

Housing Inspection Procedures

1.1 Purpose

The intent of the Township Board in the creation of the Single Family and duplex housing inspection program, heretofore known as the Housing Inspection Program is to stabilize neighborhoods. Due to the accelerated rate of foreclosures and non-owner occupied dwellings the Board instituted a basic life safety Housing Inspection Program. The intent is to maintain minimum life safety standards pursuant to the current Property Maintenance Ordinance for the purposes of providing minimally assured quality housing while maintaining quality of life standards throughout Township.

2.1 Supervision Received

The Building Director is designated as the immediate supervisor to the Ordinance Enforcement Assistant (OEA). The Building Director, as the Building Official, is the Township designee for interpreting codes and implementing policies and procedures for the Housing Inspection Program. The Building Director may designate alternates for purposes of expediting interpretations.

2.2 Equipment provided

The Township shall provide the following tools for the purpose of completing the job in the most efficient manner possible: Township vehicle, computer, software, cell phone, camera, flashlight, electrical testers, laser thermometer, six foot tall fiberglass step ladder and ear plugs.

3.0 Code Background

3.1 Knowledge of the code

The OEA shall be intimately familiar with the Property Maintenance Ordinance and the “One and Two Unit Dwelling Rental Properties” of the Code of Ordinances, Chapter 48, Sections II and III.

3.2 Ability to explain the Code

The OEA shall be able to rationally explain the reasons for code requirements and shall be able to rapidly identify the code sections for the varying requirements.

3.3 Code Authority

The OEA shall understand the role the code plays in requiring adherence, as with any form of ordinance enforcement, to the minimum standard. The Code is our tool for maintaining minimum housing quality. The Code grants all the authority necessary for compliance.

4.0 Inspector Skills

4.1 Software/Hardware

The OEA shall be familiar with the Township BS&A software particularly with the checklists section for conducting on-site inspections with the supplied hardware. The OEA shall be familiar with Microsoft Word document usage, website usage and shall possess basic computer and keyboard skills.

4.2 Construction Knowledge

The OEA shall possess an understanding of basic home maintenance and home construction terminology.

5.0 Inspection

5.1 Right of Entry

The OEA may enter into a private residence or building for the purpose of conducting an inspection with consent from the property owner or his/her agent or with consent from the legitimate occupant or tenant. If a property owner consents but the tenant refuses entry, the OEA shall not enter the premises. A legitimate tenant occupying a rental property has a right to privacy that supersedes a landlord's consent. Disputes between a tenant and landlord regarding right of entry are a civil matter in which the OEA shall not interfere or intervene.

There are two exceptions when the OEA may enter into a private residence or building without owner or occupant consent: 1) with a valid search warrant, or 2) pursuant to exigent circumstances that constitute a real life threatening emergency, such as a fire or natural gas leak, for the sole purpose of evacuating human beings or rendering first aid. The OEA shall request emergency police/fire assistance as practical. Any such entry shall be reported to a supervisor immediately following the event.

The OEA may enter onto private land to knock or ring a door bell for the purpose of establishing contact with the occupant of a house or other building, or for the purpose of posting an official notice. This is typically done by walking up a driveway or pedestrian walkway leading to an entrance door at the front or driveway side of a house. Such driveways and walkways are considered to be open to the general public for the purpose of summoning the occupant's attention. The OEA is prohibited from entering any further onto the private premises for the purpose of observing conditions, which is tantamount to conducting a search without consent or a warrant. Examples of prohibited intrusion include, but are not limited to, walking around a house beyond the entryway, looking into windows only accessible while trespassing, opening doors or windows to observe conditions or conduct an inspection, and entering fenced back yards.

The OEA shall be observant for the presence of any sign or posting that prohibits trespassing. If private property is plainly posted "no trespassing," then the OEA shall not enter onto the property. In such situations, the OEA may post an official notice on a fence or other fixed object on the public side of the property line. In the absence of a fence or other suitable object, notices may be attached to a stick or post and driven into the ground on public property at the property line. The OEA should photograph such postings with full perspective as a record.

In the event the OEA encounters an open/unsecured building and believes the building is vacant or abandoned, the OEA shall notify a supervisor and request police assistance. A sheriff's deputy has legal authority to enter a building under such circumstances to clear it of human beings prior to the building being boarded up or otherwise secured. The OEA may accompany a sheriff's deputy into the building for the purpose of observing conditions for code enforcement and to lawfully order the building to be secured.

