

# POLICE DEPARTMENT HANOVER PARK, ILLINOIS



DIRECTIVE: 139-A

REFERENCE STANDARDS:

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SUBJECT: Hazardous Home Investigation

POLICY: The hazardous homes investigation process is designed to assist in the identification and abatement of hazardous homes within the Village of Hanover Park by providing direction, procedures, and resources.

DEFINITIONS:

**Hazardous Home** - A hazardous home has been defined as any home that contains any one or more of the following:

Excessive accumulation of putrescible (rotting, foul) garbage

Severe pest infestation

Excessive human/animal waste

Inoperable/inaccessible bathroom facilities

Inoperable/inaccessible kitchen facilities

No potable water for drinking or sanitary purposes

No working furnace or heating system

Existing sewage backup/water damage

Excessive number of animals

**First Responders** - Police, Fire, or Public Works personnel who respond to an emergency and are first to arrive at the scene and observe potentially hazardous conditions as listed on the Hazardous Home Site Referral Form for First Responders (Appendix A). It is important to note the difference between emergency and non-emergency responders. Emergency responders are not required to get consent to enter a residence, where non-emergency personnel must. If non-emergency personnel are denied access they should be sure to make observations relevant to the problem case, and forward those findings to the Assessment Personnel for review. This information can be used to obtain the appropriate administrative search warrants if further investigation deems it necessary.

**Hazardous Home Site Team** - Representatives from the Police Department (Code Enforcement and Social Services), the Fire Department (Fire Chief and Supervisor of Inspectional Services), and the Director of Public Works who assist Assessment Personnel when needed and to maintain the integrity of the Hazardous Home Site Policy. Quarterly meetings will be established for the Team to meet to review open cases (if needed), discuss the status and overall accomplishments of the program, determine whether any changes or improvements need to be made to the program, and to maintain the integrity of the Hazardous Home Site Manual.

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**POLICE OPERATIONS MANUAL**

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**Assessment Personnel** - Code Enforcement, Inspectional Services, Police Social Worker and possible supporting personnel who respond to a complaint or may be contacted by a First Responder to further evaluate and continue to follow-up on the conditions of the occupant and the hazardous home site.

**Documentation of the Condition of the Structure** - Documentation would include via written report, taking pictures and completing the Hazardous Home Referral Form. It is also the responsibility of the first responder to make proper notification for follow-up.

**Hazardous Home Site Referral Form (Appendix A)** – A document that provides an opportunity for early documentation of problems. The Referral Form is self-explanatory and provides a guide by which staff can effectively begin the hazard abatement process. Forms will be provided to each department and will also be available on SharePoint.

## I. OBJECTIVES

- A. Ensure compliance with local, state, and federal laws.
- B. Ensure resources are available to First Responders, the Hazardous Home Site Team, and Assessment Personnel.
- C. Ensure employees receive appropriate training on hazardous homes investigation.
- D. Ensure the process is documented and records are kept accurate and up-to-date.

## II. THE HAZARDOUS HOME SITE PROCESS

The following is an explanation and responsibilities of the Village of Hanover Park personnel that responds, assesses, and assists staff in complicated cases.

### A. RESPONSIBILITY

- 1. Code Enforcement - The documentation any further actions taken during the investigation and to address identified compliance issues.
- 2. Police Social Worker - Provide a list of resource agencies to the resident assist in clean-up, compliance and lodging (if needed). The Social Worker will also act as a liaison with the resident and resource agencies should issues arise.
- 3. Inspectional Services - To assess the structure of the building to determine its integrity.

### B. FIRST RESPONDERS INITIAL VISUAL INSPECTION

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1. Emergency and non-emergency personnel who obtained permission to enter the home should conduct a visual inspection of the premises to determine if it meets the criteria as a hazardous home site. If the first responder is Fire Department personnel and hazardous conditions are observed, he/she should immediately request a police officer to the property to document the violations.
2. Upon entering a home, emergency personnel and non-emergency personnel may encounter certain things that prompt them to determine that the home might be hazardous. This section details some of those possible issues. All are considered equally serious, though some must be dealt with immediately. Personnel should consider the type and extent of the concern in the Hazardous Home definition to determine if immediate action is needed.

#### C. DOCUMENTATION OF FINDINGS

1. When the above conditions are observed, the Hazardous Home Site Referral Form (Appendix A) must be filled out completely, with all applicable boxes checked. The first responder shall document their findings in the narrative section of their report and/or on department-specific report forms. It is vital that proper documentation is obtained in the event legal action may need to be taken at a later date. It is imperative that pictures of the violations should be taken by the first responder. The Hazardous Home Site Referral Form (Appendix A) should be completed in its entirety and forwarded to the Code Enforcement Supervisor along with any other supporting documents, incident/case reports, photos, etc.
2. In cases where children under the age of 18 are involved the Department of Children and Family Services (DCFS) shall be notified.
3. In cases where there is suspected abuse, neglect or exploitation of a senior or people with disabilities, the Adult Protective Services Hotline shall be called. (800-226-0768)

#### D. CONTACT ASSESSMENT PERSONNEL

1. If the home meets any of the criteria designated as hazardous and the Hazardous Home Site Referral Form (Appendix A), immediately request that the Hanover Park Police Department on duty Supervisor be notified. The Supervisor will contact the necessary Assessment Personnel.
2. Access to the home by Assessment Personnel may not be granted if the first responder leaves the premises. If practical, and in accordance with established policy and procedure, the first responder must attempt to stay on the scene until Assessment Personnel arrive. If the first responder cannot remain on scene, photographs should be taken, if possible, and his or her observations must be documented completely on a Hazardous Home Site Referral Form (Appendix A)

and forwarded to Code Enforcement. Further contact may be necessary between the first responder and the Assessment Personnel, as needed.

