection or on office visit before they respond to a telephone request for inspection.
 3. The Housing Inspection Report and Order form presently used in Cambridge should be revised to comply with the State guidelines. Specifically, all important provisions of the Sanitary Code should be listed. Beside each provision there should be two boxes - one box for "yes the violation is present", the other box for "no, this provision is not violated". Inspectors should be required to check one of the two boxes for each provision.

IN CITY COUNCIL

October 15, 1984

COUNCILLOR DAVID SULLIVAN

ORDERED: That the following policy items from Councillor David Sullivan's June 25, 1984 order (calendar item #10) be so ordered: Policy items #1, 2, 3, 5, 6A, 12.

And that the City Solicitor provide recommendations on policy items #3, 4, 5, 12 of the above mentioned order.

And that the City Manager be requested to make further study of policy items #4, 6B, 7, 8, 11 of the above mentioned order.

And that the City Manager be requested to prepare a precise and coherent plan outlining the steps and obstacles involved in hiring a female Code Enforcement Inspector.

C. D. Sellen

10/15/84

ORDERED: That the City Council understands that the Inspectional Services Department will carry out the policies described ~~mentioned~~ in Order No. 12 of June 11, 1984, as amended, except for those issues on which the opinion of the City Solicitor has been requested, namely liability for faulty inspections and ability to require re-occupancy by tenants forced to vacate.

OK
/ A

B V V

J

(note - I made this the 1st paragraph of the Inspectional Services Order as amended & also amended by the 6 pages of technical amendments) Many

City of Cambridge

12.

COUNCILLOR D. SULLIVAN

IN CITY COUNCIL

June 11, 1984

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8. If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take immediate legal action against the landlord on that same date. This legal action must at a minimum include an injunction against the landlord.
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numbers

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11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
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When a member of the Department arrives to do an inspection he, or she, should ask the tenant if they were informed of their rights at the time they requested the inspection. If they were not so informed the member of the Department doing the inspection should read the above statement aloud (in substance) before the inspection begins.

The above statement of tenants rights should be included, in print that is easy to read, at the bottom of all inspection forms. Before signing, the tenant should be asked to check the report form and read the statement of tenants rights. The tenant's signature will signify that at that point the tenant has been properly informed of his, or her rights.

DUE TO A TYPOGRAPHICAL ERROR IN THE ORIGINAL INSPECTIONAL SERVICES ORDER ALL OTHER SECTIONS FOR WHICH WE HAVE SUGGESTED AMENDMENTS WILL HAVE THE ORIGINAL TEXT OF THE ORDER ABOVE THE AMENDED VERSION OF THE SECTION.

DUE TO A TYPOGRAPHICAL ERROR - THERE TWO SECTIONS #6 IN
THE COPY OF THE ORIGINAL INSPECTIONAL SERVICES ORDER.

This should be corrected so that all sections of the Inspectional Service Order will be in their proper numerological order.

SECTION #6 Which currently reads as:

The Department should give no extensions on the repair deadlines prescribed by the State for each provision of the Code, unless the landlord makes written application and shows that there were circumstances beyond his control. Tenants should be notified, in writing, that such application has been made, and that they have the right to a hearing on the landlord's application within three days.

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SECTION # 7 Which currently reads as follows:

Upon receipt of written application and proof of a reasonable excuse from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one and only one extension limited to the original time permitted by the State Code for the particular violation.

SECTION #7 Should be amended to read as follows:

Upon receipt of written application of a valid reason for a work delay from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one, and only one, extension limited to the original time permitted by the State Code for that particular violation.

SECTION #8 Which Currently reads as follows:

If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take immediate legal action against the landlord on that same date. This legal action must at a minimum include an injunction against the landlord.

SECTION #8 Should be amended to read as follows:

If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take legal action against the landlord within twenty four hours. This legal action must at a minimum include an injunction against the landlord.

