

PROPERTY MAINTENANCE CODE ENFORCEMENT



2024

Local Government Commission

General Assembly of the Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Letter from the Chairman

Members of the General Assembly:

I am pleased to submit to you the following report on the status of municipal property maintenance code enforcement. The Local Government Commission was requested by Senator Dave Argall, chair of the bipartisan, bicameral Statewide Blight Task Force, to conduct a study on municipal property maintenance code enforcement.

There is growing concern, both within the Commonwealth and nationwide, over the impact of blight on communities, and code enforcement is a key tool in mitigating and preventing blight. The task force is very interested in learning how municipalities navigate maintenance code enforcement, since Pennsylvania does not have a statewide property maintenance code or related training program for code officers. To that end, both municipal officials and property owners and developers were surveyed on their roles and experience with property maintenance code enforcement and blight.

In brief, our study found the following trends:

- Over $\frac{3}{4}$ of municipalities have not considered intergovernmental agreements for property maintenance code enforcement.
- Almost 70% of municipalities issue 50 or less property maintenance violation citations, on average, per year.
- In identifying both major obstacles to property maintenance enforcement and contributors to blight, non-responsive, absent, and/or negligent property owners and landlords were the highest rank factor.
- Nearly all municipal respondents (93%) characterize their community's degree of blight as either low or moderate, but only 28% agree or strongly agree that their capacity to combat blight is sufficient.
- Half of property owners and developers disagreed or strongly disagreed that property maintenance code expectations are clearly communicated by the municipality, with less than a quarter (24%) rating the consistency across municipalities in property maintenance code expectations and standards as consistent.
- Over $\frac{3}{4}$ of property owners (78%) said that property maintenance code enforcement factors either somewhat or strongly into their future planning and development strategies.

It is my hope that this report provides valuable information to help educate and assist Members of the General Assembly on matters involving local government.

Sincerely,



Senator Scott E. Hutchinson
Chairman

Acknowledgments

The Local Government Commission would like to acknowledge the contributions of all the following individuals and organizations without whom this report would not be possible.

Pennsylvania Statewide Blight Task Force

- Senator David Argall, Chair
- Mary Beth Dougherty, Secretary

Pennsylvania State Association of Boroughs

- Ronald Grutza, Senior Director of Government Affairs

Pennsylvania State Association of Township Supervisors

- Holly Fishel, Policy and Research Director

Pennsylvania Municipal League

- Amy Sturges, Deputy Executive Director - Advocacy
- Kaitlin Errickson, Governmental Affairs Manager

National Conference of State Legislatures

- Jennifer Schultz, Program Principal – Environment, Energy and Transportation Program

Local Government Commission

The Local Government Commission is a bicameral, bipartisan legislative service agency of the Pennsylvania General Assembly. Created in 1935 by an Act of Assembly, it is one of the oldest agencies of its kind in the country. Five Senate Members and five House Members, appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively, constitute the Commission. The ten Members, three from the majority party and two from the minority party in each chamber, collectively work by consensus for more effective and efficient local government.

The Commission serves as a specialized local government resource for Legislators, caucus staff, committee staff and constituents on inquiries, issues and legislation, providing objective expertise in many facets of local government. It takes on long-term complex projects, producing results that may be more difficult to achieve, or cannot be achieved, through caucus staff or advocacy groups alone. Commission Members, with the aid of staff, identify, draft and sponsor legislation to address local government issues, and review certain intergovernmental cooperation agreements as required by law.

The Commission provides a forum for statewide municipal associations, representing different types of municipalities and officials, to express their views directly before Legislators from both caucuses in the Senate and House. It works with these and other stakeholders in proposing legislation to advance more effective and efficient local government in Pennsylvania.

2023-2024 Commission

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Senator Cris Dush
Senator Rosemary Brown
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Senator Carolyn Comitta

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Introduction

The Statewide Blight Task Force, chaired by Senator Dave Argall, was started by his predecessor, the late Senator Jim Rhoades, in 2006. The task force is a bipartisan, bicameral group that continuously finds ways to work together to fight blight. The task force has two goals: 1) educate people on the severity of the problem and 2) work on ways to help all Pennsylvania communities, both urban and rural, prevent and mitigate blight. The task force had its first success when Act 90 of 2010¹ was signed into law which has been instrumental in advocating for initiatives such as conservatorship and land banks. As a result of the groups' efforts, municipalities, community groups, and residents know there are efforts being made to address this problem.

The task force has regularly discussed the importance of property maintenance code enforcement as a tool in mitigating and preventing blight. That conversation has included concerns raised by municipalities regarding their ability to adequately address code enforcement, in part due to the Commonwealth's lack of a statewide property maintenance code or related training program for code officers. Additionally, members discussed feedback they have received from developers and property owners regarding property maintenance code enforcement and what they felt was overly cumbersome and inconsistent standards and enforcement policies.

