



NANTUCKET HEALTH & HUMAN SERVICES

131 PLEASANT STREET

NANTUCKET, MASSACHUSETTS 02554

Telephone 508.228.7200

Fax 508.325.6117

Date: 9/11/2025

To: Town of Nantucket
Address: 16 Broad Street
Nantucket, MA 02554

Subject: Housing Inspection at 54 Low Beach Road – Violations of 105 CMR 410.000
Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter II)

Dear Town of Nantucket,

This letter is to inform you that, in response to a complaint received by the Health Department regarding excess mold and water damage at the property located at 54 Low Beach Road, a housing inspection was conducted on September 10, 2025.

The inspection revealed violations of 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter II).

Please refer to the enclosed Order to Correct and Inspection Report for more detailed information about the findings and required corrective actions.

If you have any questions, please feel free to contact our office.

Best Regards,

John Hedden, REHS/RS
Chief Environmental Health Officer
Nantucket Health & Humans Services
jdhedden@nantucket-ma.gov
508 228 7200 ext. 7321



Town of Nantucket
Board of Health

ORDER TO CORRECT

Date: September 11, 2025

Case # : 1552F

To: Town of Nantucket
16 Broad Street
Nantucket MA 02554

Property Location: Loran buildings
54 Low Beach Road
Nantucket MA 02554

In accordance with M.G.L. c. 111, §§ 3 and 127 A, as well as Massachusetts Department of Public Health Regulations 105 CMR 410.000: Minimum Standards of Fitness for Human Habitation (State Sanitary Code, Chapter II), an inspection was made of your property at the above address on 09/10/2025.

The attached Inspection Report lists the violations noted during the inspection and include the timeframes in which the violations must be corrected.

You are hereby ORDERED to correct these violations within the noted time limit. Failure to comply within the allotted time period may result in a criminal complaint against you.

Violations identified as CDE are Conditions Deemed to Endanger or Impair the Health or Safety of the occupants, which may permit the occupant of the dwelling to exercise one or more of their statutory remedies.

You have a right to request a hearing before the Board of Health. This request must be made by you, in writing, and filed within seven days after the day this Order was served.

If you request a hearing, all affected parties will be informed of the date, time and place of the hearing and of their right to inspect and copy all records concerning the matter to be heard. The petitioner has the right to be represented at the hearing.

Every occupant of a dwelling unit or rooming unit shall give the owner, their agent, or employees, upon reasonable notice, reasonable access, if possible, by appointment, to the dwelling unit or rooming unit for the purpose of making repairs necessary to satisfy this Order.

A re-inspection will be conducted to confirm compliance with this Order. Compliance means meeting all the requirements of 105 CMR 410.000. It shall also mean correcting any violations of 105 CMR 410.000 in a workperson like fashion and restoring all parts of the dwelling, or unit thereof, to the condition they were in before occurrence of any such violations. Compliance shall also mean in those cases where licenses or permits are required to perform work necessary to correct the violations, such as, but not limited to building, plumbing and wiring that the appropriate official certifies that the work has been completed in accordance with applicable laws and regulations.



Town of Nantucket
Board of Health

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Date: September 11, 2025

ORDER TO CORRECT

Case # : 1552F

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To: Town of Nantucket
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Any person who shall fail to comply with any order issued pursuant to the provisions of the State Sanitary Code, Chapter II, 105 CMR 410.000 shall upon conviction be fined not less than ten (\$10) dollars nor more than five hundred (\$500) dollars. Each day's failure to comply with the order may constitute a separate violation.

If you have any questions concerning this matter, you may contact this office at 508-228-7200 Ext. 7009.

Sincerely,

John Hedden
Nantucket Public Health



Town of Nantucket Board of Health

Inspection Report SSC 105 CMR 410.000:

Chapter II, Minimum Standards of Fitness for Human Habitation

Case #: 1552F	Inspection Date: 9/10/2025
Case Status: OPEN	Inspection Time: 1:36 PM
Inspected by: John Hedden	Inspection ID: D6FE0
Complaint Date: 09/10/2025	Inspection Type: Complaint - Physical
Complainant: Occupant	Comprehensive Insp?: Yes

Complaint Description

Complaint regarding excessive mold and water damage.

