

**Analysis of the Availability and Content
of Housing Codes in Twenty
Local Jurisdictions in New Mexico:
How Do Local Codes Compare with National
Healthy Housing Standard Provisions to
Protect Respiratory Health?**

**Final Report for the
New Mexico Department of Health**

by

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for the

**New Mexico Department of Health
Contract Number – PSC 21926 NCHH**

June 28, 2019

**National Center for
HEALTHY HOUSING**

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Background

At the request of the New Mexico Department of Health, the National Center for Healthy Housing (NCHH) conducted an analysis of the housing codes in 10 counties within New Mexico. The analysis has two fundamental components:

- *Assessment of the Use and Application of Local Housing Codes:* Does the county and/or its largest local jurisdiction have a housing code by which it can enforce health and safety requirements for residential housing within its jurisdiction? If so, does the local code apply to all housing or a subset of housing (e.g., rental housing)?
- *Analysis of Provisions of Local Housing Codes:* For each jurisdiction that has a local housing code, how does its provisions compare to the National Healthy Housing Standard in the areas of:
 - Structures, facilities, plumbing, and space
 - Thermal comfort, ventilation, and energy efficiency
 - Moisture control, solid waste, and pest management
 - Chemical and radiological agents

Housing Codes

For the purpose of this report, the term *housing code* is used to mean a local regulatory ordinance that defines the minimum standards for the condition and maintenance of residential housing. In some communities, the housing code may be called a *property maintenance code*, or a *sanitation code*. Some communities limit the application to rental housing. Whatever the term, the intent is to establish standards to protect the health and welfare of the occupant and, in some cases, create a safe environment that protects the welfare of the surrounding community. Key provisions of most housing codes include standards for structural soundness, minimum space, lighting, ventilation, heating, plumbing, kitchen facilities, and fire safety. Some codes have additional provisions covering sanitation, pest control, energy efficiency, and other elements to protect occupant health.

Housing codes differ from building and residential codes, which are established to set minimum standards for design, construction, and repair of building structures. Building and residential codes cover new construction and alterations that require the issuance of building permits. By contrast, housing codes apply to existing properties at all times regardless of whether alterations or renovations are being conducted.

The National Healthy Housing Standard

The National Healthy Housing Standard (NHHS – available at <http://bit.ly/AboutNHHS>) that was first published in 2014 by NCHH and the American Public Health Association (APHA) to translate the latest public health information on the impacts of housing on resident health and safety into housing code parlance. It is designed to complement the model International Property Maintenance Code of the International Code Council and other regulations and policies already in use by local and state governments and federal agencies for the upkeep of existing homes. The NHHS consists of seven sections with 209 provisions, 157 of which are mandatory and 52 of which are *stretch* or optional provisions.

Focus of This Report

The specific interest of the New Mexico Department of Health (Department) that prompted this assessment and analysis is the impact of the home environment on the health of residents with respiratory illnesses in general, with a special focus on asthma. The Department was interested to understand what housing codes exist in counties that have higher rates of asthma. Of those counties and large jurisdictions with housing codes, the Department also sought information about whether they contain provisions that may promote indoor environmental conditions that reduce triggers for asthma exacerbation. Therefore, NCHH limited its comparison to the housing code enforced by each jurisdiction against the four NHHS sections that were most closely connected with indoor environmental quality.

This review examined the ordinances adopted in each of the communities of interest and the language of each ordinance. This review did not assess the enforcement of these ordinances, nor did it attempt to assess how local officials interpret the code provisions. As an example, the housing code in some communities makes reference to the Uniform Plumbing Code and Uniform Mechanical Codes. These codes apply based on the code requirements that were in place at the time of installation *or* if the health and safety of the occupant is at risk. The latter condition is a matter of interpretation, so if the housing code did not specifically define a hazard, we did not assume it would be universally considered a hazard under the plumbing or mechanical codes.

We focused on housing codes that were adopted to protect the health and safety of dwelling occupants. Some localities have adopted nuisance codes that are primarily intended to protect the quality of life in a community. In some cases, there are elements of a nuisance code that are similar to housing code provisions, such as provisions that prohibit the accumulation of materials or vegetation that encourage rodent harborage on the exterior of buildings. While fewer pests in a community should benefit occupants as well as neighbors, we are not reporting the details of these nuisance provisions in this document. Their focus on property appearance is largely outside of the scope of this report.

