

POTENTIALLY CONDEMNABLE CONDITIONS

Massachusetts State Sanitary Code

105 Code of Massachusetts Regulation (CMR) 410.750: Conditions Deemed to Endanger or Impair Health or Safety

The following are some of the conditions that may be found in the residence of a “hoarder” that could lead to the Board of Health issuing emergency orders or an order of condemnation or holding a hearing to consider issuing a condemnation order.

(F) Failure to provide a **toilet and maintain a sewage disposal system in operable condition** as required by 105 CMR 410.150(A)(1) and 410.300.

(G) Failure to provide adequate exits, or the **obstruction of any exit, passageway or common area caused by any object, including garbage or trash, which prevents egress in case of an emergency** 105 CMR 410.450, 410.451 and 410.452.

(I) Failure to comply with any provisions of 105 CMR 410.600, 410.601, or 410.602 which results in any **accumulation of garbage, rubbish, filth or other causes of sickness which may provide a food source or harborage for rodents, insects or other pests** or otherwise contribute to accidents or to the creation or spread of disease.

(N) Failure to provide a **smoke detector** required by 105 CMR 410.482.

(O) Any of the following conditions which remain uncorrected for a period of five or more days following the notice to or knowledge of the owner of said condition or conditions:

1. Lack of a kitchen sink of sufficient size and capacity for washing dishes and kitchen utensils or lack of a stove and oven or **any defect that renders either inoperable**.
2. Failure to provide a washbasin and shower or bathtub as required in 105 CMR 410.150(A)(2) and 410.150(A)(3) or **any defect which renders them inoperable**.
3. Any defect in the electrical, plumbing, or heating system which makes such system or any part thereof in violation of generally accepted plumbing, heating, gasfitting, or electrical wiring standards that do not create an immediate hazard.
4. Failure to maintain a safe handrail or protective railing for every stairway, porch balcony, roof or similar place as required by 105 CMR 410.503(A) and 410.503(B).
5. **Failure to eliminate rodents, cockroaches, insect infestation** and other pests as required by 105 CMR 410.550.

(P) **Any other violation of 105 CMR 410.000** not enumerated in 105 CMR 410.750(A) through (O) shall be deemed to be a condition which may endanger or materially impair the health or safety and well-being of an occupant upon the failure of the owner to remedy said condition within the time so ordered by the board of health.