Similarly, an occupied house or business with no one present inside that is discovered to be standing open and unsecured may be evidence of criminal activity, such as a home invasion, burglary or robbery. In this event, the OEA shall remain outside in a safe position and request police assistance.

5.2 Arrival

Upon arrival at the designated inspection site, the OEA shall make his/her presence known to the appropriate parties, i.e. the landlord or agent and tenant if applicable. With few exceptions, the tenant may not serve as the agent. The ordinance requires that the landlord or agent be present for the inspection. The rationale for this requirement is to have an official representative sign for and receive the official Township notice of violation (NOV) which delineates re-inspection fees and dates if applicable. The NOV will also cite items in sufficient clarity as to permit anyone to reasonably understand the proper remedy. The NOV will also clearly spell out the right for an appeal along with the basic steps to initiate that appeal. Should the landlord desire to designate the tenant as agent, this must be done so in writing via e-mail or letter prior to the inspection.

5.3 Inspection Assessment

The inspector shall exercise reasonable discretion in determining where to commence the inspection. Typically, the inspection will begin focusing initially on the interior. A reasonable start is to direct a question to the tenant and landlord and inquire of any known issues with the property. Take notes if necessary and explain that the items will be checked out as you get to them in the inspection. The inspection shall be conducted in an organized fashion moving deliberately from room to room observing everything. It is anticipated that the dwelling will be inhabited and will no doubt have furnishings and other items obstructing full vision of items you will need to see. The OEA shall request items moved when necessary. It is not anticipated that the inspector will need to see every square inch of every floor, wall or ceiling. A reasonable assessment can be made within a few short minutes of the need to see more than the open floor and wall space permit. The inspection is our time to verify compliance for a two year cycle. The time shall be spent wisely utilizing best observation practice. Curiosity along with good detective skills can be invaluable in uncovering code violations.

5.4 Smoke Alarms

Every sleeping area shall have an operable smoke alarm and the area immediately adjacent to the sleeping areas (typically a hallway). If a family is utilizing a living room for sleeping an alarm would be necessary in the living room as well. A minimum of one smoke alarm is required per floor. Each smoke alarm shall be tested for proper operation. The OEA shall exercise all due caution to protect his/her ears from hearing damage as close proximity to repeated alarm tests can cause hearing loss. Smoke alarms are not required near the kitchen but if provided, a photoelectric alarm may help in reducing nuisance alarms.

5.5 Windows

Emergency escape and rescue windows shall be opened and closed to verify proper operation. A reasonable number of non-egress windows can also be checked if deemed necessary to verify proper operation. Screens shall be provided from April through November.

5.6 Bathrooms

Bathroom fixtures shall be tested for leaks and proper operation. Hot water shall not be capable of scalding. Hot water shall be tested to a maximum temperature of 120 degrees. Bath floor coverings shall be of a non-absorbent surface. Bath floor surfaces shall be fully sealed and caulked to prevent transmission of fluids to the floor and wall structure. Bath door shall be properly operational and shall be capable of providing privacy security. If it can be determined that outlets have been updated, they shall be of a GFCI type and shall be properly operational.

5.7 Electrical

A reasonable number of duplex receptacles shall be tested for proper wiring. If several test improper, the NOV shall list: "all receptacles shall be properly wired". Receptacles shall not be painted as this voids the UL listing. All devices and fixtures shall be provided with cover plates. All lights shall be operational. The panel shall have its cover in place with no openings into the panel. Fuse boxes shall be retrofitted with "S" type fuses. Standard 2 prong duplex receptacles are permitted to continue in operation. If replaced, they shall be of a similar 2 prong style, or may be changed to a GFCI type. Standard 3 wire system shall have a 3 prong receptacle.

5.8 Mechanical

The OEA shall verify that there are no obvious violations in the venting, operation, gas line and maintenance of the furnace and water heater. The mechanical equipment shall be capable of providing the minimum heating requirements. The OEA shall verify the minimum room temperature utilizing the laser thermometer. The OEA is not a mechanical inspector and caution shall be exercised to avoid assertions beyond the OEA's expertise. When the OEA encounters an older furnace (approximately 20 years or more), a request shall be made of the landlord for a clean and check certificate from a licensed mechanical contractor. This may also be requested if the proper operation of a furnace cannot properly be determined. This clean and check certificate shall be provided to the Office of Community Standards every other inspection cycle.