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The following counties and their largest communities were surveyed for an existing housing code

County	Largest Jurisdiction
Bernalillo	Albuquerque
Chaves	Roswell
Dona Ana	Las Cruces
Eddy	Carlsbad
Guadalupe	Santa Rosa
Lea	Hobbs
Rio Arriba	Española
San Juan	Farmington
Sandoval	Rio Rancho
Santa Fe	Santa Fe

Summary of Findings

Of the 10 counties selected for review and 10 largest municipal jurisdictions within these counties, five of these jurisdictions have adopted a housing code or property maintenance code. Of the five, four of the communities have adopted a version of the model International Property Maintenance Code of the International Code Council (ICC), and one adopted a version of the model Uniform Housing Code of the International Conference of Building Officials (ICBO).

The five jurisdictions include:

- City of Albuquerque – Uniform Housing Code (1974); *adopted 1986, amended 2018.*
- Bernalillo County – 2009 International Property Maintenance Code; *adopted 2011.*
- Doña Ana County – 2009 International Property Maintenance Code; *adopted 2012.*
- City of Carlsbad – 2009 International Property Maintenance Code; *adopted 2011.*
- City of Española – 2015 International Property Maintenance Code; *adopted 2016.*

The ICBO was founded in 1922 and prepared regular updates of the Uniform Housing Code through 1997. In 2003, ICBO merged with the ICC. The ICC prepared the first model International Property Maintenance Code (IPMC) in 1998 with amendments in 2000. The ICC has since updated the IPMC every three years. Although the model codes are regularly updated, it is up to the local jurisdiction to adopt the latest version. As documented here, Albuquerque’s model code is over 35 years old, while three of the four jurisdictions that have maintained the versions of the IPMC from 10 years ago.

Although some of these model housing codes may appear dated, these codes tend to be fairly stable over time. There are primarily seven areas of focus of these codes: adequate space, lighting, ventilation, plumbing, mechanical systems, electrical, and fire safety. Many of the

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standard provisions have not changed over the past 35 years. For example, the Uniform Housing Code of 1974 called for bedrooms to have at least 70 square feet of floor area and at least seven feet of vertical space. The 2018 IPMC continues to have the same size requirements although it now covers all habitable rooms. Of the 100 mandatory provisions of the National Healthy Housing Standard (NHHS) that were reviewed in this report, the status of those provisions in relation to the IPMC did not change between 2009 and 2018. In 2009, 26 of the provisions were fully incorporated into the IPMC, 15 were partially incorporated, and 59 were not incorporated. Their status remains the same compared to the 2018 IPMC. While the ICC has amended the model IPMC between the two dates, these amendments have incorporated elements of the NHHS.

For the other 15 jurisdictions that were reviewed, none of them have a comprehensive housing code that defines minimum health and safety requirements of the existing housing. We anticipated that some communities might have requirements only for residential rental properties, but this was not the case. Instead of specific minimum health and safety requirements being delineated in local ordinances, the requirements of a landlord are broadly defined in state law. The landlord is required to:

- Keep the property in safe condition.
- Maintain all electrical, plumbing, sanitary, heating, ventilating, air conditioning, and other facilities and appliances supplied by the landlord in good condition.
- Provide containers for removal of garbage/rubbish/other waste and arrange for their removal.
- Supply running water and a reasonable amount of hot water at all times (unless the tenant is responsible for the water bill).
- Supply heat (unless the tenant is responsible for utilities).

A limitation for a community without a housing code is that introduces some uncertainty about minimum requirements for all housing. As one example, bathroom sinks have been required for many years under building and plumbing codes that apply to new construction or bathroom renovations. Over time, fewer dwellings exist that were built when sinks were not required. Yet, without an explicit minimum standard that all dwellings should have a bathroom with a working sink, some occupants may still be legally living in homes without such facilities.

Furthermore, the definition of *safe condition* is subjective unless better defined in some other document. As reported in the *Albuquerque Journal* in 2016, “According to the site FindLaw.com, landlord tenant law requires your landlord keep the rental property in a habitable condition. But what exactly does that mean? The building must be structurally sound, have hot and cold

water, and safe plumbing, electrical and heating systems. At the same time, those renter's rights don't extend to leaky faucets, running toilets or torn window screens."¹

Given the main interest of this review are standards that protect the indoor environmental quality of home and reduce the chances of respiratory event triggers, Table 1 compares 37 housing provisions that could improve respiratory health across three levels of protection:

- The minimum standard for residential rental properties in New Mexico;
- The base standards of model housing codes (covering rental and owner occupied housing); and
- The aspirational standards of the National Healthy Housing Standard (also covering rental and owner-occupied housing).