There is growing concern, both within the Commonwealth and nationwide, over the impact of blight on communities, and code enforcement is a key tool in mitigating and preventing blight. The task force is very interested in learning how municipalities navigate maintenance code enforcement, since Pennsylvania does not have a statewide property maintenance code or related training program for code officers.

The Local Government Commission was requested by Senator David Argall to conduct a study on municipal property maintenance code enforcement in Pennsylvania. Comparative state research was also conducted on municipal property maintenance code enforcement policies nationwide. The results of this research follow.

¹ Neighborhood Blight Reclamation and Revitalization Act (2010, P.L. 875, No. 90).

Background

Unlike statewide regulations regarding building codes,² Pennsylvania does not have a uniform property maintenance code. The municipal classification codes do authorize municipalities to create their own property maintenance code or adopt a standard or nationally recognized code such as the International Property Maintenance Code as their official property maintenance code, but do not require any such ordinances.³ The decision to enact a property maintenance ordinance, and what provisions such an ordinance contains, is left to the discretion of each municipality. Similarly, there currently exists in Pennsylvania no statutory requirements or regulations governing the training of property maintenance code enforcement officers. Municipalities are authorized to appoint officers, but again, the statutes are silent as to the extent, if any, these officers receive training.⁴

As comparison, the National Council of State Legislators provided the following information regarding code enforcement statutes in other states. Most of these examples also include building code inspections, similar to the Pennsylvania Construction Code Act of 1999.

California

Cal. Health and Safety Code §§26205 to 26217 – Certified Code Enforcement Officers

“The board's administrative rules shall designate minimum training, qualifications, and experience requirements for applicants to qualify for the CCEO designation, including, but not limited to, training and competency requirements in the areas of land use and zoning laws, health and safety codes, substandard housing abatement, environmental regulations, sign standards, public nuisance laws, applicable constitutional law, investigation and enforcement techniques, application of remedies, officer safety, and community engagement. The board may, by administrative rule, designate additional classes of certifications to help meet its mission.”

Kentucky

Ky. Rev. Stat. §198B.095 – Authorization for building inspectors training program; purpose; trust and agency fund

“(1) The department may establish a building inspectors training program through the promulgation of administrative regulations in accordance with KRS Chapter 13A. The program shall provide training to encourage local governments to establish and improve building code enforcement programs and to encourage all building inspectors to upgrade their skills.

(2) If the department chooses to establish the program authorized in subsection (1) of this section, there shall be created in the department a trust and agency fund to be known as the ‘Building Inspectors’ Financial Incentive Training Program fund’.”

[other sections omitted for length]

² See Pennsylvania Construction Code Act (1999, P.L. 491, No. 45) and 34 Pa. Code Part XIV.

³ First Class Township Code (1931, P.L. 1206, No. 331, § 3105-A), Second Class Township Code (1933, P.L. 103, No. 69, § 1704-A), Borough Code (8 Pa.C.S. § 32A04), Third Class City Code (11 Pa.C.S. § 141A04).

⁴ *Id.*

Maine

Me. Rev. Stat. tit. 30-a §4451

“1. Certification required; exceptions. A municipality may not employ any individual to perform the duties of a code enforcement officer who is not certified by the former State Planning Office, the Department of Economic and Community Development, Office of Community Development or the Department of Public Safety, Office of the State Fire Marshal, except that...

2. Penalty. Any municipality that violates this section commits a civil violation for which a fine of not more than \$100 may be adjudged. Each day in violation constitutes a separate offense.

3. Training and certification of code enforcement officers. In cooperation with code enforcement officer professional associations, the Maine Community College System, the Department of Environmental Protection and the Department of Health and Human Services, except as otherwise provided in paragraph H, the Department of Public Safety, Office of the State Fire Marshal shall establish a continuing education program for individuals engaged in code enforcement. This program must provide training in the technical and legal aspects of code enforcement necessary for certification. The training program must include training to provide familiarity with the laws and ordinances related to the structure and practice of the municipal code enforcement office, municipal planning board and appeals board procedures, application review and permitting procedures, inspection procedures and enforcement techniques.”