Dwelling Information

Complaint Address: Loran buildings
54 Low Beach Road
Nantucket MA 02554

Year Built:	Sleeping Rooms:
# of Children < 6:	Sanitary Drainage:
Currently Occupied:	Water Source:
# of Occupants:	Who Pays Water:
Floors:	Submetering Form on File:
Stories:	Hot Water Fuel:
Dwelling Units:	Heating Type:
Room Units:	Who Pays Heat:
Habitable Rooms:	Owners resides on Site:
	Owner lives in which Unit:

Owner Information

Town of Nantucket
16 Broad Street
Nantucket, MA 02554
508 228 7200

Occupant Information

Anonymous

Other Information

INSPECTION REPORT

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Loran buildings
54 Low Beach Road
Nantucket , MA 02554

Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

Bathroom 1

410.220(A)(2): Natural and Mechanical Ventilation / 30 day(s) to correct

Responsible Party: Owner

Observations: Bathroom fans don't seem to be working in bathroom with shower stalls. Need to verify if they're working. The fans were observed to be very rusty and need to be replaced.

Code Description: (A) Habitable rooms, and rooms with a toilet, bathtub or shower shall have: (2) Mechanical ventilation capable of exhausting air to the outdoors



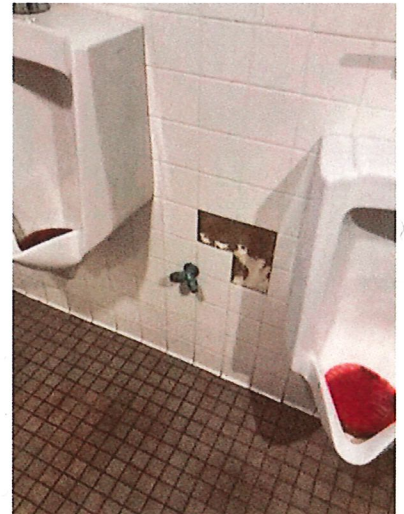
410.110(C): Bathroom Facilities: Sinks, Toilets, Tubs, and Showers / 30 day(s) to correct

Responsible Party: Owner

Observations: A few tiles are missing or are cracked on the bathroom walls.

Comment: Tiles are missing or cracked and need to be replaced to be smooth, impervious, and easily cleanable.

Code Description: (C) Facilities required by 105 CMR 410.110 shall have smooth and impervious surfaces and be free from defects which make them difficult to keep clean or create a risk of injury.



INSPECTION REPORT

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Loran buildings
54 Low Beach Road
Nantucket , MA 02554

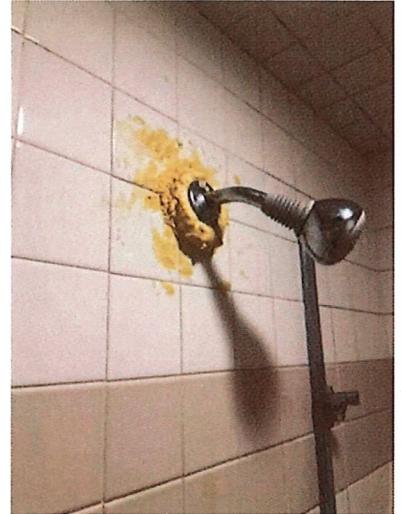
Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

410.110(C): Bathroom Facilities: Sinks, Toilets, Tubs, and Showers / 30 day(s) to correct

Responsible Party: Owner

Observations: A shower head was observed to be not have a smooth easily cleanable surface.

Code Description: (C) Facilities required by 105 CMR 410.110 shall have smooth and impervious surfaces and be free from defects which make them difficult to keep clean or create a risk of injury.



Dining Room

410.540(A)(1): Installation of Screens / 30 day(s) to correct

Responsible Party: Owner

Observations: A few window screens are missing around the building. One was observed missing in the dining room.