For the 37 provisions that are highlighted in Table 1, New Mexico state law protects rental occupants on four of them, may provide protections for eight others (depending on legal interpretations), but does not address the remaining 25 issues. The model codes that have been adopted in five of the 20 jurisdictions analyzed require 11 of the provisions, may cover four others depending on the model code, but do not address 12 of the issues. The NHHS provides protections for all 37 provisions.

Conclusions

Communities in New Mexico have opportunities to strengthen the minimum standards for habitability of housing. These enhanced minimum standards can set enforceable expectations for the dwellings that can create living environments that reduce respiratory hazards. Looking only at asthma, and not other respiratory illnesses such as chronic bronchitis and chronic obstructive pulmonary disease, the U.S. Center for Disease Control and Prevention estimates that the average medical costs of asthma are almost \$3,300 per year per person with active asthma.² Missed work and school days account for another \$200 annually in lost productivity per person with active asthma. Adopting and enforcing measures that create home environments with fewer respiratory event triggers would be one method to improve the lives of these people and also reduce medical/societal costs. Furthermore, other provisions within the model housing codes and the NHHS would offer additional benefits by reducing the housing hazards that increase the risks of injuries or other health conditions, such as lead poisoning.

¹ Tweddale, A. (2016, September 19). Expenses your landlord should be covering, *Albuquerque Journal*. Online. Edition. Retrieved from <https://www.abqjournal.com/848092/expenses-your-landlord-should-be-covering.html>

² Nurmagambetov, T., Kuwahara, R., & Garbe, P. (2018). The economic burden of asthma in the United States, 2008-2013. *Annals of the American Thoracic Society*, 15(3), 348-356.

Appendices

Appendix A: Comparison of Housing Requirements by Level of Standard

Respiratory Risk Factor	Provisions to Protect Resident Health	Minimum Standards (New Mexico State Law – Residential Rental)	Base Standards (Model Housing Codes)	Aspirational Standards (NHHS)
Dampness/ Mold	No Exterior Water Leaks/Weathertight Exterior	Not Clearly Required	Required	Required
	Good Exterior Drainage to Prevent Water Infiltration	Not Required	Not Required	Required
	No Interior Water Leaks	Not Clearly Required	Required	Required
	Water-Resistant Flooring	Not Required	Baths - UHS Only	Required
	Water-Resistant Walls in Bathroom	Not Required	Not Required	Required
	No Moisture in Crawl Spaces	Not Required	Not Required	Required
	No Visual Mold	Not Required	Not Required	Required
	Mold Properly Removed	Not Required	Not Required	Required
Poor Ventilation	Existing Ventilation Systems Maintained	Required	Required	Required
	Adequate Ventilation Provided/Exhausted to Exterior	Not Required	Required	Required
	Ventilation Meets ASHRAE 62 Standard	Not Required	Not Required	Required
	Air Sealing Between Garage and Living Space	Not Required	Not Required	Required
	Air Sealing Between Dwellings in Multifamily Building	Not Required	Not Required	Required
Pests	Trash Receptacles Provided to Reduce Pest Harborage	Required	Required	Required
	Structure is Free of Pests	Not Clearly Required	Required	Required
	Landlord Responsible for Pest Extermination	Not Clearly Required	Required	Required
	No Large Holes/Open Joints on Exterior Surfaces	Not Required	IPMC Required	Required

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	Windows/Doors have Screens	Not Required	IPMC Required	Required
Pests (cont.)	Vegetation at Least Six Inches from Building	Not Required	Not Required	Required
	Stored Materials at Least Six Inches from Floors and Walls	Not Required	Not Required	Required
	Integrated Pest Management Used	Not Required	Not Required	Required
	Least Toxic, Effective Pesticides Used	Not Required	Not Required	Required
Exposure to Exhaust Gases/ Particles	Existing Mechanical Systems Maintained	Required	Required	Required
	System Has Adequate Air Supply	Not Clearly Required	Required	Required
	Systems Inspected/ Serviced Annually	Not Required	Not Required	Required
	Post-1988 Wood Stoves Meet U.S. Regulations	Not Required	Not Required	Required
Exposure to Off-Gassing from Building Products and Materials	Products Used for Repairs Will Meet U.S. Formaldehyde Standards	Not Required	Not Required	Required
	Products Used for Repairs Will Have Low/ No Volatile Organic Compound Emissions	Not Required	Not Required	Required
	Products Used for Repairs Will Have No Halogenated Flame Retardants	Not Required	Not Required	Required
Secondhand Smoke	Smoking Prohibited in Common Areas and within 25 Feet of Multifamily Buildings	Not Required	Not Required	Required
Asbestos	Maintained in Good Repair, Non-Friable	Not Required	Not Required	Required
	When Removal Required, Licensed Professionals Used	Not Clearly Required	Not Clearly Required	Required
Radon	Radon Tested	Not Required	Not Required	Required
	Elevated Radon Levels Mitigated	Not Required	Not Required	Required
Temperature Extremes	Heating Provided	Required	Required	Required
	Room Temperature of at Least 68° F	Not Required	Required	Required
	Thermostat Provided	Not Required	Not Required	Required

