



Montgomery County, Maryland

# HOUSING CODE ENFORCEMENT HANDBOOK

March 2017



Department of Housing & Community Affairs

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**DISCLAIMER:** *This handbook is intended to serve as a general guide and attempts to provide information in an easily understandable manner. Every reasonable effort has been made to ensure the accuracy of the information in this handbook. Although the information is believed to be accurate, if there are any inconsistencies with applicable laws or regulations, those laws and regulations would apply. For the exact wording and requirements of any law, please consult the Montgomery County Code available online at [www.amlegal.com](http://www.amlegal.com). The information contained in this handbook does not constitute legal advice.*

## INTRODUCTION

The mission of the Housing Code Enforcement Section of the Department of Housing and Community Affairs (DHCA) is to preserve and improve the quality of life in Montgomery County by ensuring that our neighborhoods and housing stock are maintained in good condition.

The Code Enforcement Section is responsible for administering the following laws in the Montgomery County Code: Chapter 26, Housing and Building Maintenance Standards; Chapter 48, Solid Waste; and Chapter 58, Weeds. These laws define how buildings, homes, apartments, yards, and vacant properties are to be maintained in Montgomery County.

Consistent enforcement of the County's laws helps to:

- ✓ Improve the quality of life for Montgomery County residents;
- ✓ Stabilize neighborhoods and provide a healthy environment;
- ✓ Provide safe, decent, and clean housing for everyone;
- ✓ Maintain and enhance property values; and
- ✓ Prevent blight.

Housing Code Inspectors investigate complaints, perform legally required and authorized inspections, and educate County residents regarding their rights and responsibilities in the area of property maintenance.

This handbook describes what DHCA's Code Enforcement Section does and how it does it. It also describes the various rights and responsibilities of property owners and tenants. DHCA looks forward to working together with property owners, managers, landlords, tenants, and civic associations as we strive to realize our mutual goal of maintaining the high quality of life in Montgomery County.

## THE CODE ENFORCEMENT PROCESS

In order to ensure that the requirements of the above laws are met, Housing Code Inspectors within DHCA visit and inspect thousands of single-family homes, apartments, businesses and other properties throughout the year. An inspection is triggered by a complaint, a referral, and/or as an inspection required under the law. Sometimes, inspections are conducted in specific neighborhoods as part of an overall Departmental strategy to improve and enhance an area within the County.

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### ***Did you know?***

*In Montgomery County, 96 percent of all housing code violations are corrected on time by property owners.*

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When a violation is found, the Inspector issues a **violation notice** which identifies the violation and the corrective action that is required. The violation notice also gives the owner a specified period of

time in which to correct the violation. At the end of this this time period, the property is re-inspected to verify that the violation has been corrected. If the owner has made the required repairs, the case is closed. In some limited cases, the Inspector can grant an extension of time for good cause to correct a violation.

If the owner is not responsive and/or has not corrected the violation, the Inspector will take legal action by issuing **civil citations** to the owner. These citations carry fines of \$100 to \$500 depending on the severity of the violation. In addition to the fine, the Inspector requests an Order from the Court requiring that the violations be corrected (an "**Abatement Order**"). If the owner fails to correct the problem within the timeframe set by the Judge, the Abatement Order allows the Department to enter the property, make the repairs, and charge the owner for the cost. If the owner fails to repay the County for the repairs, the DHCA will place a lien against the property and initiate legal actions to collect this lien.

## Chapter 26 - Housing and Building Maintenance Standards

### ***Minimum Standards for Dwelling Units***

A dwelling unit is defined as "any room or group of rooms located within a dwelling forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating".

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#### ***Did you know?***

*A "dwelling unit" is a place with sanitary facilities where people permanently live, cook, eat, and sleep, such as a house or an apartment.*

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Every dwelling unit must contain:

- ✓ A kitchen with a functioning stove, sink, refrigerator, and space for storing and preparing food;
- ✓ A bathroom with a toilet, wash basin, shower or bathtub;
- ✓ Adequate trash facilities;
- ✓ Hot water (heated to at least 120 but not more than 140 degrees Fahrenheit);
- ✓ A minimum of two safe and unobstructed means of escape to the outside;
- ✓ A heating system capable of providing a minimum temperature of 68 degrees Fahrenheit in all habitable rooms; and,
- ✓ Access to any sleeping room must not pass through another sleeping room.

