

POTTSTOWN CITIZENS FOR Responsible GOVERNMENT

First things first: Property inventory needed

At its October meeting, Pottstown Council passed a new ordinance with more rules for landlords. The law is supposed to ensure landlords pay their taxes and water and sewer and trash bills on time. Landlords will be required to monitor their tenants for misbehavior.

The trouble is, problems are rarely solved by simply passing an ordinance. It has to be properly and fairly enforced.

Similar law passed in 2002

The borough passed a similar ordinance in 2002 that was also supposed to get tough on errant landlords. Obviously, it didn't work, or council wouldn't be passing a new one.

But unless Pottstown re-thinks its approach to code enforcement, the new ordinance won't be any more successful than the old one.

The 2002 ordinance required, as a first step, that all landlords register their properties with the code enforcement office. The purpose was to create an inventory of all rental properties in the borough.

However, six years later, in early 2008, when I made a right-to-know request for all rental properties registered in Pottstown, then-borough manager Ray Lopez wrote in reply: "there are no specific files on these and therefore unable to produce."

The 2002 ordinance also requires an inspection of all rental properties whenever properties are sold or when there is a change in occupancy. However, each rental unit was supposed to be inspected at least once every five years, and the code enforcement office was directed to establish a phased-in systematic program of inspections to do that.

That program has yet to be developed, although the borough is working on it.

Inconsistent inspections

As a result, conscientious landlords register their properties, apply for rental inspections every time an apartment turns over, and pay the fees — a costly and time-consuming process — while heedless landlords merely ignore the law.

Rental inventory needed

Before doing anything else, the borough first needs to inventory all the buildings in Pottstown.

Only then can we know how many rental properties we have, and which landlords haven't registered.

Moreover, the borough has spent hundreds of thousands of dollars in recent years to help new residents de-convert apartments as part of its Homeownership Initiative. Because the borough has no property inventory, there's no way to know how much progress we've made.

Establishing an inventory shouldn't be difficult. The Montgomery County Board of Assessments has inventoried every property in the county and placed detailed information for each one on its website.

The information includes addresses, names of property owners, sales history, lot and building dimensions, property use — even photographs.

Unfortunately, the county system is not compatible with the borough system, so information cannot automatically be transferred.

And while the county system works well for assessments, it is not designed to identify rental units.

A decade ago, a consultant to the Pottstown Planning Commission paid an intern to survey buildings downtown to see how many single family homes had been converted into apartments. Looking at available records and doing field studies — counting mailboxes and electric meters, for example — she concluded that 591 homes had been converted over the years into a total of 1,420 apartments. The borough needs to do the same kind of survey.

Inventory is the first step

Until an inventory is completed, the codes department will spend its efforts in the wrong places. You can't expect scoff-laws to volunteer to be regulated.

Thomas Hylton is website editor of Pottstown Citizens for Responsible Government.



Commentary by
Thomas Hylton

Summary

- **Council recently passed a new law designed to get tough on neglectful landlords.**
- **The ordinance won't work unless the borough creates and publishes an inventory of rentals. Otherwise, the law will miss the very people it's intended to regulate.**