HOARDING

Hoardding and the Virginia Fair Housing Law
To All Participants!!!

As respect for others in the class, place phones on “Silence”, “Vibrate” or “Off”.

If you MUST answer, thank you for exiting the room before so.
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Department of Professional and Occupational Regulation
Shows such as...

- HOARDING: BURIED ALIVE & HOARDERS
- Have made many aware of the hoarding taking place in many homes.
If by chance...

• You encounter a hoarder while working on your property, what would your first reaction be?
It is Official...

• In May, the American Psychiatric Association (APA) confirmed what property management companies, owners and many Fair Housing practitioners have already known: **Hoardding is a mental disorder and is now protected under DISABILITY.**

• DSM-5 first update in almost 20 years

• Hoarding is recognized as both a mental and a public health problem.

• This classification is official and should serve as a reminder that handling hoarders is a delicate situation that could have serious Fair Housing implications if not handled correctly.
The Virginia Fair Housing Law

• Prohibits housing and shelter providers, (public or private), from discriminating against an otherwise qualified individual based on his/her: race, color, national origin, religion, sex, familial status, handicap or disability and elderliness.
The Medical Term Is..

Disposophobia
What is Hoarding?

• Hoarding is the excessive collection of items, along with the inability to discard them.
• Hoarding often creates such cramped living conditions that homes may be filled to capacity, with only narrow pathways winding through stacks of clutter.
• Some people also collect animals, keeping dozens or hundreds of pets often in unsanitary conditions.
• Reluctance or inability to return borrowed items; as boundaries blur, impulsive acquisitiveness could sometimes lead to stealing or kleptomania.
Hoarders are Worldwide

- Up to 5% (some say it is as much as 6%) of the world’s population displays clinical hoarding
World’s Population

• 7.2 Billion people
• 360,000,000 hoarders (5%)
• 432,000,000 hoarders (6%)
  • http://www.worldometers.info/world-population/
Research shows that...

- Hoarding is a progressive and chronic condition that often begins at an early age and increases in severity as the individual ages.
There is speculation that hoarding was once an advantageous way of life. Though times are different the practice of hoarding has been preserved in certain families.
All in the Family

- **FACT: 50%** of hoarders grow up with a hoarding family member.
Who is a hoarder?

- Men, women or children of all ages
- More common among seniors who are women
- Hoarding is an important issue that senior communities face at an increasing rate and as the senior community increases
More Information About Hoarders

• Hoarders are often highly intelligent
• They are teachers, engineers, rocket scientists
• Hoarders are friendly
• Hoarders are fearful of authority
• Hoarders are often embarrassed, overwhelmed, and ashamed about their situation
Hoardding and Children

- Children begin hoarding as early as 25 months.
- By age 6, about 70% of children are collecting and storing things.
In medicine, **comorbidity** is either the presence of one or more disorders (or diseases) in addition to a primary disease or disorder, or the effect of such additional disorders or diseases. Other diseases or disorders found in hoarders are:

- **53% major depression**
- **24.4% general anxiety disorder**
- **23.5% social phobia**
- **28% ADHD**
- **18% OCD**
Hoarding Statistics

• **75%** of hoarders engage in **excessive buying**
• **50%** excessively acquire **free items**
• **15%** acknowledge their behavior is irrational
Commonly Hoarded Items

- Clothes
- Magazines
- CD/Video Tape
- Letters or Old Notes
- Pens
- Bills
- **Newspapers**
- Receipts
- Cardboard
- Boxes
- **Old Food**
- Containers
- Freebies

- Beads
- Wool
- Fabric
- Pins
- Clothing rags
- **Old Medication**
- **Body Products (nails, hair, feces)**
- Used Diapers
- Rotten Food
- Plastic & Paper Bags
- Books
- Animals
Why Do People Hoard?

- Trauma
- Decision Making Deficit
- Emotional Attachment
- Responsibility & Waste Issues
- Self Worth Issues
- Studies have shown that most hoarders are also dealing with obesity.
Manifestations of Hoarding

• Acquisition of Items
  – Sales or Great Deals they just cannot pass up
  – Items given to them
  – Accumulation (not able to get around and clean up)
  – Not knowledgeable about recycling (so they keep everything)

• Saving items
  – Sentimental
  – Instrumental to them (they may need it at some point)
  – Can’t throw it away (too beautiful)
Manifestations of Hoarding

• Disorganization
  – Items thrown in piles
  – Afraid to throw anything away for fear that they may throw something important away.
Do hoarders know they are hoarders?