## **General Requirements for Safe and Sanitary Housing**

### **Owners Must:**

- ✓ Maintain all exterior components of the house, foundation, walls, stairs, windows, doors, and the roof in good repair;
- ✓ Maintain all plumbing in good repair;
- ✓ Protect all wood surfaces against rot and decay;
- ✓ Prevent and eliminate any infestation by insects or vermin;
- ✓ Maintain interior walls and woodwork in good repair;
- ✓ Keep the dwelling unit free of flaking or peeling paint; and
- ✓ Repaint the interior of the dwelling unit after five years even when there is no change in tenants.

## **Minimum Space, Use and Location Requirements**

- ✓ No more than five unrelated people may live together in a dwelling unit;
- ✓ Any room used as a bedroom must be at least seven (7) feet wide;
- ✓ Rooms used as bedrooms must contain at least seventy (70) square feet of usable space if occupied by one person, and at least fifty (50) square feet of usable space per person if occupied by more than one person;
- ✓ Cellar and basement space may not be used for sleeping unless it meets Housing Code requirements for light, ventilation and emergency egress.
- ✓ An occupant is defined as any person over one year of age.

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### ***Did you know?***

*Before using a cellar or basement for sleeping, you must get approval from the Department of Housing and Community Affairs.*

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## **Responsibilities of Owners and Tenants**

### **Owners Must:**

- ✓ Install smoke detectors near each sleeping area and at each stairway leading to an occupied area;
- ✓ Maintain shared or common areas of land and buildings in a clean and sanitary condition;
- ✓ Provide a sufficient number of containers to store trash and garbage in multi-family properties;
- ✓ Exterminate cockroaches, bedbugs, mice, rats and other vermin in multi-family properties;
- ✓ Maintain trees and shrubbery; and
- ✓ Maintain all paved surfaces, such as sidewalks, driveways, and parking areas so that they remain in good condition at all times.

### Tenants Must:

- ✓ Maintain the dwelling and yard in a clean and sanitary condition;
- ✓ Dispose of all trash and garbage in proper containers;
- ✓ Exterminate insects and vermin in single-family dwellings;
- ✓ Maintain the grass and weeds in yards of single family dwellings below 12 inches in height. A tenant in a single-family property may also be responsible for raking, disposing of leaves, shoveling snow, and periodically cleaning the gutters;
- ✓ Keep plumbing fixtures clean and sanitary and operate all electrical and plumbing fixtures properly;
- ✓ Inform the landlord promptly of any defects/problems in your unit;
- ✓ Provide access to the landlord for non-emergency repairs when proper notice (at least 24 hours) is given by the landlord;
- ✓ Do not damage, or permit anyone else to damage, your unit.

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### ***Did you know?***

*Good housekeeping practices by tenants is required under the County's housing code. Good housekeeping contributes to a safe and healthy home and apartment building.*

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### **Security Requirements**

#### **Multi-family Rental Dwellings**

- ✓ Owners must change locks each time they get new tenants;
- ✓ All swinging entrance and exit doors must have single cylinder deadbolt locks or other approved security devices;
- ✓ Door viewers (such as “peep holes”) are required in all entrance doors;
- ✓ Windows that can be opened and closed, and that are within reach of the ground, must be constructed, repaired, and maintained to prevent them from being opened from the outside; and
- ✓ All access panels to a roof, attic, crawl space, storage area, and any other area which is not used daily, must be locked.

#### **Single Family Rental Dwellings**

The owner is responsible for supplying, installing, and maintaining a lock for every door to the outside. A deadbolt lock is not required in a single-family rental dwelling unit, but when a deadbolt is provided, it must operate by use of key from the outside, and by use of a thumb turn from inside.

#### **Smoke Detectors**

The use of smoke detectors saves thousands of lives each year. In multi-family rental dwellings, smoke detectors must be located near each room used for sleeping, as well as near each stairwell

leading to an occupied area. Owners and tenants should test their smoke detectors at least once each month to make sure it is working, and replace any dead batteries. **Tenants should never disable or disconnect a smoke detector in their dwelling unit, paint over it, or cover it up for any reason.**



(Replace your smoke detector 10 years after the date of manufacture – shown above)

A smoke detector may be “hard-wired” (connected to a building’s electrical system with a back-up battery), or it may be operated only with batteries. All batteries within a smoke detector should be replaced at least once each year. Alternately, owners can purchase smoke detectors with a built-in battery that has a 10-year lifespan. Whatever type of smoke detector used, each smoke detector should be replaced after 10-years from the date of its manufacture. The manufacturing date can be found on the back of the smoke detector, as is demonstrated in the photo above.