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Women employees of the city should accompany inspectors if the Department is so requested by a woman tenant seeking to have her unit inspected. All female tenants should be informed that they have the right to request the presence of a female city employee. They should be so informed at the time that they make their request for an inspection.

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SECTION # 10 Which currently reads as follows:

The Department should develop and implement an affirmative action plan with specific provisions for hiring women inspectors.

SECTION # 10 Should be amended to read as follows:

The Inspectional Services Department should develop and implement an affirmative action plan with specific provisions for hiring not less than two female inspectors.

SECTION # 12 Which currently reads as follows:

The Department should recommend a procedure to guarantee to the tenant forced to vacate, that an occupancy permit will be re-issued for that unit only if the vacated tenants is returned to that unit, or if the vacated tenants swears to a statement that they have found equal housing elsewhere and they have not been coerced into giving up their right to return to that unit.

SECTION # 12 Should be amended to read as follows:

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City of Cambridge

Calendar Item No. 10

IN CITY COUNCIL

COUNCILLOR D. SULLIVAN

June 25, 1984

- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
- WHEREAS: It is essential that further erosion of the quality of rental housing stock be halted; and
- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
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Item Number Our understanding of Mr. Cellucci's response

ISSUES

- 1 NOTIFIED LANDLORDS ok
 - exception for common area access
- 2 TELEPHONE REQUEST ok
 - property managers; notification; accompany me
 - rewrite order: exception for rep. or agent
 - " " : " " repeated attempt
- ✓ 3 NEW FORM ok SOLICITOR
 - our Housing Code Checklist Format updated
- ✓ 4 "MIRANDA" NO SOLICITOR
 - already amended for phone reading
 - right to exclude landlord workable for you
- ✓ 5 WRITTEN RIGHTS NO ok SOLICITOR
 - (no problem) CTAC phone # etc.
- 6A DISCOURAGE ok
 - (no problem)
- 6B NO-written app. for extensions } public policy vs. discretionary auth.
- 7 NO-single extensions } counterproposal? TRO, boilerplate
- 8 NO-requirement of injunction } injunctions for certain violations
- SOLICITOR
- 9 FEMALE INSPECTOR ok/no?
 - interim mechanism - female clerical staff
 - "representative of female inspectors"?
- 10 AFFIRMATIVE ACTION ok
 - (no problem) - CERTAINTY?
- 11 VACATE ORDERS NO ✓
 - vacate order contingent on injunction
- ✓ 12 RECURRANCY ok/no? SOLICITOR
 - (no problem?)

5
10/24/84

Order # 12

C.D. Sullivan order re: City Manager to inform the Inspectional Services Commissioner that it be the sense of the Council that said Dept. adhere to policies listed in the text of this order with regard to property inspections

10/15/84
CDS Hearing Held
Order Adopted 6/55/84
Reconsidered by
6/55/84 CMTB

TABLED BY COUNCILOR.
- David Sullivan -

copy sent to Inspectional Services Dept. for informational purposes
6/29/84

In City Council,

June 11, 1984

6/11/84

CHARTER RIGHT

By

L. W. Sullivan

CDS - Moved to Hearing
Failed when Charter
Right was exercised



City of Cambridge

*(see amendment
attached)*

Calendar Item No. 10

IN CITY COUNCIL

COUNCILLOR D. SULLIVAN

June 25, 1984

- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
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The Inspectional Services Department should develop and implement an affirmative action plan with specific provisions for hiring not less than two female inspectors.

SECTION # 12 Which currently reads as follows:

The Department should recommend a procedure to guarantee to the tenant forced to vacate, that an occupancy permit will be re-issued for that unit only if the vacated tenants is returned to that unit, or if the vacated tenants swears to a statement that they have found equal housing elsewhere and they have not been coerced into giving up their right to return to that unit.

SECTION # 12 Should be amended to read as follows:

The Department should recommend a procedure to guarantee that an occupancy permit will be re-issued for the unit only if the tenant forced to vacate is returned to that unit, or if the tenant swears to a statement that they have found equal housing elsewhere and that they have not been coerced into giving up their right to return to the unit.



