



# Washington Metropolitan Chapter Community Associations Institute

2014 Conference and Expo

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## Hoarding, Loitering & Other Abnormal Behaviors: What's the Best Medicine?

### Presenters:

**Brendan P. Bunn, CCAL**

*Chadwick, Washington, Moriarty, Elmore & Bunn, PC*

**Jan Moshinsky, CMCA, AMS**

*First Service Residential.*



***Hoarding, Loitering  
& Other Abnormal  
Behavior***

# **Overview**

- **Defining the Bad Behavior: Hoarding, Loitering & . . .**
- **Utilizing Document Provisions & Typical Remedies**
- **Using Alternative Resources**
- **Q & A**



# Define “Hoarder”

- **Traditional view** – keeping junk, with hoarders being:
  - Messy people
  - Rules breakers
  - Lazy slobs
- **Emerging view:**
  - Hoarding is a psychological disorder

# *American Psychiatric Association in May 2013:*

## **“Hoarding Disorder”**

- *People who excessively save items others may view as worthless and who have persistent difficulty parting with possessions, leading to clutter that disrupts ability to use living or work spaces.*
- Hoarding not the same as “collecting”:
  - collectors look for specific items, such as model cars/stamps, and organize/display them.
  - People with hoarding disorder save random items and store them haphazardly.

## “Hoarding Disorder” (cont’d)

- Hoarders save items they feel they may need in the future, are valuable, or have sentimental value
- Some hoarders feel safer surrounded by things they save.
- “Hoarding Disorder” occurs in estimated 2%-5% of population

**DENNIS THE MENACE** By Ketcham

**Some aspects  
may be  
amusing. . .**

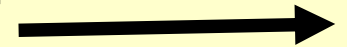


**"I KNOW IT'S GOOD FOR NOTHING, BUT I'M  
KEEPING IT UNTIL IT'S GOOD FOR SOMETHING!"**

**...or perhaps not so funny...**

**Traditional Interior Hoarding**

*Photos from actual case*







DC Condominium at 24<sup>th</sup> and I Streets, NW





DC Condominium at 24<sup>th</sup> and I Streets, NW



Owner's  
"Bed"

DC Condominium at 24<sup>th</sup> and I Streets – Living Room





Notice from Association

Kitchen

Cleaning products

Cleaning products

Pantry





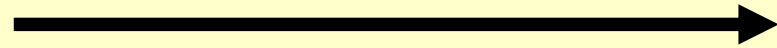
Gaye



Gordon & Gaye, from 2010 episode of A&E's *Hoarders*



# Yard Hoarding









05/31/2013





05/31/2013





05/31/2013



# **Other kinds of hoarding**



## Fashion Hoarding (?)

- *Survey by the clothing collection charity Give Up Clothes for Good reveals that 80% of women hoard clothing they can never wear*
- *Other finding: 66% of hoarding women keep clothing because they hope to one day be able to wear them again*

# Animal Hoarding

- **Hoarding of Animals Research Consortium (HARC)**, defines animal hoarder as:
  - someone who accumulates a large number of animals;
  - fails to provide minimal standards of nutrition, sanitation and veterinary care;
  - fails to act on the deteriorating condition of animals
- **Several different psychological disorders** cause it
  - 2009 – Minnesota couple with 125 cats (all euthanized)
  - 1500 cases per year nationwide

# Why Do We Care About Hoarders?

- **Effect on common elements/areas**
  - Odors
  - Pests (rats, roaches, etc.)
  - “Waste” of the unit
  - Visual nuisance (hoarding on lots)
  - (Usually) violates governing documents
- **Overall, ultimate impact on community**
  - Hurts quality of life
  - Decrease property values for units/lots

# What about the Loiterer?

- **Resident “hangs out” at front desk lobby**
  - chats up staff
  - watches residents
  - “takes over” lounge
- **Hangs out at entrances**
  - unclear why
  - always “waiting”
- **Underlying mental disorder?**
- **Elderly resident – dementia?**
- **Other issues?**





*Hoarding, Loitering  
& Other Abnormal  
Behavior*

## **Part II: Utilizing Document Provisions and Legal Remedies**



# How can governing documents help?

- **Most CC&Rs or Condo Bylaws:**
  - Require that owner maintain unit/lot in “proper order, condition & repair” or “neat and orderly” condition
  - Prohibit nuisance or illegal use of unit/lot
  - Allow Board to adopt rules regarding common area
- **If governing documents prohibit activity, then isn't it a matter of simple enforcement?**

# **Traditional Enforcement Strategies - Hoarder**

- **Confirm and memorialize violation**
  - Utilize inspection right/easement
  - Take photographs
- **Issue Warning & Demand Letter(s)**
  - Firm deadlines & follow-up
- **Assess fines/charges against owner**
  - Be sure to follow due process procedures
- ***Will this work?***