### ***Authority to Conduct Inspections***

Under the County’s laws, Housing Code Inspectors from DHCA have the authority to inspect houses, apartments, commercial buildings, vacant lots, and other property to safeguard the health and safety of the occupants and the general public. DHCA may apply for a warrant if an owner, owner’s agent or occupant refuses to allow an inspection. Under County law, DHCA is required to inspect each apartment complex in the County at least once in every 36-month period. Apartment complexes with a history of code violations and non-compliance with the County’s housing code are inspected annually until they are found to be in regular compliance. These complexes area also required to develop and adhere to a corrective plan of action, and must submit maintenance records to DHCA.

Owners must notify tenants at least 72 hours in advance of any inspection that has been scheduled by DHCA. Occupants must give the owner access to a dwelling or premises at all reasonable times to make repairs, conduct inspections, or to comply with other requirements of the County’s laws.

### Notices of Violation

When a Housing Code Inspector discovers a housing code violation, the Inspector must notify the owner in writing of the violation and order that the violation be corrected. The written notice must:

- ✓ Describe the corrective action that needs to be taken;
- ✓ Provide a reasonable period of time to perform the action;
  
- ✓ Be delivered in person (“served on”) or mailed to the owner or the owner’s agent; and
- ✓ Be posted on or near the property affected by the notice.

### Emergency and Corrective Actions

If at any time, the Housing Code Inspector determines that a situation requires immediate action to protect a tenant’s or the public’s health and safety, the Inspector may order the owner to take action to correct the condition **immediately**. If possible, the order is hand delivered to the owner of record. If the order cannot be hand delivered, the order must be posted on the property in a conspicuous location.

If the owner does not take the required action to correct the condition within 24 hours after the Inspector posts or delivers the order, DHCA may take corrective action taken. The owner must repay the County for all reasonable and necessary costs that are incurred. These costs constitute a debt owed by the owner to the County and may be placed upon the tax bill as a lien on the property and be collected in the manner in which ordinary property taxes are collected.

### Condemnation

Any dwelling, dwelling unit, or non-residential building may be condemned as **unfit for human habitation** or **unsafe for human occupancy** if the structure:

1. Lacks electricity, a water supply, sanitation facilities, adequate light, ventilation, or a heating system;
2. Is, entirely or in part, so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public;
3. One which, because of its general condition, is entirely or in part, unsanitary or otherwise dangerous to the health or safety of the occupants or public;
4. Contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment, on the premises or in the structure that presents a hazard to the life, health, property or safety of the occupants or the public;
5. Is vacant and unoccupied for the purpose for which it was built; has remained substantially in that condition for at least one year; and has been cited for five (5) or more violations of Chapter 26, none of which has resulted in a “not guilty” finding by a court; or
6. Is a public nuisance.

If any of these conditions are found, the Housing Code Inspector notifies the owner of the condemned property and posts a condemnation sign on the property. This sign must not be removed until the Housing Code Inspector authorizes its removal.

The owner of the property must notify any occupants to vacate the property. The owner then must secure all windows and doors that are accessible from the ground or by use of a ladder, and must keep all doors and windows secure from unauthorized entry.

### **Repair or Removal of Condemned Structures**

When a property is condemned, the owner must repair or remove the condemned structure within the time period specified by the Inspector. If the owner does not comply with the Inspector's order, a civil citation will be issued to the property owners which begins the legal process in the District Court of Maryland (see Step 4 on page 13). DHCA will pursue every legal option available to enforce the requirement that the owner repair or remove the structure.

### ***Minimum Standards for Non-Residential Property***

#### **The Owner Must:**

- ✓ Maintain vacant properties;
- ✓ Remove trash, garbage, yard waste, and debris and maintain the grounds;
- ✓ Maintain all paved and gravel surfaces of parking lots, driveways, sidewalks and entry aprons; and
- ✓ Eliminate any condition which creates a public nuisance in a manner which prevents its re-occurrence.