• Sometimes they do, but are more likely to be in denial.
• The belief is that they are doing something noble by not wasting.
• Their possessions are not junk. They are valuable, important and sentimental.
• Intervention to address the problem may be necessary.
When does Hoarding Become a Problem?

• When the hoarding is a health and safety hazard to the property, the residents, the staff and to the hoarder.
Hoarding Behavior

• The hoarding behavior usually has been occurring for a long time and there is no quick solution!
Important!!!!

• Based on the Virginia Landlord Tenant Act, hoarding that violates any code constitute a lease violation...
Lease Violations

• Blocking Exits
• Fire Hazards
• Infestation – roaches, bedbugs, silver fish, fleas
• Animals – excessive numbers, feces, damage
• Accumulation of Garbage
• Citations by Health/Fire Departments
• Rooms unusable for the intended purpose
It is best to catch a fly with honey than with vinegar!

- EVICTION... should be the last resort!
Avoid Eviction

• Consider all avenues to avoid eviction
• Getting a hoarder and their friends and family to help with the clean up is far less than having the property contract it out.
• The cost (including hazardous material) is $10,000-$30,000
A Hoarder’s Eviction Story

“You are evicting her because she is a hoarder?”

“Why didn’t you ask her to clean it up?

Does she pay her rent on time?

Then I suggest you find a way to work with her to get the place cleaned up.”
• Level 1 - Structure and Zoning (standard and not actually a problem)
• Level 2 - Pest and Rodents (may need expert intervention)
• Level 3 - Household Functions (may require mental health expert intervention)
• Level 4 - Sanitation/Cleanliness (serious)
• Level 5 - Landlord Intervention (critical - usually unit may be too far gone to save).
The Virginia Fair Housing Law
(§ 36.96.1)

It is the policy of the Commonwealth of Virginia to provide for fair housing throughout the Commonwealth, to all its citizens, regardless of

• race,
• color,
• religion,
• national origin,
• sex,
• elderliness,
• familial status,
• or handicap,

and to that end to prohibit discriminatory practices with respect to residential housing by any person or group of persons, in order that the peace, health, safety, prosperity, and general welfare of all the inhabitants of the Commonwealth may be protected and insured. This law shall be deemed an exercise of the police power of the Commonwealth of Virginia for the protection of the people of the Commonwealth.
The definition of disability

• (i) a physical or mental impairment that substantially limits one or more of such person's major life activities;
• (ii) a record of having such an impairment;
• Or, (iii) being regarded as having such an impairment.
Under the Fair Housing Law

- The definition of handicap is very broad.
- A specific diagnosis of mental disorder is not necessary.
- If a resident is perceived as having a disability, it triggers FH protection against discrimination.
- If a resident is receiving SSI or SSDI benefits, in most cases, that is enough to meet the definition of disability.
Standards of the Law

Under the fair housing law there are 2 key elements:

• Whether the resident has a disability
• Whether the landlord discriminated against the resident
Reasonable Accommodations

Disability laws state the following in reference to reasonable accommodations:

• **The Virginia Fair Housing Law**: Changes in rules, policies, practices, or services that are necessary for a person with a disability to have an equal opportunity to “use and enjoy” housing

• **Section 504**: *(applies to federally funded property)* Changes to rules or policies AND structural changes that are necessary for a person with a disability to “use and enjoy” housing.
The Reasonable Accommodation...

- For a hoarder is more time to get the unit up to compliance.
But get ready for...

• ... a very long road ahead!
Under the fair housing law

• A resident must show that his/her disability requires the landlord to make a reasonable accommodation. (Remember that the threshold for showing causation is very low.)

• The request must be reasonable

• The landlord must enter into dialogue with the resident

• The landlord should explore the request in “good faith”

• If the request is reasonable and will alleviate the problem, the landlord should grant the request or run the risk of violating the fair housing law.
A resident may establish a claim if...

• He/she has a disability
• The landlord knew or should have known of the disability;
• An accommodation may be necessary to afford the resident with the disability equal use and enjoyment of the his unit;
• The resident requested an accommodation; and
• The landlord refused to grant the request
Remember...

The only protected class under the Federal & The Virginia Fair Housing Law that is allowed to make reasonable changes for a resident is...