Appendix B: Detailed Findings – Communities with Housing Codes

Jurisdiction	Model Code	Ordinance Citation	Adopted
City of Albuquerque	Uniform Housing Code (1974)	http://library.amlegal.com/nxt/gateway.dll/New%20Mexico/albuquerquein/chapter14zoningplanningandbuilding/article3uniformhousingcode?f=templates\$fn=default.htm\$3.0\$vid=amlegal:albuquerque_nm_mc\$anc=JD_Chapter14Article3	1986, 2018
Bernalillo County	Int. Property Maintenance Code (2009)	https://library.municode.com/nm/bernalillo_county/codes/code_of_ordinances?nodeId=BECOCO_CH10BUBURE	2011
Doña Ana County	Int. Property Maintenance Code (2009)	https://ecode360.com/9976698	2012
City of Carlsbad	Int. Property Maintenance Code (2009)	https://library.municode.com/nm/carlsbad/codes/code_of_ordinances?nodeId=COOR_CH8BUBURE	2011
City of Española	Int. Property Maintenance Code (2015); also has local housing standards	https://www.ecode360.com/30818353?highlight=code,code%202015&searchId=409742202879497#30818353	2016

Appendix C: Detailed Findings – Communities without Housing Codes with Property Nuisance Ordinances

Jurisdiction	Nuisance	Ordinance Citation
Eddy County	Vegetation/Debris/Junk	O-16-84, O-91-18
City of Farmington	Weeds and Debris	https://library.municode.com/nm/farmington/codes/code_of_ordinances?nodeId=CICO_CH12EN
City of Hobbs	Weeds/Unsanitary Premises	https://library.municode.com/nm/hobbs/codes/code_of_ordinances?nodeId=COOR_TIT8HESA
City of Las Cruces	Weeds/Debris/Harborage	https://library.municode.com/nm/las_cruces/codes/code_of_ordinances?nodeId=PTIIMUCO_CH18NU
City of Rio Rancho	Vegetation/Debris	https://www.codepublishing.com/NM/RioRancho/html/RioRancho90/RioRancho91.html
City of Roswell	Weeds and Junk	https://library.municode.com/nm/roswell/codes/code_of_ordinances?nodeId=COOR_CH16NU
Sandoval County	Weeds and Debris	https://library.municode.com/nm/sandoval_county/codes/code_of_ordinances?nodeId=CD_ORD_CH14EN_ARTIINU
Santa Fe County	Weeds/Unsanitary Premises	93.06: https://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=santafecountyset
City of Sante Fe	Weeds/Debris	https://library.municode.com/nm/santa_fe/codes/code_of_ordinances?nodeId=CHXENRE_10-9NUABOR_10-9.3DE

Appendix D: Provisions of Local Housing Codes in Comparison to National Healthy Housing Standard (NHHS) Provisions

