

Meeting Notes
State College Borough
Property Maintenance Code Focus Group
Tuesday, April 14, 2015 5:00pm

The State College Borough held a focus group to identify the sections of the Property Maintenance Code that need to be revised and to receive proposed ideas for the revisions. Mr. LeClear called the meeting to order at 5:09 p.m.

Representing the Borough: Ed LeClear, Centrice Mulfinger, Kevin Kassab and Sarah Smith.

Property Owners, Property Managers and PICs in Attendance: Walter Schneider, Pamela Trout, Zach Larson, R. Walk, A. Walk, Dena Lang, David Kurtz, Scott Hanna, John Hanna, Robert Berg, Brandi Marks, Mark Torretti, Kristen Holzwarth, David Kline, Nancy Ring, Andrew Brezicha, Ryan Wagner, Tom Mincemoyer, Dave Pribulka, Caitlin Smith, Pat Vernon, Robin Homan, Sean Krieger, Lisanne Temeles, Cheryl Daniels, Rob Pileggi, Bud Graham, Michael Evcic, Ralph Licastro, Michele Spanos, Dan Lestz, Susan Venegoni, Kim Ring, Bob Shepherd, Virginia Gossner, Al Drobka, Iyun Osagie, Matthew Cooper, Anita Genger, Amy Pase, Bob Nelson, Allison Dooms, Philip Sauerlander, Holly Probst, Megan Yocum, Scott Yocum, Heather Ricker-Gilbert, Eric Boeldt, Allison Hendrick, Ed Sidwell, Katherine Smith, Jim Shincovich, Donald Hopkins and Annie Hartford.

Introduction by facilitator: Mr. LeClear welcomed the public to the focus group, introduced the staff in attendance and discussed the goals and protocol for the focus group. Mr. Kassab reminded the attendees that there is a link on the Borough website for stakeholders to provide additional information, suggestions or comments.

Small group discussion: Mr. LeClear requested that the attendees begin with small group discussion to isolate the issues and concerns that each group would like to bring to the Borough's attention.

Large group discussion:

Group 1 – Caitlin Smith

- Notification of Person In Charge or Owners – in some cases the warnings go to violations before the Owner/PIC has received the notification.
 - Suggested e-mails.
 - Warning says that the problem needs to be corrected within 24 hours, but the PIC is not receiving the notification in time to be able to correct the situation.
- Rolling year works well.
- Likes notification at 5 assigned points to help correct the situation prior to hitting 10 points.

Group 2 – Anita Genger

- Any ongoing effort to check radon levels
 - Walt Schneider – PA State Property Maintenance Codes do not include radon levels.

Group 3 – Susan Venegoni

- So many points assigned to landlords that the landlords cannot control – should be grass, refuse, snow, safety, maybe noise control, but drugs, rape, indecent exposure etc. should not be included.
- Suggested licensing the tenants which might instill personal responsibility to them.
- Suggested something like a tenant's license that would be like a driver's license in order for landlords to be able to look at a tenant's history. Maybe PSU could issue the license since most of the tenants are PSU students.

Group 4 – Sean Krieger

- Points should attach to the person causing the nuisance not to the property – civil liberty.
- What is the goal of the points system – if it's not being followed through on?
- Burden on the enforcing the PM Code is on the landlord.
- Inconsistent inspections and inspectors.
 - Classic spindle gap
 - Fire code
- Burden on landlord to find out changes of PM Code – they would like to receive changes ahead of time.
- Inspections don't appear to have a customer service type approach – time and date is scheduled with no options unless rescheduled.

Group 5 – Annie Hartford

- There should be a different designation between an undergrad and a graduate tenant.

Group 6 – Andrew Brezicha

- Notification by phone of violations.
- Standardization of Codes inspections.

Group 7 – Rob Pileggi

- Notifications with an iPad – click a button then it goes – this would be a one-time cost for the database and the hardware instead of daily stuffing envelopes, etc.
- Longer time period to pay fines.

- Is there a way to evict the tenant without getting points?
- Suggesting tying the points to the tenant instead of the property.
- Code inspections – when re-inspections occur then the inspector finds new issues.
- When Code inspector comes in, fixes a problem then a different inspector comes in and finds the corrected problem in violation.
- Self-reporting should not incur points if the problem is caused by the tenants.

