

# **ACHD Housing and Community Environment Program**

## **Housing Advisory Committee**

April 3, 2025

11:00am-1:00pm

## **Meeting Minutes**

### **1. Call to Order**

Michelle Naccarati-Chapkis called the meeting to order at 11:05am.

### **2. Roll Call of Members-** Michelle Naccarati-Chapkis called roll.

**Members Present:** Michelle Naccarati-Chapkis, David Onufer, Sonya Tilghman, Dwight Boddorf, Gale Schwartz, John Katz, Sofia Bermeo, Megan Hammond

**Members Absent:** Charlise Smith, Devon Goetze

**Arrived after roll:** Jala Rucker, Dr. Noble Maseru, Bob Damewood

**ACHD staff present:** Otis Pitts, Tim Murphy, Maryann Manown, John Cronin, Tori Baker

**Other present:** Dr. Michael Yonas, two members of press

### **3. Approval of March 6th Meeting Minutes**

Mr. Onufer motioned to approve the minutes. Mr. Boddorf seconded. All eight members present at the time voted in favor. Motion passed unanimously.

### **4. Discussion & Vote on Robert's Rules**

Ms. Naccarati-Chapkis asked for input on rules.

Mr. Pitts mentioned there had been questions about quorum. Mr. Boddorf asked why quorum would be increased to majority plus one rather than the established rules. Ms. Naccarati-Chapkis asked Mr. Pitts why that was added. Mr. Pitts referred to the food advisory committee but said if this committee prefers a lower requirement to make decisions the department would support the decision. Ms. Tilghman clarified quorum being over 50%.

Mr. Katz motioned to vote to accept Robert's Rules with a simple majority as quorum, Mr. Onufer seconded. All eight members present at the time voted in favor. Motion passed unanimously.

### **5. ACHD Article VI Abatement Draft Presentation**

Ms. Naccarati-Chapkis introduced the abatement draft and asked about being walked through the proposal. Mr. Murphy stated he would be doing that with a short presentation. He explained why the program is moving towards this and began the powerpoint presentation.

Ms. Naccarati-Chapkis opened the floor for questions after the presentation.

Ms. Hammond asked if it would apply to owner occupied properties as well. Mr. Murphy responded that it would. Ms. Tilghman asked what if it is a rental, Ms. Naccarati-Chapkis and her both asked if the department goes to owner or landlord for enforcement. Mr. Murphy

responded that inspectors are trained to differentiate and often both are involved. He continued that it can be complicated in multi-unit buildings as a single tenant likely could not be held responsible, therefore enforcement would be on the landlord.

Ms. Naccarati-Chapkis confirmed with Mr. Murphy that these are complaint driven. She also asked if we get referrals from local code enforcement and work with municipalities. Mr. Murphy responded that it is primarily by neighborhood complaint, but there are sometimes complaints from a municipality.

Mr. Boddorf stated that his areas have referred cases but would like more communication and coordination from the department. He asked if the program gets those directly and what is the response. Ms. Naccarati-Chapkis asked Mr. Boddorf the best approach for a coordinated system. Mr. Boddorf requested when a case gets to a certain level to make it mandatory to reach out and a certain level to refer. He asked for sooner feedback from the program, cited a time where he did not get any communication for 3 weeks. He suggested guidelines for communication with municipalities at minimum.

Dr. Noble Maseru arrived at 11:23am.

Mr. Murphy referenced a case with coordination. Mr. Boddorf said it seemed, so far, it is just them reaching out to the department, not the other way around. Mr. Murphy stated reaching out to code enforcement is not common and municipalities are not routinely contacted but could be. Ms. Naccarati-Chapkis asked the criteria for a standard letter to be sent. Ms. Hammond liked the idea of standardizing communication with municipalities, even just by a form letter. Multiple members expressed the desire to minimize multiple agencies duplicating enforcement and feeling like harassment on responsible parties. Ms. Naccarati-Chapkis asked the committee if there is something else that should be written in.