[other sections omitted for length]

New York

N.Y. Executive Law §376-a – Code enforcement training and certification

“2. In addition to the functions, powers and duties otherwise provided by this article, the secretary of state shall promulgate rules and regulations with respect to:

(a) The approval, or revocation thereof, of code enforcement training programs for code enforcement personnel;

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required for approved code enforcement training programs for code enforcement personnel;

(c) Minimum training and examination requirements to qualify for code enforcement officer certification, provided that such training and examination requirements shall not result in code enforcement personnel that have otherwise completed the minimum basic training requirements in order to be eligible for continued employment or permanent appointment as of the effective date of chapter four hundred sixty-eight of the laws of two thousand seventeen from being ineligible without further training or examination for certification pursuant to paragraph (d) of this subdivision;”

[other sections omitted for length]

Oklahoma

Okla. Stat. tit. 11, §22-111.1 – Certification for employees enforcing cleaning and mowing provisions

“Employees of a municipality employed or otherwise assigned to enforce provisions of Section 22-111 of Title 11 of the Oklahoma Statutes shall complete certification training specifically applicable to such section as adopted and administered by the Oklahoma Code Enforcement Association, an internationally recognized model code organization, career technical education program, or an institution of higher education. The certification training shall be completed within one (1) year of employment or assignment for such enforcement.”

South Carolina

S.C. Code §§6-8-10 to 6-8-70 – Building Codes Enforcement Officers

“(A) All registrations, except provisional, expire on July first of each odd-numbered year unless renewed before that date. Renewal of a registration must be based upon a determination by council of the applicant's participation in approved

continuing education. The council may promulgate regulations setting forth the continuing education requirements for a registrant. A person failing to renew registration by the expiration date may not practice until registered in accordance with this chapter and shall qualify in the manner provided for new registrants.

(B) Funding for the certification, training, and continuing education of building code enforcement officers employed by local jurisdictions must be appropriated to the Department of Labor, Licensing and Regulation in the manner provided in Section 38-7-35.”

Methods

The Statewide Blight Task Force has regularly discussed the importance of property maintenance code enforcement as a tool in mitigating and preventing blight. Faced with challenges of code enforcement from both municipalities and property owners, Senator David Argall, chair of the Statewide Blight Task Force, requested that the Local Government Commission conduct a study on property maintenance code enforcement in Pennsylvania. To that end, the Commission developed two surveys: one for municipal officials and one for property owners and developers. Working with the Pennsylvania State Association of Boroughs, the Pennsylvania State Association of Township Supervisors, and the Pennsylvania Municipal League, along with members of the Statewide Blight Task Force, the surveys were finalized and distributed via the associations' and members' respective email contact lists.⁵

Municipalities were surveyed on zoning, rental, and property maintenance ordinances, along with questions regarding blight. They were also asked about their history with, or potential interest in, intergovernmental and regional options for property maintenance enforcement. Property owners and developers were asked questions about their experiences with property maintenance ordinances, municipal communication, and impacts on future planning.

After the survey data was collected, we ran several statistical tests to identify what, if any, trends or relationships existed regarding municipal property maintenance code enforcement, from both the municipal and property owner perspectives. Likely due to the relatively low sample size, many of the tests resulted in weak relationships, not statistically significant results, or both. However, survey results do still indicate certain trends and patterns that can be useful to help guide discussions on property maintenance code enforcement within the Commonwealth. The results presented herein are footnoted with the relevant statistical significance and strength of relationship measure.⁶

⁵ See Appendices A and B for the survey questionnaires.

⁶ For purposes of this report, Gamma or Cramer's V measures of strength of 0.0 - 0.2 represents a weak relationship, 0.2 - 0.4 a moderate relationship, and 0.4 - 1.0 a strong relationship. Generally, a statistical significance of 0.05 or lower is preferable in social science research, with significance of 0.10 being acceptable.

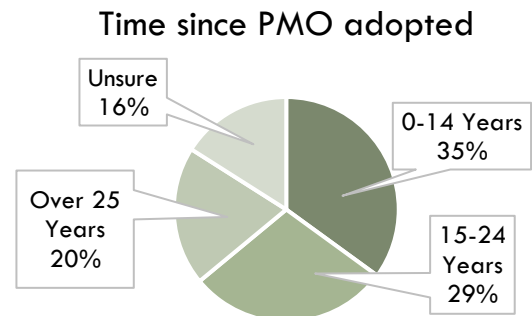
Results

Municipal Codes

- Municipalities with zoning ordinance : 90%
- Municipalities with property maintenance ordinance (PMO) : 83%
 - PMO is based on International Property Maintenance Code : 87%
- Municipalities with rental inspection and licensing ordinance : 49%

Of the 137 municipalities that responded, 39 were boroughs (28% of responses), 16 were cities (12% of responses), 20 were first class townships (15% of responses) and 61 were second class townships (45% of responses). While only about half of the respondents represented a municipality with a rental inspection or licensing ordinance, nearly all had a zoning ordinance and most had a property maintenance ordinance (PMO). Unless clearly stated otherwise, the reported response counts and percentages are based on those municipalities that do have a PMO.

