

Durham to landlords: Safety standards stand

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DURHAM - The town will continue to enforce a recently adopted housing standards ordinance after its legal counsel reviewed a letter of complaint received in late February from an attorney for the Durham Landlords Association.

In the letter, the DLA asks the town to stay enforcement of the ordinance pending discussions with them about potential changes. The ordinance requires all residential rental property owners to have an annual inspection of their units, conducted by the fire department, to check for safety issues.

In a March 12 response to attorney John Sokul and the DLA, Selig said contrary to the DLA's contention, the ordinance is lawful, appropriate and necessary in order to ensure the health and safety of housing for the college community.

Of about 100 units inspected so far, the fire department has found problems in nearly every one, including inoperable smoke detectors, malfunctioning sprinkler systems and improper holds for fire doors allowing them to remain propped open, according to information provided to Selig by the department.

Selig said the town attempted to productively engage with members of the DLA on numerous occasions during the drafting of the ordinance through the Rental Housing Commission.

"However, the Durham Landlords Association chose to disengage from the drafting process and ultimately appeared with its attorney only at the very end of the process on January 7, 2012 to oppose the proposed Health and Safety Ordinance during the public hearing before the Town Council," Selig wrote.

He said the town's legal counsel concluded that no new information was presented in the letter of complaint that had not already been discussed in the drafting and approval process.

"The Town of Durham therefore is proceeding with the administration of the new Housing Standards Ordinance as written," Selig wrote.

Attorney John Sokul said the Durham Landlords Association is "disappointed" with the town's response.

"I always try to resolve things with collaboration and cooperation first," Sokul said.

He said he is in the process of collecting information he requested from the town in a right-to-know request filed with the complaint and will review that with the landlords association before a decision is made on their next step.

"I expect to reach out to the town again and offer some suggestions on how to improve the ordinance that makes it work for them and for the landlords in the town," Sokul said. "I think there are ways we can get everybody's objectives met."

Selig asked in his response that if the DLA wishes to oppose the town's efforts, that they do so immediately.

In their initial complaint, the DLA said it would like to avoid litigation, but reserved its right to go to court.