City of Cambridge

12.

COUNCILLOR D. SULLIVAN

IN CITY COUNCIL

June 11, 1984

- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
- WHEREAS: It is essential that further erosion of the quality of rental housing stock be halted; and
- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
- ORDERED: That the City Manager inform the Inspectional Services Commissioner that it is the sense of the City Council that the Department adhere to the following policies:
1. Members of the Inspectional Services Department or agents or employees of the City should not notify landlords (or their employees, agents, or relatives) of a pending inspection until after the inspection has been completed.
 2. Members of the Department should honor and respond to all telephone requests for inspections within 24 hours as per state law. Under no circumstances should members of the Department require a written request for inspection or on office visit before they respond to a telephone request for inspection.
 3. The Housing Inspection Report and Order form presently used in Cambridge should be revised to comply with the State guidelines. Specifically, all important provisions of the Sanitary Code should be listed. Beside each provision there should be two boxes - one box for "yes the violation is present", the other box for "no, this provision is not violated". Inspectors should be required to check one of the two boxes for each provision.

4. When a member of the Department arrives at a tenant's unit to do an inspection, the following statement should be read aloud (in substance) to the tenant before the inspection begins:

"You have the legal right to a complete inspection of this entire unit and public spaces to document all code violations. You have the legal right to appeal the findings of this inspection if upon its completion you find the report inaccurate or inadequate or for any other reason. You have the right to appeal this inspection at a later date if you feel that its findings were not properly and vigorously enforced. At the end of this inspection you will be given an information sheet along with a copy of the inspection report. It explains your legal rights."

5. The Department should rewrite the information sheet of legal remedies to be more informative. It should include the address and telephone number of the State Division of Community Sanitation. The revised information sheet should be available in the native language of all Cambridge tenants.
6. Inspectors should give tenants no advice which could be interpreted as discouraging the tenant from seeking to go ahead with the inspection. If inspectors are in doubt about how their advice could be interpreted, they should give none at all. Under no circumstances should tenants be discouraged from having a complete general inspection done.
6. The Department should give no extensions on the repair deadlines prescribed by the State for each provision of the Code, unless the landlord makes written application and shows that there were circumstances beyond his control. Tenants should be notified in writing that such application has been made, and that they have the right to a hearing on the landlord's application within three days.
7. Upon receipt of written application and proof of a reasonable excuse from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one and only one extension limited to the original time permitted by the State code for the particular violation.
8. If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take immediate legal action against the landlord on that same date. This legal action must at a minimum include an injunction against the landlord.
9. Women employees of the city should accompany inspectors if the Department is so requested by a women tenant seeking to have her unit inspected. All female tenants should be informed that they have the right to request the presence of a female city employee. They should be so informed at the time that they make their request for an inspection.

10. The Department should develop and implement an affirmative action plan with specific provisions for hiring women inspectors.
11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
12. The Department should recommend a procedure to guarantee to the tenant forced to vacate, that an occupancy permit will be reissued for that unit only if the vacated tenants is returned to that unit, or if the tenants swears to a statement that they have found equal housing elsewhere and they they have not been coerced into giving up their right to return to the unit.