The “age” of the municipal PMOs was distributed relatively evenly among the respondents. 35% adopted a PMO less than 15 years ago, 20% adopted one over 25 years ago, and 29% adopted their PMO between 15 and 25 years ago.



Code Enforcement Officers

Overwhelmingly, municipalities opt to use a Code Enforcement Officer (CEO) to enforce their PMOs (87%). Only 2% reported using local police, and 10% indicated “other” enforcement methods, such as elected municipal officials (township supervisors, municipal managers, mayor), appointed officials (zoning officers) or employees such as the secretary. Of those with a CEO, just over half (57%) reported that their CEO is a full-time employee of the municipality, and 9% use a part-time employee. About 20% of municipalities contract with a third party for the CEO. Only two municipalities (1%) reported that they use an intergovernmental agreement for their CEO.

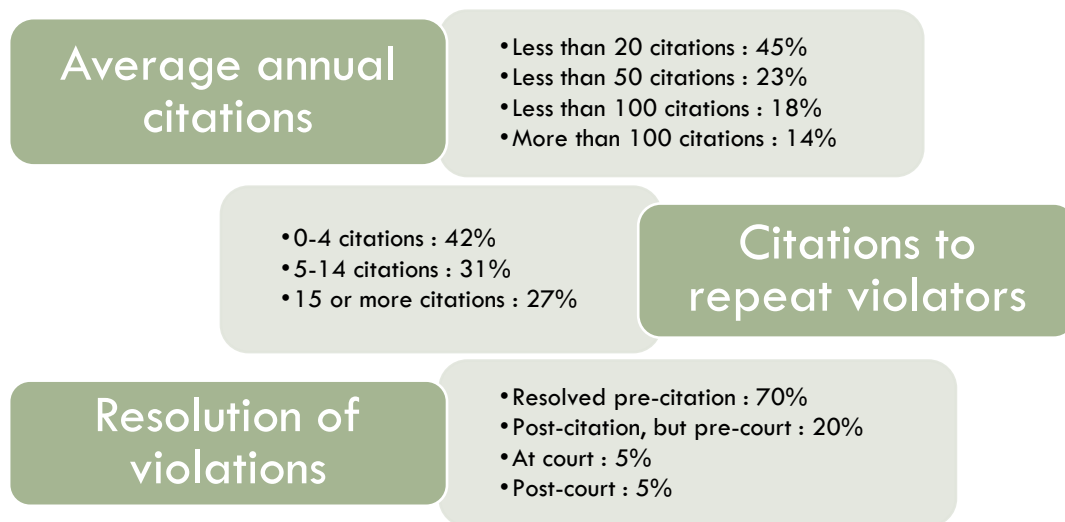
Training for CEOs varied among the municipalities, with 17% reporting their CEO has received no formal training. Municipal associations offer property code enforcement training, and 18% of respondent indicated that their CEOs were trained through these programs. The International Code Council, which is responsible for development of the International Property Maintenance Code, also offers training, which 39% of the respondents used to provide training for their CEOs. Of the 19% that answered their CEO received “other” formal training, just over a third (8 of 23) indicated some sort of on-the-job training or reliance on prior experience, and about a quarter (6 of 23) identified training through other code-related institutions, such as building codes.

Intergovernmental Agreements

Additionally, 76% of respondents said that they have not considered intergovernmental options for property maintenance enforcement, although 11% said they would be interested in county-wide, regional or multi-municipal property maintenance enforcement, and 47% would maybe be interested in such an option. One respondent explained, “discussions have been had with neighboring boroughs to hire a code enforcement officer for all three, as we are of similar size and budget. However, nobody has taken the initiative to move in that direction.” A possible advantage to a county-level enforcement program was described by a township official: “If it were county-wide, there would be enough personnel to actually enforce it; property owners would comply better as it would not just be ‘the township’s’ rules.” However, not all officials thought that centralizing enforcement would be a step in the right direction, as coverage may be uneven: “We live in an area with both very rural and urban sections. A larger effort to attack this issue is likely to result in certain municipalities getting more help than others.”⁷

Enforcement & Citations

Municipal officials were also asked about the enforcement of the PMO itself, and the resolution of citations. About 2/3 of respondents indicated they average less than 50 citations per year, and that most (70%) property maintenance issues are actually resolved prior to needing to issue a formal citation. Officials were also asked, on average, how many of the citations issued were to repeat violators.



⁷ Anonymized comments from respondents answering question 34 of municipal survey. *See* Appendix A.