National Healthy Housing Standard (NHHS) Provisions: Structure, Facilities, Plumbing, and Space Requirements		Bernalillo County	City of Albuquerque	Doña Ana County	City of Carlsbad	City of Española
2.1	Structure Structure safe and capable of supporting design loads.	Yes	Yes	Yes	Yes	Yes
2.2	Facilities All plumbing/equipment are properly installed	Yes	Yes	Yes	Yes	Yes
2.2.1	Facilities (Containment) (a) Mechanical equipment separate from habitable space. (b) Equipment Rooms in multifamily buildings are locked.	NO No ³ No	NO No No	NO No ³ No	NO No ³ No	NO No ³ No
2.3	Plumbing Properly installed and safe/functional.	Yes	Yes	Yes	Yes	Yes
2.3.1	Plumbing (Potable Water) Adequate supply and pressure.	Yes	Yes	Yes	Yes	Yes
2.3.2	Plumbing (Hot Water) (a) Adequate supply and pressure for running heated water. (b) Water heaters capable of minimum temperature of 110° F. (c) Tank-type water heaters have relief valve with proper discharge. (d) Tankless water heater discharge shall not exceed 140° F. (e) Bathroom faucet/shower discharge shall not exceed 120° F.	PARTIAL Yes Yes Yes No No	PARTIAL Yes Yes No ⁴ No No	PARTIAL Yes Yes Yes No No	PARTIAL Yes Yes Yes No No	PARTIAL Yes Yes Yes No No
2.3.3	Plumbing (Waste) (a) Waste pipes properly connected to public, private, or graywater system. (b) No toilet waste connected to graywater system. (c) Drainage system has cleanout.	PARTIAL Yes No ⁴ No ⁴	PARTIAL Yes No ⁴ No ⁴	PARTIAL Yes No ⁴ No ⁴	PARTIAL Yes No ⁴ No ⁴	PARTIAL Yes No ⁴ No ⁴
2.3.4	Plumbing (Contamination) Faucet discharge above overflow rim.	Yes	No ⁴	Yes	Yes	Yes
2.4	Kitchen Residence has a kitchen or permanent cooking facility.	Yes	Yes	Yes	Yes	Yes

³ Only gas-fueled hot water heaters must be kept separate from habitable space.

⁴ Administered under local Uniform Plumbing Code – code application based on date of installation and determination whether health and safety issue exists.

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2.4.1	Kitchen (Sink) (a) Sink in good working order and properly connected to plumbing. (b) If provided, attachments (dishwasher/disposal/filtration) work	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
2.4.2	Kitchen (Food Preparation and Storage) (a) Counter for food prep and cabinets/shelves for food storage. (b) If provided, cabinets have tight fitting doors and no gaps. (c) All surfaces smooth and cleanable/impervious to water.	PARTIAL Yes No No	NO No No	PARTIAL Yes No No	PARTIAL Yes No No	PARTIAL Yes No No
2.4.3	Kitchen (Range) Range provided and properly installed	No	No	No	No	No
2.4.3.1	Kitchen (Cooking Requirements) (a) Range has oven, unless separate oven provided. (b) Hot plate shall not count as cooktop. (c) Vertical clearance of at least 30", unless less allowed by range hood.	PARTIAL No No Yes	NO No No No	PARTIAL No No Yes	PARTIAL No No Yes	PARTIAL No No Yes
2.4.3.2	Kitchen (Cooking Ventilation) Complies with ASHRAE 62.2.	No	No ⁵	No	No	No
2.4.4	Kitchen (Refrigeration) (a) If provided, working refrigerator has freezer. (b) Freezer capable of minimum temperature of 0° F.	NO No No	NO No No	NO No No	NO No No	NO No No
2.4.4.1	Kitchen (Refrigeration) Connections for refrigerator provided.	No	No	No	No	No
2.4.5	Kitchen (Floors) Good condition and has water-resistant seal.	No	No	No	No	No
2.5	Bathroom Residence has a private bathroom.	Yes	Yes	Yes	Yes	Yes
2.5.1	Bathroom (Toilet) Good condition, properly attached and connected.	Yes	Yes	Yes	Yes	Yes
2.5.2	Bathroom (Sink) Good condition, properly attached and connected.	Yes	Yes	Yes	Yes	Yes
2.5.3	Bathroom (Tub/Shower) (a) Good condition, properly attached and connected to plumbing. (b) Tub/shower floor has nonslip surface.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No

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2.5.4	Bathroom (Moisture Resistance) (a) Flooring has cleanable, water-resistant surface. (b) Walls at least 48" over tub and 72" over shower floor water resistant.	NO No No	PARTIAL Yes No	NO No No	NO No No	PARTIAL Yes No
2.5.5	Bathroom (Ventilation) Complies with ASHRAE 62.2.	No	No ⁵	No	No	No
2.6	Minimum Space Residence has adequate space for sleeping/living.	Yes	Yes	Yes	Yes	Yes
2.6.1	Minimum Space (Bedroom/Bath) Bedroom not only pathway to bath, if more than one bedroom.	Yes	No	Yes	Yes	Yes
2.6.2	Minimum Space (Bath Egress) Bath not only path to other habitable rooms/exterior.	Yes	No	Yes	Yes	Yes
2.6.3	Minimum Space (Room Area) Minimum room floor area 70 ft ² .	Yes	Bedrms Only	Yes	Yes	Yes
2.6.4	Minimum Space (Closet) Dwelling has closet space for clothing.	No	No	No	No	No
2.6.5	Minimum Space (Ceiling Height) (a) Minimum ceiling height 84"; at least half of room has this clearance. (b) If ceiling height < 60", floor area under it doesn't count for 2.6.3.	YES Yes Yes	YES Yes Yes	YES Yes Yes	YES Yes Yes	YES Yes Yes
2.6.6	Minimum Space (Below-Grade Space) (a) Below-grade space has at least one natural light window or skylight. (b) Below-grade space has ventilation from natural or mechanical source. (c) Below-grade space has clearance of at least 84" including beams, etc. (d) Below-grade space has waterproof walls/floors free of dampness.	PARTIAL Yes Yes Yes No	PARTIAL Yes Yes Yes No	PARTIAL Yes Yes Yes No	PARTIAL Yes Yes Yes No	PARTIAL Yes Yes Yes No