City of Cambridge

COUNCILLOR DAVID SULLIVAN

~~---(AMENDED-CALENDAR-ITEM-NO.-3)-~~
CALENDAR ITEM NO. 5

IN CITY COUNCIL

~~October 15, 1984~~
October 22, 1984

- ORDERED: That the City Council understands that the Inspectional Services Department will carry out the policies described in Order No. 12 of June 11, 1984, as amended, except for those issues on which the opinion of the City Solicitor has been requested, namely liability for faulty inspections and ability to require re-occupancy by tenants forced to vacate, said order as amended, which reads as follows:
- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
- WHEREAS: It is essential that further erosion of the quality of rental housing stock be halted; and
- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
- ORDERED: That the City Manager inform the Inspectional Services Commissioner that it is the sense of the City Council that the Department adhere to the following policies:
1. Members of the Inspectional Services Department or agents or employees of the City should not notify landlords (or their employees, agents, or relatives) of a pending inspection until after the inspection has been completed.
 2. Members of the Department should honor and respond to all telephone requests for inspections within 24 hours as per state law. Under no circumstances should members of the Department require a written request for inspection or on office visit before they respond to a telephone request for inspection.
 3. The Housing Inspection Report and Order form presently used in Cambridge should be revised to comply with the State guidelines. Specifically, all important provisions of the Sanitary Code should be listed. Beside each provision there should be two boxes - one box for "yes the violation is present", the other box for "no, this provision is not violated". Inspectors should be required to check one of the two boxes for each provision.

4. When a tenant first contacts the Inspectional Services Department to request an inspection, the following statement should be read aloud (in substance):

"You have the legal right to a complete inspection of the entire unit and public spaces to document all code violations. You have the legal right to appeal the findings of the inspection if upon its completion you find the report inaccurate, or inadequate, or for any other reason. You have the right to appeal this inspection at a later date if you feel that its findings were not properly and vigorously enforced. At the end of the inspection you will be given an information sheet, along with a copy of the inspection report. It explains your legal rights."

When a member of the Department arrives to do an inspection he, or she, should ask the tenant if they were informed of their rights at the time they requested the inspection. If they were not so informed the member of the Department doing the inspection should read the above statement aloud (in substance) before the inspection begins.

The above statement of tenants rights should be included, in print that is easy to read, at the bottom of all inspection forms. Before signing, the tenant should be asked to check the report form and read the statement of tenants rights. The tenant's signature will signify that at that point the tenant has been properly informed of his, or her, rights.

5. The Department should rewrite the information sheet of legal remedies to be more informative. It should include the address and telephone number of the State Division of Community Sanitation. The revised information sheet should be available in the native language of all Cambridge tenants.
- 6(A). Inspectors should give tenants no advice which could be interpreted as discouraging the tenant from seeking to go ahead with the inspection. If inspectors are in doubt about how their advice could be interpreted, they should give none at all. Under no circumstances should tenants be discouraged from having a complete general inspection done.
- 6(B). The Department should give no extensions on the repair deadlines prescribed by the State for each provision of the Code, unless the landlord makes written application and shows that there were circumstances beyond his control. Tenants should be notified, in writing, that such application has been made, and that they have the right to a hearing on the landlord's application within five days.

7. Upon receipt of written application of a valid reason for a work delay from the landlord, and providing that no hearing has been requested by the tenant, the Department may grant one, and only one, extension limited to the original time permitted by the State Code for that particular violation.
8. If violations have not been corrected completely and properly on the deadline date, the Inspectional Services Department should take legal action against the landlord within twenty-four hours. This legal action must at a minimum include an injunction against the landlord.
9. All female tenants should be informed that they have the right to request a female member of the Inspectional Services Department to do the inspection of their unit if they so desire. They should be informed that they have a right to have a female inspector at the time they make the request for an inspection.
10. The Inspectional Services Department should develop and implement an affirmative action plan with specific provisions for hiring not less than two female inspectors.
11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
12. The Department should recommend a procedure to guarantee that an occupancy permit will be re-issued for the unit only if the tenant forced to vacate is returned to that unit, or if the tenant swears to a statement that they have found equal housing elsewhere and that they have not been coerced into giving up their right to return to the unit.

ON OCTOBER 15, 1984, THE ORDER WAS ADOPTED AS AMENDED BY THE AFFIRMATIVE VOTE OF 8 MEMBERS. OCTOBER 16, 1984 RECONSIDERATION WAS FILED BY COUNCILLOR WALTER SULLIVAN.

ON OCTOBER 22, 1984, RECONSIDERATION CARRIED ON ROLL CALL OF 5-4-0. ORDER REFERRED TO THE CITY MANAGER FOR REVIEW & RECOMMENDATIONS ON IMPLEMENTATION ON ROLL CALL OF 6-3-0.