Overwhelmingly, municipal officials identified non-responsive property owners as the biggest obstacle to enforcing PMO violations (60%). One respondent explained the frustration that some municipalities encounter dealing with these owners:

Owners of LLCs need to be held responsible for their actions. LLCs, primarily owned by out of state people, own a significant portion of poorly maintained properties in the borough. It is cheaper for them to pay small fines from code violations than to maintain their properties, thereby providing a financial disincentive to comply to codes. There is no way to collect fines if the LLC closes other than placing a lien on properties, which will not be collected for years or decades.⁸

The two next highest ranked obstacles were lack of funding and/or personnel resources (18%), and lack of enforcement personnel (9%). Unknown property owners were identified by 8% of respondents, and 5% indicated the largest obstacle was training of enforcement personnel.

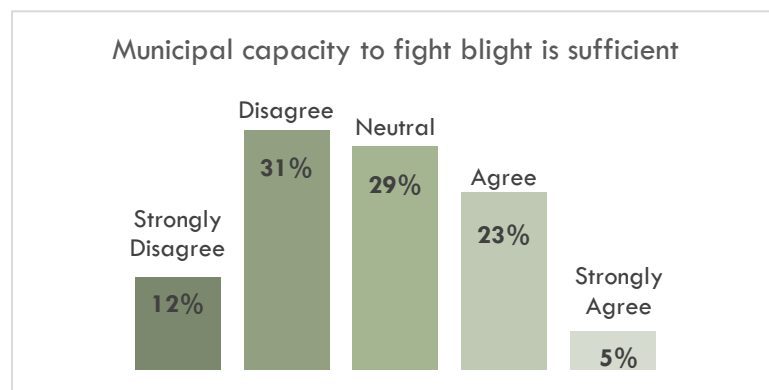
In communicating PMO regulations and violations to property owners, 62% use mail, 24% conduct in-person meetings, and 14% use email. Officials were also asked how often they receive complaints from their constituents regarding PMO enforcement and violations. Just over half (52%) received complaints rarely (11%) or occasionally (41%), and the remaining 47% received complaints often (27%) or very often (20%).

Blight

When asked how they would characterize the degree of blight in their municipality, 61% answered low, 32% moderate, 5% answered high, and only 2% said severe. Given the relatively low perception of blight in their communities, it was unsurprising that only 13% of respondents have used a conservatorship to combat blight. Additionally, 18% of respondents' municipalities have an Act 90 (Neighborhood Blight Reclamation and Revitalization Act) ordinance.

Municipal officials were asked to identify the biggest contributors of blight in their municipality. Similar to PMO enforcement, officials identified absentee or negligent landlords and owners as the biggest contributor (51%). Aging housing stock (26%) and poverty (17%) were the next highest ranked issues. Additional "other" contributors identified were aging residents, vacant and foreclosed property, and the tax sale process.

When asked whether they agree that their municipality's capacity to combat blight is sufficient, nearly half (43%) disagreed or strongly disagreed. Only 5% of respondents strongly agreed with the statement.



⁸ Anonymized comment from respondent answering question 35 of municipal survey. See Appendix A.

Property Owners & Developers

- Own/manage property in more than 1 municipality : 54%
- Own/manage property in more than 1 county : 31%
- Have received notice of PMO violations : 40%
 - Of that 40%, have received in multiple municipalities : 51%

With the assistance of the Statewide Blight Task Force members, a survey was also distributed to property owners, developers, and managers (hereinafter, owners) to collect information on their experiences with PMO enforcement, and 82 owners responded. They were asked how they familiarize themselves with the PMO at their property(ies) location(s). Just over a quarter (26%) of the respondents use the municipal website to access the PMO. 23% of respondents stated that they only learn about the PMO if/when they receive a notice of a violation. 21% of owners answered that learning about the PMO varies depending upon the municipality, and 18% receive PMO information from the municipality. The remaining 12% answered “other,” with explanations including during rental inspections, and community meetings. One of the owners commented that “information about the property maintenance codes has and continues to be a huge issue, and they are different for each municipality.”⁹



As a follow up, owners were asked if they agreed or disagreed that PMO expectations are clearly communicated by the municipality. Half of the respondents either strongly disagreed (20%) or disagreed (30%), while only 21% agreed (19%) or strongly agreed (2%). The remaining were either neutral (20%) or said it varies depending on the municipality (9%). Owners were also asked to rate the consistency across municipalities (very inconsistent, inconsistent, consistent, and very consistent) in PMO expectations and standards, and in PMO enforcement. Interestingly, no respondents chose very consistent for either question.

Finally, owners were asked how code enforcement factors into their future planning and development strategy. Nearly one quarter (22%) of owners said that code enforcement factors “not at all” with future planning, 40% said it factors somewhat, and 38% said it factors strongly into their future planning and strategies. One owner commented that “the inconsistent accountability on the part of the code enforcement office makes strategic acquisition of properties difficult.”¹⁰ Another owner mentioned the economic considerations of developing new affordable housing units, which have lower returns on investment. Though referencing building code requirements, they explained that “when factors such as the need for an elevator and fire suppression come into play, those costs can be prohibitive when considering whether to develop or not.”¹¹

⁹ Anonymized comment from respondent answering question 10 of property owner survey. See Appendix B.