Jala Rucker arrived at 11:26am.

Mr. Boddorf suggested class levels being the trigger for notifying municipalities rather than everything being shared. Ms. Hammond suggested a "cc" just as notification. Mr. Boddorf suggested class 2 or above allowing them to focus efforts. He cited a case where they were able to get faster results.

Dr. Maseru asked if we have a map or breakdown of zip code for community environment cases. Mr. Murphy stated no map exists but it may be possible to get by zip code.

Ms. Hammond asked about the possibility for language requiring a yearly report. Ms. Naccarati-Chapkis would like the minutes to reflect that Dr. Maseru and Ms. Rucker have joined.

Ms. Tilghman mentioned regulations should say owner or resident or tenant. Mr. Murphy asked Mr. Cronin if it would be possible to make a tenant responsible for the cost of abatement. Mr. Boddorf stated the at municipal level they make the owner responsible and up to them to recover costs from the tenant.

Ms. Naccarati-Chapkis asked about department policy and done by certain number of Request for Proposal (rfp) for contractors, maybe 3 bids, or would there be an established list of contractors. Mr. Pitts stated over \$10,000 required a bid. Mr. Boddorf asked for an avenue to have a list of pre-approved contractors. Mr. Pitts said funding and those details come later, getting the regulation on the books is the first hurdle.

Ms. Naccarati-Chapkis introduced Dr. Yonas as liaison with the Board of Health. Mr. Murphy stated that the authority to do this already exists through PA Act 315 Public Health Law, but adding the language to Article VI and notifying public is the goal here. He said that it is a great

idea to include municipalities but objected to class 1 or 2 being the threshold as many cases that would be considered for abatement will not have violations at that level.

Ms. Naccarati-Chapkis asked for a timeline. Mr. Pitts outlined the process that first the committee expresses their support. After that it goes to the Board of Health for approval of public comment (30 or 90 days), not putting into effect. It would then be presented to the Board of Health with public comment response document and all support. County council gets it next to pass or reject, then refers it to Health and Human Services for further review. Finally County Council votes on the revisions and the County Executive signs the new version of Article VI. This draft is not binding and could change throughout the approval process, but the department is seeking the committee's confidence in the draft. Ms. Tilghman asked the timing for Board of Health meeting. Mr. Pitts stated the committee approval should be 2 weeks in advance of the meeting, May 14<sup>th</sup> is next meeting. With that timeline the draft would need to be ready by the end of month to go to the Board.

Ms. Naccarati-Chapkis opened the floor for further questions on abatement. Ms. Hammond mentioned that communication with municipality about an owner's lack of cooperation could result in revoking of rental registration. She also asked if the complaint would go away if tenant moves rather than being corrected. Mr. Murphy responded if hazard remains responsible party could change, taking the case back to the beginning, but enforcement would continue. He stated there are cases that will get closed rather than going to abatement if less severe. He explained the difference between interior housing and exterior complaints in terms of the program's response to the property being vacated. He then asked Mr. Boddorf if he thinks both interior and exterior complaints should be communicated to code enforcement. Mr. Boddorf said both as they do have registry and as mentioned that could be affected.

Ms. Naccarati-Chapkis referred to the definition of a class 4 violation to confirm it is not a risk to health but higher classes are constituting a hazard. She then asked the committee for other questions.

Dr. Maseru co-signed Mr. Boddorf's request for an established list of contractors. He also requested neutral pronouns in writing. Mr. Murphy stated the draft uses "the department" rather than any gendered pronoun, other members pointed out the gendered pronouns usage is in the PA state act that is not in question.

Mr. Onufer asked for possible mechanisms for the county to recover costs. Mr. Murphy stated the owner will be billed with potential for liens if left unpaid. He also referred to page 35 of the document describing recovering costs using recycling. Mr. Boddorf asked what happens with multiple liens, such as municipality or county, and which lien takes precedence. Mr. Cronin stated he is unsure, it may depend which is filed first. He referred to the law. Mr. Boddorf asked the threshold for this initiative as cost could outweigh the return. Mr. Cronin answered that is a program decision as penalty currently is larger than cost to file.