### ***Common Seasonal Violations***

Each year, DHCA Housing Code Inspectors find many common violations that are related to seasonal conditions. Below are some of these common violations and the related standard that owners and tenants must meet.

#### **Yard and Tree maintenance**

In the Spring and Summer months, Inspectors often encounter overgrown grass and weeds in yards and vacant lots, especially during periods of wet weather. All grass and weeds must be maintained so that they do not exceed **12 inches** in height. Inspectors also find dead trees, dead tree limbs, and dead shrubs and bushes. Owners must remove all dead trees and bushes, including any dead limbs or branches on living trees. Dead limbs and branches that grow over a neighbor's property are a violation that must be corrected by the owner of the tree.



(VIOLATION: Grass may be no more than 12 inches in height)

### Shoveling Snow

In Montgomery County, owners and tenants of single-family homes must shovel snow off any public sidewalk adjacent to their property within **24 hours** after the snow stops. Owners of multi-family and commercial properties must shovel snow off public sidewalks and private parking areas within **24 hours** after the snow stops.

### Standing Water

Standing water can include puddles that form due to thunder storms in the Summer, untreated water found in swimming pools that are not in use outside the Summer months, and rain water that collects in an item in a yard, such as an old tire or a plastic cup. Even a small amount of standing water can be a breeding ground for mosquitos and other pests, and must be controlled by an owner or tenant. Control can be achieved by draining the water, eliminating the source or receptacle for the water, and through chemical treatments that can be added to unused swimming pool water. Untreated standing water found on a property is a violation and must be corrected.

### *Infestation*

The presence of rodents and insects (also known as “vermin”) in any dwelling unit is a violation of the housing code. Common vermin include: rats, mice, cockroaches, bed bugs, fleas, and silverfish. Vermin can be controlled through extermination, but it is also important for owners and tenants to eliminate any conditions or practices that contribute to the presence of vermin. The single most important factor in controlling vermin is using good housekeeping practices that eliminate food sources or habitats in which vermin live and breed. To reduce the presence of vermin in and around the home, owners and tenants should:

- ✓ Clean food preparation and eating areas after each meal by placing food scraps down a garbage disposal or in a trash receptacle with a tight-fitting lid, wiping down surfaces, and sweeping the floor;
- ✓ Store food in containers with tight fitting lids, and clean up any spilled food found in a cupboard, cabinet, or food storage closet;
- ✓ Do not leave extra dog or cat food out after a pet’s feeding time;

- ✓ Repair or replace broken or missing window screens;
- ✓ Do not bring mattresses, clothing, or furniture that are found on the curbside into your home (these objects can contain insects or insect eggs);
- ✓ Keep grass, weeds and shrubs near your home trimmed; and
- ✓ Reduce or eliminate clutter in your home.



(VIOLATION: Infestation by cockroaches and bedbugs)

### **Mold Growth**

Mold growth in a home can be attributed to high moisture content in the air inside a home, or to a specific source such as water leak. High moisture content is often caused by inadequate air circulation, and is usually related to water use in the home for bathing, cooking, and cleaning.

The most important factor in controlling mold in your home is to control excess moisture. Practical methods for controlling moisture in the home include using an exhaust fan (if available) in a bathroom or kitchen, periodically opening windows to allow fresh air into the home, wiping down showers after bathing, and wiping up water on surfaces in the kitchen and bathroom after use. Nearly every home contains some level of mold due to the presence of water and moisture, and in most cases, this mold does not lead to any ill health effects. However, in severe cases where mold is extensive and covers large areas of the walls or ceiling, DHCA may be required to condemn the home until the mold can be removed.

DHCA's Housing Code Inspector will inspect an apartment for the visible presence of mold during an inspection. If visible mold is found, the landlord will be required to locate and correct underlying cause in accordance with building and maintenance codes. Visit <https://www.epa.gov/mold> for additional maintenance guidelines related to mold.

## **Chapter 48 - Storage of Solid Waste**

### **What is Solid Waste?**

Solid Waste is all waste materials and debris, including, but not necessarily limited to, any garbage, sludge, medical/pathological waste, debris from building construction, ashes, junk, industrial waste,

dead animals, salvageable waste, dead or fallen trees, uprooted tree stumps, tree limbs, bushes, plants, leaves, grass, garden trimmings, street refuse, abandoned vehicles, machinery, bottles, cans, waste paper, cardboard and sawdust. Solid waste also includes any automobile, truck, box, container, tire, appliance, furniture, or recreational equipment that is in a state of disrepair or dysfunction, unless the item is awaiting removal or being repaired or renovated for the personal use of the owner or occupant. The repair, renovation or removal must be completed within 30 days. Solid waste also includes any recyclable waste.