¹⁰ Anonymized comment from respondent answering question 15 of property owner survey. See Appendix B.

¹¹ *Id.*

Discussion

As discussed above in Methods, after compiling the results of the surveys, we began to look for what relationships may exist among the data. Unfortunately, most of our findings are not able to be generalized or applied to the Commonwealth as a whole, but rather just describe correlations that may exist for those municipalities and property owners who replied to the survey. Again, it is most likely due to the small sample size, and should not be interpreted to assume that such relationships may not exist on a larger scale; our data simply just cannot confirm or deny.

Degree of Blight

We began by examining whether relationships existed regarding the degree of blight in a municipality. Of those municipalities that classified their degree of blight as low, 81% had a PMO. There was a moderate positive relationship between a municipal official's perceived degree of blight in their community, and the number of PMO violations issued to repeat violators.¹² That is, the more citations that are issued to repeat violators, the higher the perceived degree of blight in the community. These results, while showing only a moderate relationship, are statistically significant at the 5% level, indicating a strong probability that the relationship is able to be generalized across the Commonwealth.

Alternatively, when looking at the relationship between degree of blight and the occurrences of constituent complaints regarding PMO enforcement and violations, a weak relationship with very low statistical significance is present.¹³ This relationship cannot be generalized outside of the sample municipalities. However, within that sample, those that receive constituent complaints “often” or “very often” also characterized 89% of the “high” or “severe” degree of blight in their community.

Degree of Blight in Municipality & Frequency of Constituent Complaints

Constituent complaints	Degree of Blight			
	Low	Moderate	High	Severe
Never	1	0	0	0
Rarely	11	2	0	0
Occasionally	38	15	1	0
Often	23	12	0	1
Very often	7	13	5	2

Capacity to Combat Blight

We also looked at the relationship surrounding the municipal official's attitude regarding the municipality's capacity to combat blight in their community. Similar to the degree of blight, there was a moderate positive relationship between the capacity to combat blight and the number of PMO violations issued to repeat violators.¹⁴ The more citations issued to repeat violators, the stronger an

¹² Gamma: 0.265; Statistical significance: 0.032.

¹³ Gamma: 0.126; Statistical significance: 0.360.

¹⁴ Gamma: 0.218; Statistical significance: 0.037.

official would agree that their capacity to combat blight is sufficient. These results are also significant at the 5% level, and can therefore be generalized across the Commonwealth.

Have Considered Intergovernmental Options

There are also statistically significant relationships between whether a municipality has considered intergovernmental options for PMO enforcement and both the number of citations issued to repeat violators and the frequency they receive complaints from constituents regarding PMO enforcement and violations. Those that have considered intergovernmental options have more citations issued to repeat violators,¹⁵ and receive constituent complaints more frequently.¹⁶ That is to say, municipalities that have considered intergovernmental options for PMO enforcement are more likely to have cited repeat violators and receive constituent complaints more often than those who have not considered such options.

Potential Interest in Regional Enforcement

Similar relationships, however, are not statistically significant when comparing a municipality’s potential interest in county-wide, regional or multi-municipal PMO enforcement with the number of citations issued to repeat violators¹⁷ or the frequency they receive constituent complaints regarding PMO enforcement and violations.¹⁸ This data produced weak relationships that are not statistically significant.

Interest in Regional PMO Enforcement & Annual Citations to Repeat Violators

Repeat citations	Interest in regional enforcement		
	No	Maybe	Yes
0-4 repeat	14	25	6
5-14 repeat	11	16	7
15 + repeat	7	20	3

Interest in Regional PMO Enforcement & Frequency of Constituent Complaints

Constituent complaints	Interest in regional enforcement		
	No	Maybe	Yes
Never	0	1	0
Rarely	6	5	2
Occasionally	11	31	10
Often	14	21	1
Very often	5	15	7

¹⁵ Gamma: 0.432; Statistical significance: 0.002.

¹⁶ Gamma: 0.300; Statistical significance: 0.053.

¹⁷ Gamma: 0.134; Statistical significance: 0.265.

¹⁸ Gamma: 0.117; Statistical significance: 0.351.

Impact on Future Planning

Property owners were asked to what extent PMO enforcement affected their future plans. We examined whether relationships exist between the impact on future plans and the owners' attitudes regarding consistency with PMO enforcement,¹⁹ PMO standards and expectations,²⁰ and communication clarity.²¹ Unfortunately, all of these relationships were weak, and none were statistically significant.