Ms. Naccarati-Chapkis asked under 667C can 667D be communication with local government and then 667E would be the salvage language.

Mr. Murphy suggested the committee send him their edits. Ms. Naccarati-Chapkis asked if it should be direct language edits or concepts desired. Mr. Murphy responded either is fine. He stated the department is happy to make edits to get the support of the committee maybe in a special meeting. Ms. Naccarati-Chapkis asked committee if they are open to a special meeting. Mr. Pitts suggested a virtual call as special meeting for expression of support after edits. Ms.

Naccarati-Chapkis stated a half hour zoom will be scheduled to vote in two weeks with edits. Ms. Hammond asked if there is language in the letters that they have option to have translated. Mr. Murphy responded not currently.

Mr. Katz asked if special meeting would have to be public. Ms. Naccarati-Chapkis said it can be added. Mr. Murphy stated quorum would need to be met.

Dr. Maseru asked the distinction between public health versus household member health and can that be added to the glossary. He wanted to see the language be more specific in how the initiative could be used. Mr. Murphy stated the wording is intentionally broad as the department does not want to restrict when abatement can be used. Dr. Maseru still preferred clearer language.

Ms. Naccarati-Chapkis asked if this gives ability to go into a building.

Mr. Damewood arrived at 12:00pm.

Mr. Murphy stated in practice this will primarily be used for community environment concerns, but it is possible that it could at some point be used to complete repairs in a home. Mr. Cronin stated from a regulatory perspective public health means harm to the public, not specific to one person. Dr. Yonas suggested a definition may be helpful to prevent an individual from claiming they are not affecting the public. Mr. Murphy and Ms. Naccarati-Chapkis further discussed the nuance of the language.

Dr. Maseru again protested that the language was not specific enough, where Mr. Murphy preferred more broad language.

Mr. Murphy stated interior issues do have other avenues of enforcement. He stated exterior is open to public, whereas interior would only affect the occupant(s).

Dr. Maseru preferred to see more detail specifically with "major health hazard" and how it is decided what is major.

Ms. Naccarati-Chapkis stated with always having something new around the corner, less detail gives flexibility.

Mr. Pitts stated for the record Mr. Damewood has joined.

Mr. Damewood asked for examples of violation classes and when abatement would be used. Mr. Murphy returned to slide 4 of the presentation with explanation.

Mr. Damewood asked if it is limited to exterior. Mr. Murphy responded in practice yes. Mr.

Damewood asked if it would then not apply to a no heat situation. Mr. Murphy stated the option is there but not at this juncture. Ms. Tilghman repeated because there are other avenues for enforcement. Mr. Murphy explained numbers of cases and quality of contractor's work could be complicating factors versus just paying to have things such as tires removed. Mr. Damewood was concerned more for consequences in cases where families are left without a home and properties abandoned. He wants there to be a way, but understands the complications. He would like to contact other jurisdictions for guidance.

Ms. Naccarati-Chapkis intervened that this may bleed into the subcommittee agenda item. She referred to other items the committee would like to see being addressed outside of abatement such as rent withholding.

Mr. Damewood pushed for the committee and department to move in the direction of doing more and not waiting. Ms. Naccarati-Chapkis referred back to other types of enforcement for interior issues. Mr. Damewood spoke about a news story regarding a Ms. Swan, displaced due to no heat despite having an HCE complaint and taking all steps possible. He wants to plug the gap

for situations with no clear solution such as that case. Mr. Murphy expressed the desire to start with exterior but as written may be used for cases like these in the future.

Mr. Boddorf asked if a budget for abatement exists, stated municipalities struggle with funds to do similar work. Mr. Murphy stated the program would start with asking the Board of Health for money from the environmental health fund.