**E. ASSESSMENT PERSONNEL CONTACT OTHERS AS NECESSARY**

1. The Assessment Personnel who do the assessment of the occupants and premises will immediately convene, assess the conditions found, and develop a plan of action. If the occupant wants to continue living in the home, all utilities need to be operable. Since each case is different pertaining to the health and well-being of the occupant and the sanitary condition of the premises, general operation standards have been developed.

**F. UNINHABITABLE PROPERTY**

1. If the property is deemed uninhabitable by Code Enforcement or Inspectional Services, they will take several pictures and when finished will affix an uninhabitable sticker on the front door. This does not preclude the resident from entering the unit to retrieve items or make repairs. If after the property is posted and it is suspected that a person is living in the posted unit then Code Enforcement should be notified for further investigation in violation of Prohibited Occupancy IPMC 108.5.
2. If pets are present and no one is present to care for them the patrol shift supervisor should be notified to arrange for their care.

**G. ABATEMENT PROCESS**

1. Based upon the violations found, the severity of the hazards, and the cost of cleaning and repairs:
  - a. The Village may work with the occupant to get the property in compliance in phases.
  - b. The Village could contract with a private firm to do the necessary cleaning and bill the individual as necessary to recoup the funds that were put forth for the cleaning process. If necessary, a lien can be placed on the property to recoup Village costs. The Police Social Worker will maintain a list of resources for abatement (Appendix B).
2. Progress of cleaning and/or repairing the home site should be documented by the assigned Code Enforcement Officer. If no progress has been made within fourteen (14) days, the Code Enforcement Officer will give a written notice of violation to the resident informing them of the need to complete the necessary site cleanup and address existing code violations. The notice would include a compliance date of an additional fourteen (14) days. Should compliance not be achieved or any progress made, citations may be for adjudication or court.
3. If necessary, the Code Enforcement Officer will consult with the Village Attorney to discuss legal action in the form of an administrative search warrant or a long-

form complaint once all investigations have been completed. These documents would be filed by the Village Attorney on behalf of the Village of Hanover Park in such cases where the homeowner is uncooperative in bringing a severe hazardous home into compliance or in such cases where the home has been declared unfit for human habitability.

4. The Code Enforcement Officer will continue to track and document compliance efforts, and will provide updates to the Assessment Personnel and the Hazardous Home Site Team when needed.
  - a. If the homeowner cooperates with the clean-up requirements set forth by the Hazardous Home Site Team, the Code Enforcement Unit will monitor the progress during the clean-up period. Inspections may be conducted every two weeks for two months. If substantial progress continues to be achieved, follow up inspections may be done on a monthly basis. After compliance is achieved, the Code Enforcement Unit will continue to monitor the property for six (6) months. Once the case is closed, Code Enforcement may continue to monitor the site, as needed.
  - b. If the homeowner does not cooperate with the Village's clean-up requirements:
    - 1) Code Enforcement, working with the Village Attorney, can file a long-form complaint with the circuit court to obtain a court order that the property be abated immediately. If conditions warrant, the Village will have the ability to placard the home as uninhabitable.
    - 2) If the individual is still unwilling to proceed with hazard abatement, the Village of Hanover Park may obtain a court order allowing the Village to contract with a firm to clean up the property and bill the homeowner. Should the person fail to repay, the Village may place a lien on the property.
    - 3) After the property is cleaned up, Code Enforcement will institute an inspection process that will follow up for a period of twelve (12) months, as directed by an agreement between the individual and the Village of Hanover Park.
    - 4) Once the case is closed, Code Enforcement may continue to monitor the site, as needed.

#### H. FOLLOW-UP

1. After the violations noted have been satisfactorily abated and the home is approved for occupancy, a six (6) month follow-up program will begin. Once per month, Code Enforcement will conduct a planned visit of the home. This is to ensure that the resident maintains the interior of the home, as well as the exterior of the premises. If at the end of the six (6) month period the resident has maintained the property, the case will be closed. If the hazardous home site was required to be cleaned by a court order, the Village will request the Judge to order twelve (12) months of supervision, requiring an inspection be done once per month. If at the end of the twelve (12) month follow-up period the home has been maintained, the Village will close the case.

## I. WATCH LIST

1. A Watch List will be developed adding all closed cases to the list. The purpose of the Watch List is to alert first responders to potential hazards within a home. The Watch List will also serve as a reminder to Assessment Personnel to monitor the exterior of these homes every six (6) months to ensure they remain in compliance.

## III. TRAINING

- A. Periodic training will be conducted by the Police Social Worker and Code Enforcement for the first responders in the Police, Fire and Public Works so they will be able to recognize problems and inform the Assessment Personnel of a potential Hazardous Home Site. The Hazardous Home Site Team will periodically discuss training needs to ensure all personnel are being adequately trained.