⁵ Administered under local Uniform Mechanical Code – code application based on date of installation and determination whether health and safety issue exists

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2.7	Flooring (a) Good condition and properly attached. (b) Carpeting has no tears, folds, or bumps.	YES Yes Yes	NO No No	YES Yes Yes	YES Yes Yes	YES Yes Yes
2.8	Noise Noise level from exterior sources is below 45 dB L _{dn} .	No	No	No	No	No

National Healthy Housing Standard (NHHS) Provisions: Thermal Comfort, Ventilation, and Energy Efficiency		Bernalillo County	City of Albuquerque	Doña Ana County	City of Carlsbad	City of Española
5.1	Heating, Ventilation, Air Conditioning (HVAC), Humidity Control (a) Facilities provided are in good working condition. (b) Are operational to protect health and safety of occupants. (c) If becomes inoperable, alternate facility provided within 48 hours.	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No
5.2	Heating Systems (a) Good condition and properly installed. (b) Sealed, cleaned, and maintained according to manufacturer specs. (c) Inspected/serviced annually by licensed HVAC contractor.	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No	PARTIAL Yes Yes No
5.2.1	Heating (Venting and Air Supply) (a) Combustion appliances properly vented to outside. (b) Has adequate air supply for complete combustion/no backdrafting.	YES Yes Yes	PARTIAL Yes No ³	YES Yes Yes	YES Yes Yes	YES Yes Yes
5.2.2	Heating (Minimum Heat Temperatures) System can provide minimum temperature 68° F to habitable rooms/bath.	Yes	Yes	Yes	Yes	Yes
5.2.3	Heating (Heating Supply - Rental) (a) System will comply with 5.2.2. (b) System will not exceed maximum temperature of 78° F.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
5.2.4	Heating (Forced Air Systems) (a) Has working thermostat with set point between 55° F and 85° F. (b) Has clean air filter that maintained to manufacturer specs. (c) Has at least a MERV 8 filter, unless system cannot handle this filter.	NO No No No	NO No No No	NO No No No	NO No No No	NO No No No

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5.2.5	Heating (Steam/Hot Water Systems) Protective covers/barriers provided on radiators when greater than 110° F.	No	No	No	No	No
5.2.6	Heating (Wood Stoves) (a) Wood stove manufactured after 1988 complies with U.S. regulation. (b) If heat shield present, clearance must comply with manufacturer specs.	NO No No	NO No No	NO No No	NO No No	NO No No
5.3	Ventilation (a) Fresh air from natural/mechanical ventilation provided to all rooms. (b) Natural/mechanical ventilation will remove moisture-laden air.	YES Yes Yes	YES Yes Yes	YES Yes Yes	YES Yes Yes	YES Yes Yes
5.3.1	Ventilation (Mechanical) Complies with ASHRAE 62.2.	No	No ³	No	No	No
5.3.2	Ventilation (Bath Ventilation) (a) Exhaust air must be vented outdoors and not to habitable space/attic. (b) Exhaust air outlet cannot be near intake air inlet.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
5.3.2.1	Ventilation (Dryer Ventilation) Dryer ductwork is rigid/semirigid.	No	No	No	No	No
5.3.3	Ventilation (Outlets) (a) Exhaust air is not vented directly upon abutting property. (b) Vent pipe openings and screens will be free of debris.	YES Yes Yes	NO No No	YES Yes Yes	YES Yes Yes	YES Yes Yes
5.3.4	Ventilation (Inlets) Basement air is not source of air handler fresh air.	No	No	No	No	No
5.4	Air Sealing Area by openings sealed to limit uncontrolled air movement.	No	No	No	No	No
5.4.1	Air Sealing (Weathertight) Doors, windows, other openings to exterior weathertight.	Yes	Yes	Yes	Yes	Yes
5.4.1.1	Air Sealing (Sealing) Pads, door sweeps, weather-stripping used to minimize air leaks.	No	No	No	No	No
5.4.2	Air Sealing (Garage) Openings between garage and habitable rooms are sealed.	No	No	No	No	No