### ***Solid Waste Storage Containers***

**Container Standards:** All solid waste storage containers must be rigid plastic or metal, vermin-proof and equipped with tight fitting lids.

**Single Family Houses and Townhouses:** The occupant is responsible for providing containers with tight fitting lids for storage of solid waste.

**Multi-Family Facilities:** The owner is responsible for providing an adequate number of containers in multi-family facilities.

**Commercial Property:** Both owners and occupants jointly share responsibilities for the control of solid waste in commercial properties.

### ***Storage of Motor Vehicles***

No motor vehicle may be stored on residential property unless it is operable and it displays valid registration and tags.

### ***Clean and Lien Process***

Montgomery County's "Clean and Lien" process has been a useful tool for cleaning up neglected and unmaintained properties. A Clean and Lien Order allows the County to enter a property to mow the premises and/or remove solid waste if an owner fails to comply with previous notices to clean and maintain the property. The owner must repay the cost of the Clean and Lien action to the County. These costs constitute a debt owed by the owner to the County that may be added to the tax bill as a lien on the property, and may be collected in the same manner that ordinary property taxes are collected.

### ***How to File a Complaint***

**STEP 1:** Complaints may be called in to the County's 311 call center by calling 311 inside the County, and 240-777-0311 outside the County.

**STEP 2:** When calling, you will be asked to provide the address of the property in question and a brief description of the alleged violation (for example, a junk car parked in the yard, the porch is deteriorated, etc.). If you are a tenant, please provide the name of your apartment complex, and, if known, the name of the owner and/or property manager or agent.

The 311 operator will ask for your name and phone number so that an Inspector can keep you apprised of the status of the case, contact you for additional information, or if you are a tenant, to schedule an inspection of your rental unit. **If you request anonymity, your name will not be released or made public.**

**STEP 3:** The case will be assigned to an Inspector and an initial inspection will be conducted. If any violations are observed, a notice of violation will be sent to the owner. In most cases, **owners are given 30 days to correct a violation**, so you may not see an immediate correction.

**STEP 4:** The Inspector will conduct a re-inspection of the property to verify that all violations have been corrected. If any violations remain uncorrected, a second and final notice of violation may be sent to the owner. This notice states that if the violations are not corrected, (typically within 15 days) civil citations will be issued.

DHCA will make every effort to work with property owners and occupants to correct violations of the code, but when violations remain uncorrected after repeated warnings, civil citations will be issued. When a civil citation is issued, the matter goes to District Court. A trial is held, and if the owner is found guilty, the County will seek an Abatement Order from the Court allowing the County to abate the violation and charge the owner for the cost. In addition, if the owner fails to comply with the abatement order, he/she can be charged with contempt.

### ***Neighborhoods Alive Program***

Periodically, DHCA will conduct inspections of properties in specific neighborhoods in response to requests from Civic Associations, Code Enforcement staff, or other County Agencies to ensure that neighborhoods are safe and clean, buildings are in sound condition, and property values are preserved. The process for notifying owners of these inspections and the enforcement process is the same as outlined above.

### **Multi-Family Rental Properties**

Multi-family properties must be inspected at least once every three years, although they may be inspected more frequently, if necessary. Inspections are also made in response to complaints received by DHCA through the 311 call center.

When DHCA plans an inspection of a multi-family rental complex, the Department first sends a notification letter to the owner or the owner's representative, and postcards are sent to all tenants notifying them of the upcoming inspection. The inspection may include 100 percent of the apartments, or a smaller number depending on the property's condition and history. However, regardless of the percentage of apartment units inspected, all common areas, storage rooms, boiler rooms, hallways, stairways, and the exterior of all buildings are inspected.

The annual licensing fee that every multi-family apartment complex must pay covers the cost of one initial inspection, and one follow-up inspection (to verify that any violations found have been corrected) within each three-year period. Apartment complexes that require more frequent inspections due to non-compliance or because they have a history of a high number of violations, will be charged additional fees for these inspections.