5.8.1 Mechanical, Electrical and Plumbing installations, along with Building Alterations without permit

The OEA shall be on the lookout for water heaters, furnaces and electrical panels, (and sometimes additions and alterations), installed without permit. When a new installation (within the last 5 years), of any of the above is encountered, BS&A shall be consulted for any permits and for historical ownership data. If the current owner has caused installations to occur and no permits are noted, the HO must cause a permit to be secured according to State law, (a licensed contractor is required). If, according to BS&A, a previous HO was responsible for the work, the current HO can secure a free permit. We will then send the appropriate trade inspector(s) to verify the work was completed properly and presents no safety issues. If work has been completed incorrectly and the trade inspector notes violations, the work must be completed under permit, for our normal fee, from a licensed contractor; this is a new permit. (Please note that minor repairs i.e. missing screws, valve replacement, etc. will not require a permit and the trade inspector's inspection may be followed up by the OEA for purposes of closing out the certificate. If the OEA has no follow up inspections scheduled, an invoice/work order from the contractor may be enough to finalize the certificate, only after the OEA has completed a review of the work completed compared to the trade inspector violations noted.

5.9 Dryer Venting

The OEA shall verify proper installation of approved materials of the dryer venting. Venting shall be of smooth walled, unknicked pipe. The dryer vent shall exhaust via its own independent pipe to the exterior of the home.

5.10 Kitchen

The OEA shall verify cabinets and countertops are reasonably free from defects. If it can be determined that outlets have been updated, they shall be of a GFCI type and shall be properly operational. Kitchen fixtures shall be tested for leaks and proper operation. Hot water shall not be capable of scalding. Hot water shall be tested to a maximum temperature of 120 degrees. Kitchen floor coverings shall be of a non-absorbent surface. Kitchen floor surfaces shall be fully sealed and caulked to prevent transmission of fluids to the floor and wall structure. Appliances, if provided, shall function properly.

5.11 General Conditions

The OEA shall verify that all walls, floors and ceilings are reasonably free from defects. Flooring shall be free from trip hazards and in reasonably good condition. Ceilings can give indicative signs of moisture intrusion. The OEA shall pay particular attention to staining, peeling paint and other signs of potential moisture intrusion defects. All interior doors shall be properly functioning, in reasonable condition and capable of latching.

5.12 Entry Doors

The OEA shall verify that all entry doors are properly operational, weather tight, reasonably free from defects and provided with properly operational hardware. Note: a double-keyed deadbolt is not permitted.

5.13 Attics

The OEA shall verify that all attics are reasonably free from defects. The inspector shall view the underside of the roof deck for defects such as deteriorated framing members and sheathing and mold. The inspector shall verify that any bathroom, kitchen, dryer and mechanical vents that penetrate the attic are all vented directly to the exterior. The inspector shall verify that all roof vents are free from obstructions and capable of proper airflow. The inspector shall verify that chimneys are in reasonable repair and that there are no apparent signs of moisture intrusion. The inspector shall utilize the Township provided ladder for this purpose.

5.14 Crawl Space

The OEA shall verify that the crawl space access is in place and operational. The crawl space shall be provided with a minimum 6 mil vapor barrier and shall be properly vented. The crawl space shall be free from plumbing defects.

5.15 Basement

The OEA shall verify that the stairs to the basement are reasonably free from defects and provide no trip hazards. The stairs shall be furnished with a graspable handrail and may require a guardrail on open sides. The basement shall be free from plumbing defects. The basement walls shall be free from major cracks and bows and shall show no signs of moisture intrusion. The inspector shall verify that all framing members, including beams, joists and columns, remain capable of supporting their intended loads. The sump pump shall be properly operational and discharge to an approved means. Michigan Residential Code has required an emergency escape and rescue window in finished basements since July 31, 2001. If a home constructed since 7/31/01 is found to have a finished basement, an egress window shall be required. Homes constructed prior to 7/31/01 may have finished basements without an egress provided there are no sleeping areas in the basement. At no point was a bedroom ever permitted in a basement without an egress window. See 7.0

5.16 Exterior

The OEA shall verify that the exterior concrete is reasonably free from defects and trip hazards. A trip hazard is defined as anything in excess of 2". The OEA shall report any trip hazards on the public sidewalk to Residential Services. Such reporting shall be documented in BS&A. The stairs and porch shall be reasonable free from defects and shall be provided with a handrail and/or guardrail if required. The inspector shall verify that all exterior wall coverings are reasonably maintained, free from defects and capable of performing their intended function. All penetrations through the wall covering shall be sealed to prevent moisture intrusion. All windows shall be reasonably free from defects and shall be properly caulked. Window sills, if provided, shall be verified to be free from defects and shall be properly sloped. The inspector shall verify that the fascia, soffit, gutters and downspouts are reasonably free from defects. The roofing shall reasonably free from apparent defects. The inspector shall verify that chimneys are reasonably maintained. The inspector shall verify that all out buildings are reasonably maintained. If winter climate prevents repairs in a reasonable time, the inspector may issue a certificate of compliance with stipulations that exterior repairs must be completed by May 15.