DISABILITY
Reminder

• “While hoarders should ask for reasonable accommodations, Fair Housing Law trends suggest that if a landlord knows or should have known about the disability, then it is a duty by the property to accommodate.”

  Attorney, Lynn Dover
Unreasonable accommodations

A request for a reasonable accommodation may be rejected if it is unreasonable:

• The test under both the VFH law and Section 504 is whether the accommodation would pose an undue financial and administrative hardship *OR*;

• The accommodation would fundamentally alter the nature of the program.
  – “Fundamentally Alter the Nature of the Program” means the resident requests something outside the scope of the program’s mission or undermines the reason for the program’s existence.
The landlord does not have to carry out this request. **It is possible to evict the resident when the hoarder:**

- Is a threat to the health and safety of others and the health and safety issues cannot be addressed through a reasonable accommodation;
Patently unreasonable accommodations...

- The hoarding caused significant damage to the unit and the hoarder will not reimburse the landlord for repairs;
- The hoarder will not participate in any dialogues about the hoarding or cooperate with, in an attempt to comply with the lease and living standards that are reasonable.
More About Reasonable Accommodation for Hoarders

For hoarders violating the lease, who meet the definition of disability

• You must offer a reasonable accommodation even if they:
  – Do not ask for the accommodation
  – Do not have to admit to having a disability
  – Do agree that the unit does need cleaning up

REMEMBER THAT THE RESIDENT HAS THE RIGHT TO REFUSE THE REASONABLE ACCOMMODATION
Do you have a resident who may be a hoarder?
If You Have a Resident Who Is A Hoarder...

• Contact the resident face-to-face.
• Listen without making a judgment.
• Treat people who hoard as you would like to be treated, with respect and dignity.
• Focus on the person’s good qualities, not the mess. Find ways to draw out his or her best assets and not focus on faults.
• Recognize small steps of progress in eliminating clutter.
• Remember that good coaches help shape the decision so that it is easier to make; they do not make the decision for the person.
Make your focus

• To have safe and sanitary environment in the dwelling.
You Should Always Have A Plan In Place

• Use the services of a Resident Relations Coordinator.
• Set achievable goals.
• Define each of the goals specifically.
• Lay out the steps to achieving those goals.
• Use a workable approach.
• Set deadlines for the completion of goals.
• Sign an agreement that lays out the agreed plan.
• Once goals are achieved, agree to periodic visits to maintain unit in healthy and safe standard.
Ways Management Is Able To Help

- Subsidized housing, may have supportive service on site to assist with the clean up of the unit.
- Provide a list of resources in non subsidized housing
- Provide dumpster or trash disposal services

REASONABLE ACCOMMODATION DOES NOT MEAN MANAGEMENT HAS TO HELP WITH CLEAN-UP!
• If the plan does not work, the only option may be to proceed with the eviction. Studies have shown that 39% of hoarders succeed with professional help.

• Housing providers must be prepared to defend your case.
There is an effort underway...

- To create a “Statewide Resource Guide of Agencies, Support and Services to Assist Hoarders” identified and available in every jurisdiction of Virginia.
There is a need to identify...

• HOARDING TASKFORCES
• PEER SUPPORT GROUPS
• INTER-AGENCIES COLLABORATIONS
• CLEAN-UP COMPANIES
• MENTAL HEALTH ORGANIZATIONS DESIGNED TO HELP HOARDERS
It takes a community...

- Referral is received
- Home Visit Conducted
- Case Management Plan Developed
- Re-Inspection with Case Manager Present

- Property Owner
- Housing Inspector
- Voluntary compliance
- Non-compliance
- Code Enforcement
- Case Managers

Partnership Model example used by Metropolitan Boston
The Faces of the ...