City of Cambridge

(AMENDED CALENDAR ITEM NO. 3)

COUNCILLOR DAVID SULLIVAN

IN CITY COUNCIL

October 15, 1984

- ORDERED: That the City Council understands that the Inspectional Services Department will carry out the policies described in Order No. 12 of June 11, 1984, as amended, except for those issues on which the opinion of the City Solicitor has been requested, namely liability for faulty inspections and ability to require re-occupancy by tenants forced to vacate, said order as amended, which reads as follows:
- WHEREAS: The inspectors of the City's Inspectional Service Department (Department) are responsible for enforcement of the State Sanitary Code and Building Code; and
- WHEREAS: Tenants in Cambridge have sometimes encountered serious problems when trying to get the inspectors of the Inspectional Services Department to enforce these laws; and
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- WHEREAS: Improper enforcement of the State Codes is a basic cause of this erosion; therefore be it
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When a member of the Department arrives to do an inspection he, or she, should ask the tenant if they were informed of their rights at the time they requested the inspection. If they were not so informed the member of the Department doing the inspection should read the above statement aloud (in substance) before the inspection begins.

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11. The Department should not exercise its right to make tenants vacate unsafe units unless there is a high probability or certainty that they will suffer physical injury or serious illness if they remain. The Department should not make any tenant vacate a unit without first obtaining an injunction requiring the repair of that unit.
12. The Department should recommend a procedure to guarantee that an occupancy permit will be re-issued for the unit only if the tenant forced to vacate is returned to that unit, or if the tenant swears to a statement that they have found equal housing elsewhere and that they have not been coerced into giving up their right to return to the unit.

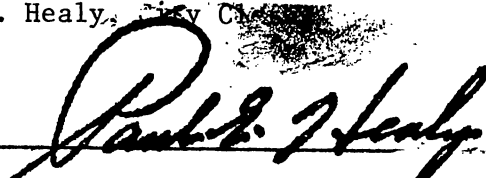
In City Council October 15, 1984.

Adopted as amended by the affirmative vote of 8 members.

Attest:- Paul E. Healy, City Clerk

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Ordinance #5

City of Cambridge

MASSACHUSETTS

In City Council

10/22/

198*4*

Motion to Repeal by C.W.J. Sullivan

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay		✓		
Ms. Sandra Graham		✓		
Mr. David E. Sullivan		✓		
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf		✓		
Mayor Russell	✓			

5 4 0

Discussion Continued -

Calendar #5

City of Cambridge

MASSACHUSETTS

In City Council

10/22/1984

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham		✓		
Mr. David E. Sullivan		✓		
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf		✓		
Mayor Russell	✓			

Commissioner Walter J. Sullivan moved to refer to City Manager for review and recommendation re implementation

6 3 0

RECEIVED BY
OFFICE OF CITY CLERK

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR

WALTER SULLIVAN

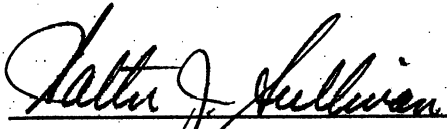
OCT 16 5 19 PM '84

CAMBRIDGE, MASS.

OCTOBER 16, 1984

Date

Councillor Walter Sullivan has notified the City Clerk of his intention to move Reconsideration of the vote of the City Council taken on Monday, October 15, 1984, adopting as amended an order requesting the City Manager to instruct the Inspectional Services Department to adhere to certain specified policies regarding enforcement of the State Sanitary Code and Building Code and building inspections.


Signature

F-363

Reconsideration motion of C.W. Sullivan of the vote of the Council taken on October 15, 1984 adopting as amended an order requesting the Inspectional Services Dept. to adhere to certain specified policies regarding building inspections & enforcement of the State Building Code.

10/22/84

In City Council,

October 22, 1984

Reconsideration motion

Carried

5-4-0

Referred to

City Manager - Hall

Carried 6-3-0