

**TOWN OF OLD ORCHARD BEACH, MAINE
ADMINISTRATIVE HEARING
Monday, April 7, 2014
4:00 p.m.**

An Administrative Board Hearing was called to order at 4:00 p.m. on Monday, April 7, 2014 to consider the administrative review process. This meeting was with the Administrative Review and permitting them the opportunity to review the Administrative Board process and the hearing set for the following days.

The following were in attendance:

**Town Manager Larry Mead
Assistant Town Manager, Louise Reid
Code Enforcement – Dan Feeney
Planner – Jeffrey Hinderliter
Marc Bourassa
Tina Kelly
Kenneth Lafayette
Police Chief Dana Kelley**

**Absent: Fire Chief John Glass
Gary Curtis**

The meeting of the Administrative Board was called to order at 4:00 p.m. to discuss issues relative to the Administrative Board process.

Originally businesses owned by King Weinstein were to have been reviewed during this time frame but because of him being out of the State it was decided that the opportunity would be given to the Board to discuss the process of the Administrative Board.

Discussion revolved around the types of issues that are reviewed and decisions that need to be made as a result of behavioral issues, domestic violence, intoxication, vandalism, destruction of property, arson, illegal drug activity, physical confrontation, retaliation, structural and code issues, number of people occupying units, health and safety violations, lodging business license issues and incorrectly licenses for current business practice. The effects of these violations including an impact on the community, tax dollar impact, draining on town resources, calls for service, strain on the school system, code inspections town administration, diminished quality of life including substandard housing, substandard tenants, and neighborhood fears and diminished quality of life for everyone. There was discussion of the deterioration of the neighborhoods, littering, debris, lack of respect for people and property, negative influence on children, instilling of the fear of retaliation, noise at odd hours which impacts residents, and the impact on business including bad hospitality experience negatively reflects on all businesses and the Town's reputation; word spreads quickly through Trip Advisor, Facebook, Twitter, etc., the quality of tourists and events go elsewhere; and the potential future of

business owners and residents is impacted and they look at relocating somewhere else.

Time was spent on the fact that many business owners do not pay attention to the type of person they are renting to and renting to a bad tenant can cause an ongoing headache. No one wants a tenant that will not keep the unit cleaned or pay the rent on time. However, it can be difficult to definitively determine whether a tenant is bad or good. There are some ways to determine the potential good or bad tenant including note the applicant's appearance, the forthrightness and honesty of the individual; asking pointed questions and observe the answers that are given. Look more clearly at the application which often reveals if that person is good, even before you start calling for references. Make sure the application is filled out in its entirety. Confirm the name on the driver's license. If the name on the driver's license does not match the application, even with women using a different last name, you may be dealing with a bad tenant. Double check references on the application. Always be sure to check the information given for a previous business owner for if that contact information on the application is false you are definitely dealing with a bad tenant. Conduct a thorough screening because screening tenants can be expensive; many property owners skip this process. This will cause them to miss important information that may have saved them from renting to a bad tenant.

There was discussion on possible incentives being given to business owners who update or make positive changes to their property which redefines a neighborhood and may give incentive to other property owners in the location of the business. The question of the Town Council being willing to act on the stipulations put on the businesses by the Administrative Board and standing behind those decisions. The Town Manager described the ongoing study of solutions to winter rentals. An enormous amount of time was on discussing when properties renting in the summer should be considered for winter rental considering the lack of code requirements. The current Code Enforcement Officer indicated that these issues will be looked at in a priority manner and adherence to code ordinances will be required.

The Administrative Board talked about the marketing plan that King Weinstein was to have instituted during his last Administrative Board decision and the need when he appears before the Board to see where this has gone and to make sure that it is being instituted and meetings held with other businesses that need to follow the process.

It was pointed out that many of the issues being addressed with the businesses operating with issues is that they do not have a documented process for tenants; they do not follow up references and provide leases so that tenants are held to legal requirements. The fact that some business owners are telling their tenants not to call to police in order to avoid the Administrative Board process is not acceptable.

The Administrative Board expressed the need to write the Consent Agreements more stringently and confirming responsibilities are definitive.

The Administrative Board Meeting ended at 5:00 p.m.

Respectfully Submitted,



**V. Louise Reid
Secretary to the Administrative Board**

I, V. Louise Reid, Secretary to the Administrative Board of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of three (3) pages is a true copy of the original Minutes of the Administrative Hearings held on Monday, April 7, 2014.