### Single-Family Rental Properties

All single-family rental properties must be licensed as rental facilities. To license a single-family rental property, contact DHCA's Licensing Unit through the County's 311 call center by dialing 311 (inside the County) or 240-777-0311 (outside the County). Inspections of these properties are made in response to complaints or if they are located within a neighborhood that has been targeted for intensive code enforcement.

### Accessory Apartments

DHCA is responsible for administering the Accessory Apartment Class 3 Licensing Program. An Accessory Apartment is a second dwelling unit that is part of a single-family detached house that has provisions for cooking, eating, sanitation and sleeping.

A Class 3 Accessory Apartment license is required from the Department of Housing and Community Affairs (DHCA), Licensing Section before an Accessory Apartment can be legally established.

Accessory Apartments must meet all applicable code requirements for dwelling units including egress, space and use requirements. For further information, please contact the County's MC311 call center by dialing 311 (inside the County) or 240-777-0311 (outside the County).

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#### ***Did you know?***

*The easiest way to access any of Montgomery County's non-emergency services is by dialing 311 (inside the County), or 240-777-0311 (outside the County).*

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## Frequently Asked Questions

**Q:** Is my landlord required to provide air conditioning?

**A:** *No, there is no requirement that a landlord must provide air conditioning. However, if air conditioning is provided, it must work properly.*

**Q:** Are there scheduled turn-on dates for air conditioning and heating?

**A:** *No, however, every landlord must provide a minimum temperature of 68 degrees Fahrenheit at all times during the heating season.*

**Q:** The branches of my neighbor's tree are hanging over my property. Is this a code violation?

**A:** *Possibly; dead branches and limbs overhanging an adjacent property is a code violation that must be corrected by the owner of the tree. However, live branches overhanging an adjacent property is not a code violation.*

**Q:** How many people can live in a dwelling unit?

**A:** *No more than five unrelated people may live in a dwelling unit. Additionally, whether the occupants are related or unrelated, there must be 150 square feet for the first occupant and 100 square feet for each additional occupant.*

**Q:** My neighbor has an inoperable car in his driveway. Is this a code violation?

**A:** *Yes; Montgomery County Code requires that all vehicles on private property must be in operable condition and have current tags and vehicle registration.*

**Q:** My neighbor won't cut his grass. Is this a code violation?

**A:** *Yes, if the grass has grown higher than 12 inches.*

**Q:** My next door neighbors are very noisy. Is this a code violation?

**A:** *While excessive noise is not a housing code violation, excess noise complaints can be reported to the County's Police Department. To file a complaint, you may contact the County's MC311 call center by dialing 311 (inside the County), and 240-777-0311 (outside the County). You can also call the Police Department's non-emergency number by dialing 301-279-8000.*

**Q:** There is a vacant house on my street. Who is responsible for its upkeep?

**A:** *The owner of record is responsible for its upkeep. If that is not being done, the Inspector will enforce all applicable codes. If the owner cannot be found, Montgomery County may cut the grass and secure ("board up") the structure and put a lien on the house to recover the County's costs.*

**Q:** My neighbor is running a business out of his home. Is this allowed?

**A:** *Under certain circumstances, it may be allowed. For further information, contact the County's MC311 call center by dialing 311 (inside the County), and 240-777-0311 (outside the County).*

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- Q:** My neighbor is building a deck on his house. Is a building permit required?
- A:** *Yes. For further information, contact the County's MC311 call center by dialing 311 (inside the County), and 240-777-0311 (outside the County).*
- Q:** My neighbor's trash cans do not have lids, and trash gets scattered about their property. What can I do?
- A:** *All trash cans must have tight fitting lids. DHCA's Code Enforcement Section enforces trash and debris on a property. However, for questions about curbside trash pick-up and removal, and recycling questions, contact the Department of Environmental Services (DES). Both County agencies can be reached by contacting the County's MC311 call center by dialing 311 (inside the County), and 240-777-0311 (outside the County).*
- Q:** My neighbor is putting food scraps in his compost pile. Is this permitted?
- A:** *It is only permitted when the compost pile is completely rodent-proof.*
- Q:** My neighbor is renting out his basement. Is this legal?
- A:** *Under certain circumstances, it is legal as long as your neighbor has the proper rental license and the basement apartment meets the appropriate housing code specifications (please see "Accessory Apartments" on page 14).*

**Appendix – List of Items Inspected**

Shown on the following page are the areas and items inspected by DHCA’s Housing Code Inspectors. This list is provided as a courtesy informational guide of basic property maintenance standards. It is NOT intended to be inclusive of every maintenance requirement enforced by Montgomery County. All property owners are responsible for ensuring that their properties comply with all applicable provisions of the Montgomery County Code: Chapter 26, Housing and Building Maintenance Standards; Chapter 29, Landlord-Tenant Relations; Chapter 48, Solid Waste; Chapter 58, Weeds.