Ms. Schwartz requested more nuance in deciding what cases get abatement rather than drawing a line based on the funding issue. Mr. Murphy again stated the draft does allow for more action. Mr. Onufer asked if any abatement has been done and an estimate of how many would be done. Mr. Murphy stated none has been done so far. Mr. Pitts stated there were quotes for removal of a tire pile. Mr. Murphy stated how many can we abate depends on funds.

Ms. Hammond liked that even though it is currently only the most severe cases it creates the structure. She mentioned the data from the first year or so may be helpful in determining how the function could be used going forward. Ms. Naccarati-Chapkis and Mr. Murphy said great point and were thankful for the input.

Mr. Murphy explained this is not the end of the road and we do intend on continuing to build. Dr. Yonas echoed Ms. Hammond by saying this can be a learning space, great conversation but does not need to be perfect now.

Ms. Naccarati-Chapkis cited the amount and sources of the environmental health fund.

Mr. Katz asked for the slide with pa act 315 for Mr. Damewood.

Ms. Naccarati-Chapkis paused for a time check and summarized that the department will edit the draft, share the updated version with the committee, then convene on virtual call in two weeks for a vote.

Mr. Damewood asked to make suggestions. He directed attention to item B on page 33 language confusion between emergency versus the class 1 violation/emergency condition definition. Mr. Murphy stated the distinction is already made and referred to 610 where emergency is established.

Ms. Rucker asked for example of situations where the program would act immediately. Mr. Murphy cited West Nile Virus positives where the program can disperse pesticide. Mr. Pitts stated a structural issue that poses immediate risk. Ms. Rucker asked why not rat infestation as they also transmit illnesses. Mr. Murphy stated that has the other avenues of enforcement as an emergency condition.

Mr. Cronin referred to the need for notification. Mr. Murphy differentiated using the requirement for notice. Mr. Cronin referred to 610 and the element of notice versus just having the work done, owners would already be aware of violations.

Mr. Katz stated class 1 definition is confusing.

Mr. Murphy asked if the committee would prefer notice. Mr. Pitts responded that the department is bound by state law on notice.

Ms. Naccarati-Chapkis asked Mr. Damewood if he had more, as well as anyone else. She also asked Mr. Boddorf the same question, he stated he has more but it will come up later.

## **6. Subcommittee Discussion and Formation**

Ms. Naccarati-Chapkis asked for input and ideas for subcommittees, then left the floor open. The committee was free to suggest action items or learning opportunities.

Mr. Damewood suggested a subcommittee on an ACHD urgent repair program inside the home where a condition threatens health of occupants. He referred to a similar program in Los Angeles and would like a subcommittee that could contact LA and other locations.

Mr. Boddorf has 17 other municipal workers that would like coordinate with the department.

Ms. Hammond was also interested in intergovernmental coordination.

Ms. Rucker also liked the idea of an urgent repair program, but wanted attention on how the department handles eviction.

Mr. Onufer requested outreach.

Mr. Boddorf suggested looking into Act 152-realty transfer tax, Economic Development has a program that allows funding to municipalities for demolition requests. Ms. Naccarati-Chapkis stated she has problems with Act-152. She asks Mr. Boddorf how he would like to see the department use it. Mr. Boddorf said the municipality uses it for tear down but only get a small number (approximately 2 out of 52) of requests approved. He asked if the department might be able to get involved. Mr. Damewood asked if Act-152 can stabilize property. Mr. Boddorf stated it is for demolition only. Ms. Naccarati-Chapkis stated it is state act.

Dr. Maseru asked if health impact assessments (HIA) are used. Mr. Boddorf stated he would have to ask. Dr. Maseru asked if we use Health Impact Assessment. Mr. Murphy said that is not required. Dr. Maseru stated Detroit requires HIA for structures.

Ms. Naccarati-Chapkis asked about Ed Nusser committee on homelessness. Dr. Yonas described Homeless Advisory Committee and how they can connect, that committee oversees the board for continuing care.

Ms. Naccarati-Chapkis emphasized Article VI is the committee's guidance and where the committee can enact changes. She summarized that the suggestions for subcommittees are urgent repair, intergovernmental communication, eviction, and Act 152.