# Self-Help or Court Order

- **Self-help provision** → allows Assn to enter lot or unit to “correct the violation at owner’s expense”
  - Different than a broken window or leaky faucet
  - Significant intrusion – need court order
- **Seek injunction** requiring owner to clear debris and restore property to “proper order, condition & repair”
  - Compliance date + attorney’s fees
  - Failure to comply = contempt
  - Monitor/follow-up (for some period)
- ***Will this work?***



# Enforcement Strategies - Loiterer

- **Make sure to adopt anti-loitering rule**
  - Post clear signage
- **Typical enforcement:**
  - Talk to resident
  - Issue Demand Letter
  - Assess fines/charges
- **Bring in security personnel?**



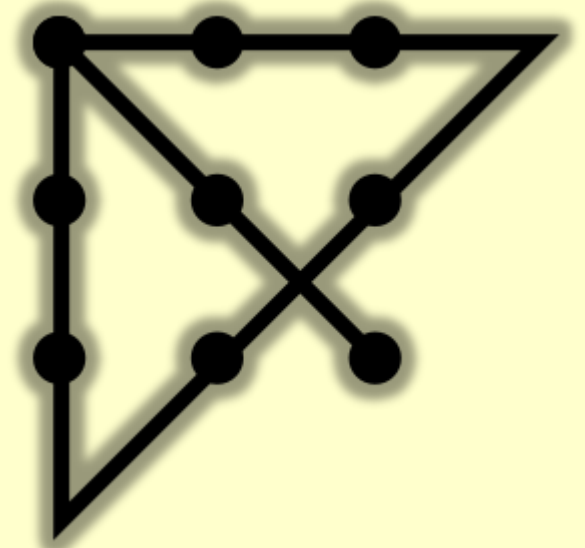
*Will this work?*



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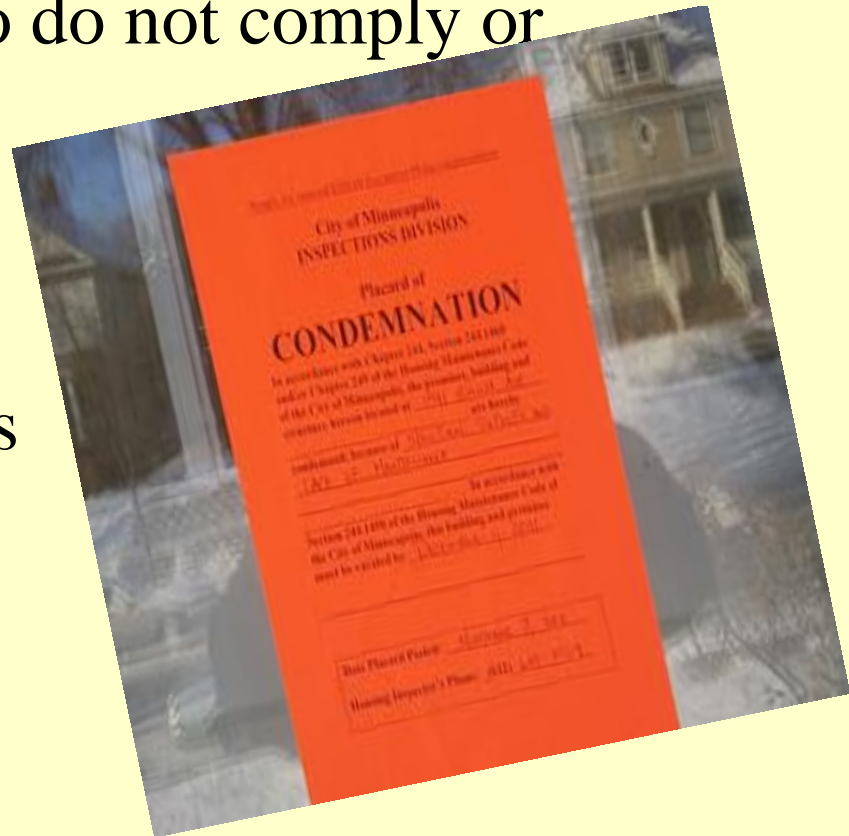
## **Part III:**

# **Using Alternative Strategies – And Trying to Avoid Relapse**



# Hoarder “Task Forces”

- **Many localities now have hoarding task forces to deal with hoarding as zoning violation**
  - They have law & county/city resources behind them
  - Power to fine owners who do not comply or condemn the property
- **Local authorities also have experience with hoarders**
  - Can integrate social services division into process
  - . . . And they are **free**



# Addressing “Disorder” Aspect of Hoarding

- **Most hoarders don’t seek help on their own**
  - Breaking point must be reached
  - Legal action is often that point
  - Situation critical
- **Court order or hoarder task force may clean up first mess**
  - But underlying disorder remains
  - Relapse likely in future



