



The Commonwealth of Massachusetts
Office of the Inspector General

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January 31, 2012

Mr. Bernard Lynch, City Manager
Lowell City Hall
375 Merrimack Street
Lowell, MA 01850

Re: **Lowell Housing Authority Building Permits and Inspections**

Dear Manager Lynch:

I am writing in response to your letter dated December 8, 2011 and as a follow-up to my meeting with your staff on January 23, 2012, in regard to the Lowell Housing Authority (LHA) project at North Common Village. I am also in receipt of the various reports on the history of the City's involvement in the matter, the proposed plan for addressing public safety concerns and achieving State Building Code compliance, and the progress on such efforts to date.

I understand from this information the City has been communicating with the LHA since 2008 to address issues of work being performed without permits or inspections. The City entered into an agreement with LHA in March 2010 to clarify and confirm the LHA is required to obtain permits for work performed in accordance with the State Building Codes and make payment in accordance with the Agreement.

Late in 2011, it was discovered that a number of occupied units were renovated without having received proper inspections or Certificates of Occupancy, raising concerns for the safety of the occupants. Following the discovery, your staff analyzed the available records on the Housing Authority's project and permitting efforts, and developed a plan for addressing the safety and compliance issues.

Since November 2011, the City and LHA have been working cooperatively to implement the plan for compliance. The plan consists of four (4) elements: 1.) Choose a small sample of units and open walls to inspect electrical work; 2.) conduct

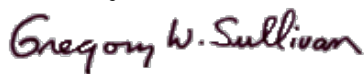
safety inspections; 3.) review permitting history to ascertain prior permitting; and 4.) assess compliance with state and locally adopted fire and federal and state ADA compliance.

The plan is being implemented by the City's Department of Planning and Development-Division of Development Services in conjunction with the City's Fire Department to determine if the renovations of the LHA housing units need the installation of fire sprinklers. The City and the LHA should also reach out to the Board of State Examiners of Plumbers and Gas Fitters as well as the State Electrical Inspector for their respective opinions on the plan.

My Office and the Department of Public Safety's Division of Inspections have reviewed the materials provided by the City and concur with the plan, as outlined. It is our opinion that the plan is thorough and appropriate if the above measures are undertaken. It should also be pointed out that on Tuesday, January 24, 2012, a representative from my Office accompanied the State Building Inspector, Lowell Building Commissioner and representatives from the LHA and the City on an on-site inspection of the work performed at the sample inspection sites. This visit confirmed that the LHA and the City will achieve the desired outcome of assuring public safety, compliance of the State Building Code and the issuance of valid Certificates of Occupancy for the renovated units if the plan is followed going forward.

My office is available to provide assistance to the departments with jurisdiction for the implementation the plan if they so require it. Please contact Dan O'Neil, Assistant Deputy Inspector General at (617) 722-8830, if you have any questions regarding this matter.

Sincerely,



Gregory W. Sullivan
Inspector General

cc: Barbara Fields, HUD Regional Administrator
Deborah Goddard, General Counsel DHCD
Gene Novak, DPS Division of Inspections
Kendra Amaral, Deputy Director Development Services
Edward Pitta, Lowell Fire Chief