Code Description: (A) The owner shall provide and install screens for exterior openable windows so that: (1) They are in place during the period from April 1st to October 31st in each year;



INSPECTION REPORT

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Loran buildings
54 Low Beach Road
Nantucket , MA 02554

Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

Hallway-Common

410.235(A)(1): Owner's Installation, Maintenance and Repair Responsibilities / 30 day(s) to correct

Responsible Party: Owner

Observations: A few ceiling tiles were observed to be defective and need to be repaired.

Code Description: The owner shall ensure proper installation, in compliance with accepted standards and shall maintain in operable condition free from leaks, obstructions or other defects, all facilities and equipment which the owner is required to provide, and all owner installed equipment: (A) The facilities and equipment the owner is required to provide include, but are not limited to: (1) Sinks



Kitchen

410.235(A)(1): Owner's Installation, Maintenance and Repair Responsibilities / 30 day(s) to correct

Responsible Party: Owner

Observations: Floor tiles were observed to be missing in the kitchen. The floor should extend to the wall in order to make the floor easily cleanable. A few spots of concrete floor were also observed to be unsealed. The floor surface needs to be smooth, impervious, and easy to clean.

Code Description: The owner shall ensure proper installation, in compliance with accepted standards and shall maintain in operable condition free from leaks, obstructions or other defects, all facilities and equipment which the owner is required to provide, and all owner installed equipment: (A) The facilities and equipment the owner is required to provide include, but are not limited to: (1) Sinks



INSPECTION REPORT

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Loran buildings
54 Low Beach Road
Nantucket , MA 02554

Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

Check List

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

1	Adequate and safe supply of potable water sufficient in quantity and pressure
2	Sinks, showers, and bathtubs connected to hot and cold water
3	Hot water supplied in sufficient quantity and pressure
4	Prohibited space heaters in use
5	Space heaters and water heaters properly vented
6	Electricity, gas, plumbing, heating systems properly installed and maintained
7	All electrical facilities for supply and illumination provided
8	Toilet, sink, shower and/or bathtub provided
9	Sewage disposal system provided and maintained
10	Kitchen sink sufficient in size and capacity
11	Cooktop/Oven, Refrigerator/Freezer sufficient in size and maintained
12	Adequate means of egress provided and maintained
13	Locks provided and maintained
14	Refuse stored and disposed properly
15	Land and residence maintained in a safe and sanitary manner
16	Lead-based paint present
17	Building and Structural components maintained in a safe condition

INSPECTION REPORT

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Loran buildings
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Nantucket , MA 02554

Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

Check List

IN= In Compliance

OUT = Out of Compliance

NA = Not Applicable

NO= Not Observed

18	Asbestos containing material properly maintained
19	Smoke detectors and Carbon Monoxide alarms properly installed and maintained
20	Handrails and guard systems properly installed and maintained
21	Residence free from pests

INSPECTION REPORT

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Loran buildings
54 Low Beach Road
Nantucket , MA 02554


Inspection Date: 9/10/2025
Inspection Time: 1:36 PM
Inspection ID: D6FE0

Notes


The building was stated to have all occupants moved out and the building unoccupied.

Re-inspection scheduled for October 17, 10am.

Signatures



Inspector



Occupant

This inspection report is signed and certified under the pains and penalty of perjury



The Commonwealth of Massachusetts Department of Public Health Notice of Occupants' Legal Rights and Responsibilities

This document summarizes some of the legal options that you may have when the owner of a property you live in has not fixed certain problems in your home, as required by the state Housing Code (105 CMR 410.000). **This is not legal advice.** Talk to an attorney before you decide to withhold your rent or take other action described here.

Safe and Healthy Rental Housing:

Rental housing in Massachusetts must meet minimum standards to protect the health, safety, and well-being of occupants. The Housing Code, [105 CMR 410.000](#), *Minimum Standards of Fitness for Human Habitation* (State Sanitary Code, Chapter II), is the state regulation that sets these minimum standards. The Massachusetts Department of Public Health, Bureau of Environmental Health's [Community Sanitation Program](#) (CSP) issues this regulation, but the standards are enforced by local health departments. CSP works with local health departments and the public to provide training and technical assistance about the Housing Code. For more information, please see mass.gov/lists/housing-community-sanitation.