5.17 Environmental Blight

The OEA shall assess the exterior for inoperable and/or unlicensed vehicles, tall grass, (beyond 7"), noxious weeds and accumulation of litter and debris on the property.

6.0 Special Conditions

The OEA shall pay particular attention to unreasonably excessive fire loads, (Hoarding, Sec. 6.1). There shall be a free, unobstructed path of 36" minimum throughout the dwelling. Unobstructed paths of egress to all windows and doors shall be maintained.

6.1 Hoarding

Excessive fire loads (hoarding) shall be deferred to the Building Official and/or designee. For hoarding conditions, the OEA may choose to stop the inspection at his or her discretion.

6.2 Sanitation

Excessive unsanitary conditions shall be deferred to the Building Official and/or designee. For unsanitary conditions, the OEA may choose to stop the inspection at his or her discretion.

6.3 Multiple Units

If the OEA encounters a single family home that has been previously converted to a multiple family unit, the inspector shall research the property file for any known records of a conversion. Single family homes converted to two or more units require some substantial work in order to be code compliant. If permits have been issued for such work in the past one may assume that the work was inspected. If, however, no permits were issued or the inspector believes there to be life safety violations related to the conversion, steps shall be taken to return the home to a single family dwelling. Additionally, the inspector shall consult with the Planning Director to determine if a two or more family dwelling is permitted within the zoning district. If it is not permitted within the zoning district in which the dwelling is located steps shall be taken to return the home to a single family dwelling.

7.4 Immediate Life Safety Violations

When the OEA encounters immediate life safety violations of an egregious nature, the OEA shall immediately contact the Building Official and/or designee. These issues may include, but are not necessarily limited to imminent danger due to: sewer back-ups, potential for structural collapse, infestation, contamination.

7.0 Reporting

The OEA shall maintain clear records of all inspections. A notice of inspection or notice of violation must always be left onsite with the landlord or designated agent and must include a re-inspection date. If you encounter a no show, tape a copy of the NOV onsite. Additionally, cause a letter to be sent to the landlord informing them of the re-inspection date and send a copy of the inspection result. If an NOV is issued, all violations cited on the NOV shall be confirmed to be corrected upon re-inspection. At no point shall a dwelling be certified that has outstanding violations. Photographs make for an exceptional record of conditions during an inspection. A digital camera is provided for this purpose and the OEA shall exercise reasonable discretion in determining when to use. When basements are found to have sleeping areas and in some cases habitable space without proper egress, the inspector shall require the bedroom furnishings to be removed from the basement. Upon a re-inspection, photographs shall be taken for future verification that the sleeping areas were removed. The certificate of compliance shall include the words, "Basement intended for storage use only."

8.0 Scheduling

Inspections for the OEA shall be scheduled by one of the OCS clerks. Initial inspections shall be scheduled at 9:00, 10:00, 11:00, 3:00 and 4:00. The inspector shall schedule 7 day life safety inspections between the hours of 1:00 – 2:00 p.m. The inspector shall schedule all 28 day inspections between the hours of 2:00-3:00 p.m. The inspector shall utilize cancelled inspections and unscheduled time to check for unregistered rental properties. The inspector may also conduct property maintenance inspections on the exterior of apartment complexes.

9.0 Inspector's Discretion

The OEA shall utilize common sense and reasonable courtesy to assist landlords in reaching compliance. It may be reasonable to grant a brief, unscheduled re-inspection providing it does not infringe upon the inspector's scheduled inspections. The intent of the program is to efficiently gain compliance at minimal costs to landlords and at no cost to the Township. The inspector's time clock is constantly running; and in fairness to all landlords, caution should be exercised in giving away inspections.

10.0 Post Inspection Certification

A property may not be certified without all violations being corrected. Once the inspection has been completed and the property is ready for a certificate, an OCS clerk will send out billing information. Failure to pay invoices within 30 days will result in the OEA being notified to issue a citation. That citation shall be provided to the OCS clerk for inclusion in a letter to the landlord. The OEA will now be responsible for preparing all necessary documents and testifying in Court.

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