Group 8 – Jim Shincovich

- Would like a definition of license versus permit for student
- Suggested that staff should enforce what's already in place instead of implementing changes.
- Why is the 25 mile radius rule for the PIC not enforced for fraternities
- Wanted consistency of enforcement of points being assessed – rental properties vs. owner occupied homes – inconsistencies.
- Classification of page 24 – maybe need consistency – individuals versus properties
- How can a landlord be held responsible for some of the problems.
- Consistency of definitions of pg. 50 and pg. 54
- Pg. 52 or 53 outlines points – 2 points drugs? For what? 3 points – controlled substance. (actually on page 51)
- Points should not transfer with the property because why should the new property owner(s) be penalized for the problems from the old owner?
- Owner of multiple rental properties – if outstanding job with some properties maybe get positive credit for some of the other properties that are not doing so well on other properties.
- Code and Borough don't work well or communicate well together.
- Would like uniform provisions for every Township – consistency across all the Code area.
- Code should do rental permits – Borough shouldn't get involved.

Group 9 – Pamela Trout

- Fines and points should go against violators not the property owners – person who actually did the violation aren't getting penalized. Points from old tenants shouldn't go against the new tenants, but should end with the lease term.
- PA Constitution – another individual cannot be held responsible for another's actions.
- Paying for police to deal with tenants, landlord should not need to do the police's job.
- Property points should go away with the transfer to another owner.
- Landlord needs to get notification of police points and this should be done immediately via e-mail. PIC information should be an online form that can update immediately into the database.
- Enforcement is inconsistent.
- What has been gained by the points system? It is retroactive not proactive. Previously, when she tried to discuss the points system with her tenants, she was contacted by a PSU Attorney and was informed that she was messing with the tenant's "peaceful enjoyment."
- Went to West Point and there was no trash after a game. State College is not holding the tenant's responsible.
- 3 reasons why the Points System is unconstitutional
 - Individual cannot be held responsible for another's actions
 - Equal Protection under the Law
 - No Due Process

Group 10 – Pat Vernon

- Intent is good, but execution of the Property Maintenance Code is sometimes the problem.
- State College's very worst property is the best at IUP (Indiana University of Pennsylvania).
- Single family homes that are owner occupied should not be exempt from Code regulations as many of them are horrendous. Property Maintenance Code should apply to single family homes (not rentals) as well.
- PIC should get immediate notification of problems.
- PIC regulation is a good idea, but need to figure out reasonable distance – maybe within an hour's drive? Did not feel the current regulation was reasonable.

- Reasonable time in the morning to be able to clean up yard – maybe 9am or 10am.
- Points system should be a separate discussion from the Property Maintenance Code.
- Would like to know if the number of places with suspension procedures has gone down every year? If that's the case then the current system is working and there doesn't need to be changes.
- Last year there was a push coming from the Neighborhood Organizations to make changes to the points system and the Borough still has some things that that have been thrown out in court proceedings that are still on the books.
- Expressed that the interference from PSU where the tenant is given a free lawyer is absurd.

Mr. LeClear closed the meeting at 6:29 pm and requested that attendees turn in their written notes and comments.

**Meeting Notes
State College Borough
Property Maintenance Code Focus Group
Wednesday, April 15, 2015 7:00pm**

The State College Borough held a focus group to identify the sections of the Property Maintenance Code that need to be revised and to receive proposed ideas for the revisions. Mr. LeClear called the meeting to order at 7:00 p.m.

Representing the Borough: Ed LeClear, Centrice Mulfinger, Kevin Kassab, Kelly Aston, and Terree Michel.

Neighborhood home owners attendance: Jim and Susan Shincovich, Peg Hambrick, Vinnie and Paul Scanlon, Susan Venegoni, Pat Vernon, Samantha Collins and Tom Gesell

Introduction by facilitator: Mr. LeClear welcomed the public to the focus group, introduced staff in attendance and discussed the goals and protocol for the focus group. Ms. Mulfinger explained that the process will be continued in the fall with larger focus groups. Mr. Kassab reminded the attendees that there is a link on the Borough website for stakeholders to provide additional information, suggestions or comments.

Small group discussion: Mr. LeClear suggested that since there were so few attendees the attendees sit together at one table to discuss the issues and concerns that they would like to bring to the Borough's attention.

Large group discussion:

Group 1 – Susan Venegoni

- No points for theft or murder.
- Keep points the same.
- Trying to not just focus on Fraternities. There is a fire code for indoor parties but nothing for outdoor parties. Suggested coming up with an outside occupancy. Problems with large parties outside are people hanging off balconies and up against fencing. Walt - If property is fenced in, there is an occupancy regulation. The fenced in area would need appropriate exits.
- Campus Police helping with the Fraternities. IFC has no "teeth". If they could have "teeth", have IFC tell Campus Police where to go and what to enforce. The University participated in helping with State Patty's Day and with Arts Festival enforcement. The University, with enough urging, could help with the problem.
- Walt – provide IFC right of entry and provide right of entry for the Charter. Pat Vernon suggested it also be in the lease.
- Use private security. But they will not go door to door, will not staff parties.
- Parties need to be registered with the Borough, with the landlord and approval from landlord.
- Licensing the tenant, behavior points travel through rental history.
- Instant notification of points.
- Not working off of points, cannot see it as a benefit for the community. Borough staff already overworked.