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5.4.2.1	Air Sealing (Garage/Interior Doors) (a) Doors between garage and interior space are steel or solid wood. (b) Door will have automatic closing mechanism and weather-stripping.	NO No No	NO No No	NO No No	NO No No	NO No No
5.4.2.2	Air Sealing (Garage/Bedroom) No door/window/opening between garage and sleeping area.	No	No	No	No	No
5.4.3	Air Sealing (Garage/HVAC) HVAC air handlers and ductwork in garage is properly insulated/sealed.	No	No	No	No	No
5.4.3.1	Air Sealing (Garage/Vents) No supply or return vent openings in garage connected to interior.	No	No	No	No	No
5.4.4	Air Sealing (Multifamily) Spaces between dwelling units in multifamily building sealed.	No	No	No	No	No

National Healthy Housing Standard (NHHS) Provisions: Moisture Control, Solid Waste, and Pest Management		Bernalillo County	City of Albuquerque	Doña Ana County	City of Carlsbad	City of Española
6.1	Moisture Control Exterior building surfaces are watertight, weathertight, free of dampness.	Yes	Yes	Yes	Yes	Yes
6.1.1	Moisture Control (Drainage) Building drainage shall direct water away from structure.	Yes	No	Yes	Yes	Yes
6.1.2	Moisture Control (Exterior Wood Surfaces) Exterior wood surfaces shall be coated with paint or protective coating.	Yes	Yes	Yes	Yes	Yes
6.1.3	Moisture Control (Grading) Premises shall be graded to prevent accumulation of water.	Yes	No	Yes	Yes	Yes
6.1.4	Moisture Control (Mold) No surfaces or surface coverings shall have visual mold.	No	No	No	No	No

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6.1.5	Moisture Control (Mold Remediation) (a) Clean, dry, repair structurally sound surfaces covered with visible mold. (b) Remove surfaces covered with mold that are not structurally sound.	NO No No	NO No No	NO No No	NO No No	NO No No
6.1.5.1	Moisture Control (Mold Removal) Moldy material shall be removed in accordance with New York City guidelines.	No	No	No	No	No
6.1.6	Moisture Control (Causes) Causes of moisture shall in investigated.	No	No	No	No	No
6.1.7	Moisture Control (Cold Water Pipe Insulation) Cold plumbing components in accessible locations shall be insulated.	No	No	No	No	No
6.1.8	Moisture Control (Crawl Spaces) Crawl spaces shall be free of high-moisture conditions or separated from habitable space with air sealing.	No	No	No	No	No
6.2	Solid Waste (a) Adequate facilities for temporary storage of trash. (b) Adequate facilities for temporary storage of recyclable materials.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
6.2.1	Solid Waste (Exterior Trash Containers) Exterior containers provided for trash.	No	No	No	No	No
6.2.2	Solid Waste (Exterior Recycling Containers) Exterior containers provided for recyclable materials.	No	No	No	No	No
6.3	Pest Management Integrated pest management methods used to maintain pest-free dwelling.	No	No	No	No	No
6.3.1	Pest Management (IPM Professionals) Trained or certified IPM professionals develop program for multifamily.	No	No	No	No	No

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6.3.2	Pest Management (Property) (a) Every structure/fence on property shall be in good repair/free of pests. (b) Structures/fences shall be inspected for conditions that support pests.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
6.3.2.1	Pest Management (Rodent Harborage-Materials) (a) No accumulation of trash/other materials that can harbor rodents. (b) Stored materials shall be at least 6" off ground/6" from wall.	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No	PARTIAL Yes No
6.3.2.2	Pest Management (Rodent Harborage – Plantings) No trees, shrubs, other plantings within 6" of building.	No	No	No	No	No
6.3.2.3	Pest Management (Rodent Harborage – Water) No accumulation of water in or about dwelling/premises.	No	Yes	No	No	No
6.3.3	Pest Management (Screens) Operable doors and windows shall have adequate screen to prevent pests.	Yes	No	Yes	Yes	Yes
6.3.4	Pest Management (Exterior Openings) No holes or open joints on exterior surfaces equal/greater than 1/8".	Yes	No	Yes	Yes	Yes
6.3.4.1	Pest Management (Use of Sealant) When holes/joints repaired, sealant shall be closed-cell insulation or caulk that is low volatile organic compound emitting.	No	No	No	No	No
6.3.5	Pest Management (Treatment) Pests and their cause shall be treated with integrated pest management.	No	No	No	No	No
6.3.5.1	Pest Management (Foggers/Organic Phosphates) Foggers and organic phosphates shall not be used for pest control.	No	No	No	No	No