Effect on Future Planning &
Consistency in PMO Enforcement and Expectations

Effect on Future Plans			
Consistency	Not at all	Somewhat	Strongly
Very Inconsistent			
Enforcement	7	9	7
Expectations	5	9	9
Inconsistent			
Enforcement	4	12	11
Expectations	5	11	10
Consistent			
Enforcement	2	6	4
Expectations	3	8	5

Effect on Future Planning &
Owner Agreement that Municipal Communication on PMO is Clear

Effect on Future Plans			
Clarity	Not at all	Somewhat	Strongly
Strongly Disagree	2	1	2
Disagree	1	8	0
Neutral	1	4	2
Agree	5	4	5
Strongly Agree	0	1	0
Varies by Municipality	2	0	3

¹⁹ Gamma: -0.037; Statistical significance: 0.827.

²⁰ Gamma: 0.152; Statistical significance: 0.394.

²¹ Gamma: 0.069; Statistical significance: 0.632.

Familiarization with Municipal PMO

How a property owner familiarizes themselves with a particular municipality’s PMO was also compared with the owners’ attitudes regarding consistency with PMO enforcement,²² PMO standards and expectations,²³ and communication clarity.²⁴ Again, these results produced primarily non-significant relationships.

How Owner Familiarizes Themselves with PMO & Consistency in PMO Enforcement and Expectations

Familiarize with PMO					
Consistency?	Municipal Communication	Municipal Website	Varies	Citation	Other
Very Inconsistent					
Enforcement	2	5	5	7	3
Expectations	3	4	6	6	2
Inconsistent					
Enforcement	4	5	9	3	6
Expectations	2	6	8	6	6
Consistent					
Enforcement	3	3	2	4	0
Expectations	5	4	2	4	1

How Owner Familiarizes Themselves with PMO & Owner Agreement that Municipal Communication on PMO is Clear

Familiarize with PMO					
Clear Communication?	Municipal Communication	Municipal Website	Varies	Citation	Other
Strongly Disagree	2	1	2	8	1
Disagree	1	8	0	5	10
Neutral	1	4	2	5	4
Agree	5	4	5	0	0
Strongly Agree	0	1	0	0	1
Varies by Municipality	2	0	3	0	1

²² Cramer’s V: 0.266; Statistical significance: 0.537.

²³ Cramer’s V: 0.302; Statistical significance: 0.288.

²⁴ Cramer’s V: 0.370; Statistical significance: 0.001.

Conclusion

Although many of the relationships examined by the survey results are unable to be generalized to the Commonwealth as a whole, the research still provides valuable information on the current status of PMO enforcement from both the municipal and property owner perspectives.

- Over $\frac{3}{4}$ of municipalities have not considered intergovernmental agreements for property maintenance code enforcement.
- Almost 70% of municipalities issue 50 or less property maintenance violation citations, on average, per year.
- In identifying both major obstacles to property maintenance enforcement and contributors to blight, non-responsive, absent, and/or negligent property owners and landlords were the highest rank factor.
- Nearly all municipal respondents (93%) characterize their community's degree of blight as either low or moderate, but only 28% agree or strongly agree that their capacity to combat blight is sufficient.
- Half of property owners and developers disagreed or strongly disagreed that property maintenance code expectations are clearly communicated by the municipality, with less than a quarter (24%) rating the consistency across municipalities in property maintenance code expectations and standards as consistent.
- Over $\frac{3}{4}$ of property owners (78%) said that property maintenance code enforcement factors either somewhat or strongly into their future planning and development strategies.

Staff Information

Name/Title	Post-Secondary Education	
David A. Greene, Esq. Executive Director	B.A. J.D.	The Pennsylvania State University Widener University School of Law
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Sonya I. Ebersole Fiscal Administrator	A.S.A.	Harrisburg Area Community College

Appendix A: Municipal Official Survey

1. What is the name of the municipality you are representing?
2. In what county is your municipality located?
3. What is your position within the municipality?
 - Mayor
 - Member of governing body (ex. council member, commissioner)
 - Code enforcement officer
 - Controller
 - Auditor
 - Municipal manager or administrator
 - Municipal secretary
 - Other
4. If the results of this survey are discussed in future publications, do we have permission to reference your municipality by name?
 - No
 - Yes
5. Does your municipality have a Zoning Ordinance?.
 - No
 - Yes
6. Does your municipality have a rental inspection and licensing ordinance?
 - No
 - Yes
7. Does your municipality have a property maintenance ordinance?
 - No
 - Yes
8. If your municipality has a property maintenance ordinance, does it contain retaliation protection language for tenants requesting repairs or filing complaints with the code enforcement officer?
 - No
 - Yes
9. How long has your municipality had an adopted property maintenance ordinance?
 - 0-14 years
 - 15-24 years
 - 25 or more years
 - Unsure

10. If your municipality has a property maintenance ordinance, is it based on the International Property Maintenance Code?