BUILDINGS	DWELLING UNITS
<ul style="list-style-type: none"> <li>• Building foundations are in good solid condition</li> <li>• Exterior paint showing no signs of deterioration</li> <li>• Exterior walls are free of major cracks</li> <li>• Driveway and parking lots are in good solid condition</li> <li>• Walkways are safe and free of trip hazards</li> <li>• Gutters and downspouts are in good repair</li> <li>• Staircases, Guardrails and Handrails are sound and in good condition</li> <li>• Exterior lighting is in good working order</li> <li>• Electrical service panels, meters and enclosures are in good condition</li> <li>• Roofs are in good repair</li> <li>• Entry doors are equipped with deadbolt locks or other approved locking mechanism</li> <li>• All locks must work as designed</li> <li>• All exterior doors open and shut properly</li> <li>• The property grounds are properly maintained and are free of litter /bulk trash</li> <li>• Storm drains are clear of debris and in good condition</li> <li>• Fire Extinguisher(s) Fire Extinguishers are provided and installed according to the State Fire and Safety Codes</li> <li>• Exits are clear and unobstructed all the way to the public right of way</li> <li>• All "EXIT" signs and exit lighting is in working order</li> <li>• The area on and beneath exit stairs is clear of material</li> <li>• Fire doors are operable and self-closing and in good condition</li> <li>• Provide a sufficient number of containers for rubbish and garbage</li> <li>• Garbage receptacles are stored in proper enclosures</li> <li>• Property fences and gates are in good working condition</li> <li>• Laundry Rooms are clean and facilities are maintained in good condition</li> <li>• Swimming pool gates and enclosures are in good working condition</li> <li>• Sewer Cleanout lines are unobstructed and in good condition</li> <li>• Lock access panes to roofs, attics, crawl spaces, and storage areas</li> <li>• Maintain current boiler and elevator certificates</li> </ul>	<ul style="list-style-type: none"> <li>• Smoke detectors are in working order</li> <li>• Egress windows are operable and open completely</li> <li>• Must have a safe, unobstructed means of escape leading to a safe and open space</li> <li>• Entry doors to dwelling units from within interior hallways are self-closing and self-latching</li> <li>• Floor coverings are free of trip hazards</li> <li>• Electrical outlets and light switches are functional and have cover plates</li> <li>• Existing GFCI's properly installed and in working condition</li> <li>• Overhead lighting is operational and in good repair</li> <li>• Windows must open and close as designed and screens must be in good condition</li> <li>• Windows and windowpanes are intact, unbroken and not cracked</li> <li>• Windows are equipped with proper locking devices</li> <li>• Sliding patio doors work properly including all locking and latching mechanisms</li> <li>• Stove burners and oven operate safely with functioning door and knobs that turn completely off and on</li> <li>• Gas stove is free of gaseous orders (immediately report gas leaks to 911 and utility company)</li> <li>• Stove hood/filter and fan are working properly</li> <li>• The dishwasher functions properly</li> <li>• The garbage disposal is in good working order</li> <li>• The kitchen sink and faucets drain properly and are free from leakage</li> <li>• Cabinets and countertops must be in sound condition</li> <li>• The refrigerator is in good working order</li> <li>• The sink, bathtub and toilets drain properly and are free of leaks including faucet handles</li> <li>• The toilet is secure</li> <li>• The sinks, bathtubs/or shower surrounds are in good condition</li> <li>• Towel bars and accessories are secure</li> <li>• Property is free of infestations</li> <li>• There is no visible mold/mildew in the unit</li> </ul> <p>Information: If visible mold is found, locate and correct underlying cause in accordance with building codes. Visit <a href="https://www.epa.gov/mold">https://www.epa.gov/mold</a> for additional maintenance guidelines.</p>