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National Healthy Housing Standard (NHHS) Provisions: Chemical and Radiological Agents		Bernalillo County	City of Albuquerque	Doña Ana County	City of Carlsbad	City of Española
7.1	General Requirements All chemical and radiological agents shall be contained, stored, removed, or mitigated in a safe and healthy manner.	No	No	No	No	No
7.2.1	Lead Based Paint (Hazards) Paint, dust, and soil lead hazards shall be defined by U.S. regulations.	No	No	No	No	No
7.2.2	Lead Based Paint (Paint Condition) (a) All paint shall remain intact. (b) Deteriorated paint shall be repaired following U.S. regulations. (c) Cause of any paint deterioration shall be corrected.	PARTIAL Yes No No	PARTIAL Yes No No	PARTIAL Yes No No	PARTIAL Yes No No	PARTIAL Yes No No
7.2.3	Lead Based Paint (Renovations) (a) All renovation, repair, and painting shall comply with U.S. regulations. (b) Dust clearance testing shall be conducted at end of work.	NO No No	NO No No	NO No No	NO No No	NO No No
7.2.4	Lead Based Paint (Prohibited Removal Methods) (a) No open-flame burning or use of heat gun above 1100° F. (b) No power sanding, grinding, planing, or blasting unless shroud attached. (c) Shroud must release no visible dust or air.	NO No No No	NO No No No	NO No No No	NO No No No	NO No No No
7.2.5	Lead Based Paint (Application) Lead-based paint shall not be applied to interior or exterior of dwelling.	No	No	No	No	No
7.3	Asbestos Maintained in good repair, nonfriable, and free from any defects.	No	No	No	No	No
7.3.1	Asbestos (Abatement Contractors) Abatement shall be conducted by licensed asbestos professionals.	No	No	No	No	No
7.3.2	Asbestos (Renovation) Renovation that shall disturb asbestos will be preceded by abatement.	No	No	No	No	No
7.3.3	Asbestos (Abatement) Abatement shall comply with all regulations.	No	No	No	No	No

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7.4.1	Toxic Substances/Building Materials (Formaldehyde) Materials applied shall meet formaldehyde standards in U.S. law.	No	No	No	No	No
7.4.2	Toxic Substances/Building Materials (Other) (a) Materials applied shall contain no or low volatile organic compounds. (b) Materials applied shall have no halogenated flame retardants.	NO No No	NO No No	NO No No	NO No No	NO No No
7.5	Radon (a) Radon levels determined by approved testing method. (b) Radon at or above EPA action level be deemed hazardous. (c) Radon at or above EPA action level be mitigated by contractor. (d) Contractor be certified by national radon proficiency program.	NO No No No	NO No No No	NO No No No	NO No No No	NO No No No
7.6	Pesticides Only least toxic pesticide with demonstrated efficiency be used.	No	No	No	No	No
7.6.1	Pesticides (Application) (a) Only applied in locations/concentrations specified by manufacturer. (b) Pesticide hazard is mitigated if applied outside of specifications.	NO No No	NO No No	NO No No	NO No No	NO No No
7.6.2	Pesticides (Storage) Stored/disposed as specified by manufacturer.	No	No	No	No	No
7.7	Methamphetamine Dwellings where methamphetamine made vacated until proven safe.	No	No	No	No	No
7.8.1	Smoke in Multifamily Housing (Common Areas) Smoking prohibited in all indoor common areas of multifamily buildings.	No	No	No	No	No
7.8.2	Smoke in Multifamily Housing (Exterior Smoking) Smoking prohibited within 25' of building entrances, windows, air intake.	No	No	No	No	No
7.8.3	Smoke in Multifamily Housing (Smoke-Free Policies) (a) Tenants/prospective tenants informed of smoke-free policies. (b) Signs posted by designated smoking or nonsmoking areas.	NO No No	NO No No	NO No No	NO No No	NO No No

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7.8.4	<p>Smoke in Multifamily Housing (Lease Provisions) Tenants are exempt from early termination penalties if they terminate for incursion of tobacco smoke or at the inception of smoke-free policy.</p>	No	No	No	No	No
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