# Addressing “Disorder” Aspect of Hoarding

- **What is the solution?**
- **Combine legal enforcement w/ mental health approach**
  - Create more comprehensive intervention
  - Recommended therapy:

*Mental Health Treatment*

+

*Organizer consultant*





# **How to Promote Comprehensive Approach**

- **Involve the family**
  - More public acknowledgment of hoarding
  - Highlight exposure to legal expenses, health risks
  - If locating family difficult, be creative – seek “emergency contact info”
- **Put family in touch with local mental health authority**
- **If family not helpful, call adult protective services, mental health division, health dept. or other social service agencies**
  - Hoarding task forces may help, but need push

## Resources

- **See Information Resource List in Expo Materials.** For DC, Maryland & Virginia counties, lists:
  - Hoarder task force/zoning enforcement
  - Adult protective services
  - Mental health department
  - Crisis intervention service
  - Animal control
  - Health department
  - Police, Fire marshal

## Points to Take Away

- Hoarding more than a behavior – an illness
  - Loitering - similar underlying cause?
- Use typical enforcement to force the issue, but know it may not be enough over long haul
- Comprehensive approach includes addressing condition of property + mental health issue
- Patience + Persistence
- Use all your tools – management, legal counsel, court remedies, local authorities



*Sign says:* "My name is Missy. I am a hoarder. I have been a hoarder for 2½ years. If Mom had not moved the couch, I would still be hoarding."



# Got questions?



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**Information Resources for Hoarding**

**District of Columbia**

Police Department	202 727 9099
Fire Marshall	202 727 3659
Animal control	202 535 1952
Adult Protective Services	
Mental Health Department	
Hoarding Complaints	202 442 9828

<b>Maryland</b>	<b>Frederick County</b>	<b>City of Greenbelt</b>	<b>Montgomery County</b>	<b>Prince George County</b>
Police Department			301 279 8000	301 352 1200
Fire Marshall	301 600 1556		240 683 6520	301 780 8313
Animal control			240 773 5925	301 780 7200
Adult Protective Services			240 777 3000	
Health Department	301 600 1755		240 777 1770	301 883 7879
Crisis Intervention			240 773 5057	
Housing and Community Affairs			240 777 3671	
Crisis Center			240 771 1479	
Greenbelt cares		301 345 6660		

Information Resources for Hoarding

<b>Virginia</b>	<b>City of Alexandria</b>	<b>City of Arlington</b>	<b>City of Fairfax</b>	<b>City of Falls Church</b>	<b>City of Manassas</b>
Police Department	703 838 4444	703 558 2222		703 241 5053	703 257 8000
Fire Marshall	703 746 5200	703 228 3362			703 257 8231
Building and Fire Code Administration	703 746 4200	703 228 4641	703 228 4209		
Animal control	703 746 4774	703 931 9241	703 385 7924	703 248 5172	703 257 8101
Adult Protective Services			703 228 1753		
Child, Family and Protective Services	703 838 6400				
Health Department	703 746 4938	703 228 1300			
Housing and Community Affairs				703 248 5123	

<b>Virginia</b>	<b>Fairfax</b>	<b>Loudon</b>	<b>Prince William</b>	<b>Stafford</b>
Police Department	703 691 2131		703 792 6500	540 373 3122
Leesburg		703 771 4500		
Middleburg		540 687 6633		
Purcellville		540 338 7422		
Fire Marshall		703 777 0333	703 792 6000	540 658 7200
Animal control	703 691 2131	703 777 0406	703 771 5829	540 658 7387
Health Department	703 246 8421	703 777 0234	703 792 6300	540 288 9018
Mental Health Department		703 444 0320	703 792 7770	
Crisis Center		703 771 5829		
Hoarding Task Force TTY	703 324 1300	711	703 792 7018 <a href="mailto:nsd@pwcgov.org">nsd@pwcgov.org</a>	



Information Resources for Hoarding

<b>Virginia</b>	<b>Clarke County</b>	<b>Culpepper County</b>	<b>Fauquier County</b>	<b>Madison County</b>
Police Department	540 955 4524	540 727 7900	540 422 8600	
Fire Marshall	540 955 1234	540 727 7900	540 422 8800	540 948 5161
Animal control	540 955 5104	540 547 4477	540 422 8750	contact state authorities
Health Department Mental Health Department	540 955 1033	540 829 7350	540 347 6363	contact state authorities
Hoarding Task Force TTY				

<b>Virginia</b>	<b>Page County</b>	<b>Rappahannock County</b>	<b>Shenandoah County</b>	<b>Warren County</b>
Police Department	540 743 6541	540 675 5300		540 635 4128
Fire Marshall	540 743 4142	540 675 5340	540 459 6167	540 636 3830
Animal control	540 778 2101	540 675 5300	540 984 8955	540 6345 4128
Health Department Mental Health Department	540 743 6528	540 675 3516	540 459 3733	
Hoarding Task Force TTY				540 635 4128