Mr. Damewood mentioned rental registry.

Ms. Bermeo asked about cleaning with homeless camps. Mr. Murphy stated we could get involved where pest issue is created by the camp and cite landowner. Mr. Boddorf referred to Article VI and if we can enforce on municipality. Mr. Murphy stated municipalities as owner can be enforced. Ms. Naccarati-Chapkis stated the city of Pittsburgh has already acted on those issues and not duplicating effort. Mr. Murphy stated the program does not get involved with the homeless population.

Ms. Naccarati-Chapkis again listed the suggestions rental registry, urgent repair, eviction policy, and intergovernmental communication.

Ms. Hammond stated registry and intergovernmental communication may be an overlap.

Ms. Naccarati-Chapkis cited a lack of consistency across all municipalities. She asked if the first step should be subcommittees researching or ACHD research. Mr. Pitts stated both could be utilized. Ms. Schwartz brought up looking at COGs and eCode360. Mr. Boddorf stated some locations use eCode360, but code and practice are often not the same, rental registry not being followed. Ms. Hammond asked about consistent fair housing across municipalities.

Ms. Naccarati-Chapkis asked for reactions to the suggestions.

Dr. Maseru supported local research for rental registries. He asked for study on potential impact of Project 2025 on this work. Mr. Murphy stated that is at the federal level and not something the department would be factoring into this initiative.

Ms. Naccarati-Chapkis requested the committee use a Google drive for documents of research. Committee agreed that is a good idea. Ms. Naccarati-Chapkis will try to find speaker to describe local efforts.

Mr. Damewood would like to see the department repairing homes. Mr. Pitts stated Rebuilding Together Pittsburgh has a program.

Mr. Damewood officially proposed Urgent Repair and Displacement Prevention subcommittee. Ms. Schwartz motioned to approve the Urgent Repair Program and Displacement Prevention subcommittee. Ms. Rucker seconded. All 11 members present vote in favor. Motion passed unanimously. The subcommittee is created chaired by Mr. Damewood.

Mr. Boddorf and Ms. Hammond discussed subcommittee for intergovernmental coordination & communications. Ms. Hammond and Mr. Boddorf will co-chair. Ms. Rucker motioned to approve the Intergovernmental Communication subcommittee. Mr. Onufer seconded. All 11 members present voted in favor. Motion passed unanimously.

Mr. Onufer asked to be thoughtful in moving forward in communications.

Ms. Naccarati-Chapkis asked to keep in mind the department's PHIO can be a resource.

Dr. Maseru asked again about eviction. Committee agreed that Mr. Damewood's subcommittee will cover eviction under the displacement prevention.

Ms. Naccarati-Chapkis stated all subcommittee members are responsible for coordinating.

Mr. Damewood asked for members to join his subcommittee. Ms. Schwartz, Ms. Rucker, and Dr. Maseru agreed to join.

Mr. Damewood brought up the Sunshine Act and asked for participation of ACHD staff. He asked if subcommittee meetings need to be advertised to the public. Ms. Naccarati-Chapkis said the subcommittees must bring findings to the committee. Mr. Cronin and Dr. Yonas unsure but stated subcommittee is gathering info, not making decisions. Ms. Naccarati-Chapkis asked if all members are present but if the conversation is informal does that fall under the Sunshine Act. Mr. Cronin stated he would need to reread but it might. Mr. Boddorf said since decisions are not made they do not if they are only researching.

**7. Next Meeting: June 5<sup>th</sup>, 2025 11:00am-1:00pm**

Ms. Naccarati-Chapkis again confirmed the updated draft will be sent to the committee for review. The committee will then have a brief special virtual meeting in two weeks to vote whether to send the draft to the Board of Health for approval to release for public comment.

**8. Adjournment**

Mr. Boddorf motioned to adjourn the meeting. Mr. Onufer seconded. All 11 members present voted in favor. Motion passed unanimously. Meeting adjourned at 1:12pm.