- Apply to all rental properties, not just one group.
- Stronger dog regulations on rental properties, not to allow problem dogs.
- No chickens.
- Stronger leases, requiring better language in the lease, specifying specific things.
- Having a “template” lease along with “Rules and Regulations” to outline specific things.
- Making sure tenants understand their lease.

Adjourned at 8:12 p.m.

Meeting Notes
State College Borough
Property Maintenance Code Focus Group
Wednesday, April 15, 2015 5:00pm

The State College Borough held a focus group to identify the sections of the Property Maintenance Code that need to be revised and to receive proposed ideas for the revisions. Mr. LeClear called the meeting to order at 5:11 p.m.

Representing the Borough: Ed LeClear, Centrice Mulfinger, Kevin Kassab, Kelly Aston, Courtney Hayden and Sarah Smith.

Student organizations, fraternity leadership, and fraternity advisors in Attendance: Dave Kline, Cam Sabatini, Ed Sidwell, Jim Shincovich, Susan Venegoni, Tom Daubert, Peg Hambrick, Shawn Bengali, Jon Garfield, Anand Ganjam, Terry Ford, Jim Edwards, Bill Postufica, Charles Ulsh, Pat Vernon, Rick Groves and Scott Nulty.

Introduction by facilitator: Mr. LeClear welcomed the public to the focus group, introduced the staff in attendance and discussed the goals and protocol for the focus group. Mr. Sidwell suggested that the person taking the notes should be the person who reports out since the person reporting may have a difficult time reading somebody else's notes. Ms. Mulfinger explained that the process will be continued in the fall with larger focus groups. Mr. Kassab reminded the attendees that there is a link on the Borough website for stakeholders to provide additional information, suggestions or comments later if they wish.

Small group discussion: Mr. LeClear requested that the attendees begin with small group discussion to isolate the issues and concerns that each group would like to bring to the Borough's attention.

Large group discussion:

Group 1 – Terry Ford

- Current notification system for borough points – in mail or on door can get lost – text system to PICs and house officers.
- IFC/UPUA can set up a system to work off non-criminal Borough points – unanimously in favor – there will need to be some work to figure out the logistical issues.
- Move noise points from 2 points into a graded points system-before the busiest times-more like daytime, afternoon, etc.
 - Warning before 12am
 - Another complaint 1 point
 - Another complaint 2 points
 - Susan Venegoni inquired if there would be enough police officers to come back to a property 3 times to deal with a noise violation. (Kelly Aston – not enough staff)

Group 2 – Scott Nulty

- Current notification system – if house receives warning or citation – takes 4 to 5 days to get to PIC/Owner which means the warning could turn to a violation before the PIC/Owner knows about it.
- Mutually beneficial to do community service to work off Borough points – fraternity members would be out in the community and would help the community – hold themselves accountable for their actions.
- Courtney Hayden inquired about how many service hours per year fraternity members are already required to perform? Scott Nulty responded that each member is required to perform 25 hours per year. IFC catalogues and confirms the hours. Ed LeClear-how many a year? Approximately 25 times 3500. Proposal is for there to be 2 hours per brother in the house.

Group 3 – Rick Groves

- Identified questions more to the process more than found answers.
 - How would the Borough qualify the community service? Don't want the cost of watching it to outweigh the benefit.
 - How were the points assigned – fraternities classified as single family homes? Is that a fair classification?
 - Who would monitor the community service? Maybe the IFC and then submit form to the Borough. Maybe video or photographic evidence that the community service was completed. They don't want to be any burden to be on the Borough. Government could come from the student body. Rick stated that the IFC would be willing to monitor. Separate to something as community driven.
 - Ed LeClear suggested maybe working with Neighborhood Associations.
 - Susan Venegoni stated that if the program would be offered to fraternities then it should also be offered to all larger houses. Ed LeClear responded that they would have to figure out a monitoring system for that as well. If non-fraternity related then would need a different monitoring system as well other than IFC.

Mr. LeClear closed the meeting at 6:22 pm and requested that attendees turn in their written notes and comments.