SEVEN MOST FAMOUS HOARDERS
#1 & #2 Famous Hoarders

Homer Lusk Collyer

Langley Wakeman Collyer
About the Collyer Brothers

• Parents were first cousins.
• Father, Herman Collyer was a gynecologist.
• Both sons attended Columbia University.
• Father abandoned the family and later died in 1923.
• Mother, Susie Page Frost died in 1929.
• All possessions were inherited by their sons.
• Brothers moved into their house and became recluses.
• Neighborhood people attempted to break in due to the unfounded rumors of valuables.
• Eccentricities grew to include boarding up windows and setting booby traps.
• They did not pay bills, causing the telephone to be disconnected in 1917, and the electricity, water, and gas were turned off in 1928.
• Langley Collyer would wander out only at night to collect water and would walk for miles to buy one loaf of bread.
• Homer loses his eyesight due to hemorrhaging in the back of the eyes and because of poor diet.
What Was Found in the Collyers Home

• Police and workmen removed 130 tons (260,000 pounds) of garbage from the home.
The Secret Life Exposed (tragically)
Items hoarded

• Baby carriages, a doll carriage, rusted bicycles, old food, potato peelers, a collection of guns, glass chandeliers, bowling balls, camera equipment, the folding top of a horse-drawn carriage, a sawhorse, three dressmaking dummies, painted portraits, pinup girl photos, plaster busts, Mrs. Collyer's hope chests, rusty bed springs, the kerosene stove, a child's chair (the brothers were lifelong bachelors and childless), more than 25,000 books (including thousands about medicine and engineering and more than 2,500 on law), human organs pickled in jars, eight live cats, the chassis of the old Model T with which Langley had been tinkering, tapestries, hundreds of yards of unused silks and other fabrics, clocks, fourteen pianos (both grand and upright), a clavichord, two organs, banjos, violins, bugles, accordions, a gramophone and records, and countless bundles of newspapers and magazines, some of them decades old. Near the spot where Homer had died, police also found 34 bank account passbooks, with a total of $3,007.18 (about $35,402 as of 2013).
Edith Bouvier Beale and her mother, Edith Ewing Bouvier, were former New York socialites who spent their days holed up in a decrepit East Hampton mansion.

When the Suffolk County Board of Health raided their house, they found piles of garbage amid human and animal waste. It was said that only three of the mansion's 28 rooms were used, while the others were occupied by hundreds of cats, possums and raccoons.
TV viewers all over the UK knew compulsive hoarder Edmund Trebus for his eccentric habits and snarky English temper.

But it was the flotsam and jetsam that took up most of his five-bedroom Victorian villa at Crouch End in north London: window frames, motorbikes, scaffolding poles, tree-trunks, For Sale signs (complete with posts), fridge-freezers, even a mortuary table.
In the late 19th century, all of New York's high society knew Ida Mayfield. Her charm and beauty attracted many suitors and Ida eventually married Benjamin Wood, publisher of the *New York Daily News*. But the couple's marriage was an unhappy one and Benjamin fathered a child by another woman.

She lived in squalor in a couple of rooms at New York's Herald Square Hotel and never went outside. **By the time of her death in 1932, Ida had hoarded nearly $1 million in cash, stuffed in pots and pans inside the hotel room. Among other valuables found inside were a diamond necklace hidden in a Cracker Jack box.** Ida was even found to have $10,000 in cash sealed around her waist.
When filmmaker Sam Bassett, another artist-in-residence at the Chelsea, discovered Ms. Grossman, she was literally sleeping on a deck chair in the hallway. Bassett became inspired by Bettina's artwork and eventually convinced her to display her various collages and mixed media portraits. He even helped her build shelves to organize it all.

In the year 2008, Ms. Grossman fell and broke her hip, and is now living a Brooklyn nursing home. Still, her artwork is never far behind. She's brought a few boxes of her work with her to the home.
HOARDERS
HOARDERS
JUST BECAUSE IT IS NEAT DOES NOT MEAN...
Treatment Assessment

• Cognitive Behavior Therapy
  – Results: POSITIVE
  – 70% of patients respond to talk therapy based skills, training and motivational interviewing.

• Antidepressants
  – Results: MIXED
  – Scientists do not fully understand neurological sources of hoarding, so it is difficult to target with medication.

• Exposure and Response Prevention ERP
  – Results: POOR
  – Subjects forced to throw away large quantities of objects responded poorly & refused further treatment.

An Unlikely Hoarder?!

My name is Missy. I'm a hoarder. I've been a hoarder for 2 1/2 yrs.
If Mom had not moved the couch I would still be hoarding.

My name is Missy.
I am a hoarder.
I have been a hoarder for 2 yrs. If Mom had not moved the couch I would still be hoarding.
QUESTIONS
Resources

• Kimball, Tirey and St. John LLP
• MassHousing
• International OCD Foundation
The Virginia Fair Housing Law protects you – but you must report illegal or unfair housing practices!

1-888-551-FAIR (3247)
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