- No
- Yes

11. If you enforce a property maintenance ordinance, approximately how many citations do you issue a year on average?

- Less than 20
- Less than 50
- Less than 100
- 100 or more

12. How many citations were issued to repeat violators?

- 0-4
- 5-14
- 15 or more

13. How is your ordinance enforced?

- Local Police
- Code enforcement officer(s)
- Other

For questions 14-18: If you enforce a property maintenance ordinance, what percentage of violations, on average, get resolved at the following stages of the enforcement process?

14. Pre-Citation

15. Post-Citation/Pre-Court

16. Court

17. Post-Court

18. Unresolved

19. If you have a code enforcement officer, how are services provided?

- Full-time employee
- Part-time employee
- Contract
- Intergovernmental Agreement
- Other

20. If you have a code enforcement officer, what training, if any, have they received?

- No formal training
- Municipal association training
- Local Government Academy training
- International Council of Codes training
- Other

21. What would you consider the largest obstacles to enforcing property maintenance code violations?

- Lack of enforcement personnel
- Training of enforcement personnel
- Non-responsive property owners
- Lack of understanding of local rules of court
- Lack of funding and/or personnel resources for code enforcement administration (ex. research, maintaining database of property owners, tracking code enforcement statistics)
- Unknown property owners
- Other

22. How do you communicate code regulations and violations to property owners?

23. How would you characterize the degree of blight in your municipality?

- Low
- Moderate
- High
- Severe

24. Has your municipality used a conservatorship to combat blight?

- No
- Yes

25. Does your municipality have an Act 90 of 2010 (Neighborhood Blight Reclamation and Revitalization Act) ordinance?

- No
- Yes

26. How often do you receive complaints from constituents regarding property maintenance violations?

- Never
- Rarely
- Occasionally
- Often
- Very often

27. If you enforce a property maintenance ordinance, does your solicitor appear at hearings?

- No
- Yes

28. If so, how much does the municipality spend on property maintenance enforcement legal fees per year?

29. If you enforce a property maintenance ordinance, how much does the municipality collect in fines per year?

30. Would you agree that your municipality's capacity to combat blight is sufficient?

- Strongly disagree
- Disagree
- Neither agree nor disagree
- Agree
- Strongly agree

31. What would you consider the biggest contributors to blight in your municipality?

- Population loss
- Industry loss
- Poverty
- Aging housing stock
- Absentee landlords
- Natural disasters
- Drugs and other crime
- Public investment (ex. loans, grants, tax incentives) outside the core of the community
- Other

32. Has your municipality considered intergovernmental options for property maintenance enforcement?

- No
- Yes

33. Would your municipality be interested in county-wide, regional or multi-municipal property maintenance enforcement?

- No
- Maybe
- Yes

34. Please explain your answer.

35. Is there any information you would like to share about your municipality's experience with property maintenance code enforcement or blight that was not previously addressed in this survey?

Appendix B: Property Owner Survey

1. What is your name/the name of the company you represent?
2. If the results of this survey are discussed in future publications, do we have permission to reference you or your company by name?
 - No
 - Yes
3. How many properties do you own/manage?
4. Do you own/manage properties in more than one municipality?
 - No
 - Yes
5. If so, how many municipalities?
6. Do you own/manage properties in more than one county?
 - No
 - Yes
7. If so, how many counties?
8. Have you received notice of property maintenance code regulations or violations from local property code enforcement at a property you own?
 - No
 - Yes
9. If so, do you have experience with property code enforcement in more than one municipality or county?
 - No
 - Yes
10. How do you familiarize yourself with the property maintenance code at your property(ies) location(s)?
 - I receive communication from the municipality
 - I access the code through the municipal website
 - Varies depending on the municipality
 - I learn about the code if/when I receive notice of a violation
 - Other

11. Do you agree or disagree with the following statement: Property maintenance code expectations are clearly communicated by the municipality.

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly agree
- Varies depending on the municipality

12. How would you rate the consistency across municipalities in property maintenance code expectations and standards?

- Very inconsistent
- Inconsistent
- Consistent
- Very consistent
- Don't have properties in more than one municipality

13. How would you rate the consistency across municipalities in property maintenance code enforcement?

- Very inconsistent
- Inconsistent
- Consistent
- Very consistent
- Don't have properties in more than one municipality

14. How does code enforcement factor into future planning and development strategy?

- Not at all
- Somewhat
- Strongly

15. If so, please explain how it has affected future plans.

16. Is there any information you would like to share about your experience with property maintenance code enforcement that was not previously addressed in this survey?