Your Responsibility to Keep Your House Safe and Healthy

The Housing Code also has requirements that people living in rented homes or apartments need to meet. There are some problems like pests, mold, and keeping exits clear, that might need the owners and occupants to work together to fix the problem. For example, occupants need to make sure there is no food or garbage left out that could attract pests or keep their belongings out of exit hallways. If the local health department is doing an inspection, either by your request or for another issue, the local health department may tell you there is something that you need to fix. The local health department may issue you an order to correct and give you a certain amount of time to fix the problem.

Your Right to Safe and Healthy Housing and Protection from Retaliation

If you think that conditions in your home are unsafe or unsanitary and may violate the Housing Code, you should contact your local health department. They will conduct free inspections of your home and will order your landlord to fix any violations of the Housing Code. You can find contact information for your local health department by calling your city or town hall or visiting their website. City/town websites are listed at: mass.gov/lists/massachusetts-city-and-town-websites.

Your landlord is not allowed to raise your rent or try to evict you just because you have made a complaint to them or to the local health department about the violations. This is called retaliation, and you may be able to sue the landlord for damages if this happens (M.G.L. c.186, s.18 and c.239, s.2A).

Your Right to a Hearing

You may ask for a hearing in front of your local Board of Health. You must do this in writing and within the timeframes below. If you send a written request on time to the local health department, a hearing will be held within 14 calendar days. **If you do not make a written request within the timeframes below, you lose the right to a hearing.** The chart below shows the reasons you may request a hearing, and the timeframe you have to send the request.

Reason You May Request a Hearing **Number of Days to Make the Request in Writing**

Your home was not inspected	30 days from the day you contacted health department
The inspector did not find violations you think exist	30 days from the last inspection by the health department
The inspector did not issue an order to correct violations	30 days from the last inspection by the health department
The inspector did not enforce the order to correct	45 days from when the owner received the order to correct
Within five days after the hearing, the local health department is required to issue a final decision on your complaint (105 CMR 410.840). If you do not agree with the decision, or at any point throughout the process, you can file an appeal in housing court.	

Your Options if an Owner Does Not Fix the Problems

If your landlord does not fix violations of the Housing Code in your home, you may have some options as described below. These are not your only options, but they are common actions that tenants take in these situations. Before taking legal action, contact an attorney to protect yourself. If you cannot afford an attorney, **you may be eligible for free legal aid services.** Go to masslrf.org to find available options for free legal advice. To find additional information on tenant legal rights and responsibilities, visit: masslegalhelp.org/legal-tactics or madeuptocode.org.

Option 1: Go to Court

If your landlord does not fix the problems that the local health department ordered them to fix, or if you believe there are problems in your home that may be in violation of the Housing Code, you may also ask a court in your area to order your landlord to correct the problems.

To file a complaint, contact the Housing or District Court Clerk in your region. To find the closest Housing or District Court go to mass.gov/orgs/housing-court/locations or mass.gov/orgs/district-court/locations. These courts deal with cases about residential housing including eviction, property damage, and Housing Code enforcement. For help filing a complaint, you can contact Court Service Centers at mass.gov/info-details/learn-about-court-service-centers.

You can request that the court order the landlord to:

Fix the Problem: You or the local health department may file a petition in Housing or District Court to order the owner to fix the violations of the Housing Code (M.G.L. c. 111, s. 127 A, C).
and/or

Refund Rent You Have Paid: You can file a complaint requesting that your landlord pay back all or part of the rent you paid during the time that there were Housing Code violations. You can claim either 1) Breach of Warranty of Habitability or 2) Unfair and Deceptive Practices (M.G.L. c. 93A), or both.

For both claims, you will need to prove that your home had Housing Code violations, and that the owner knew about the violations and did not fix them. Breach of Warranty can also be filed by the local health department.

Option 2: Withhold Rent Until Repairs are Made

If your landlord does not correct *certain* housing code violations, you may be able to hold back some or all of your rent payment until they make repairs (M.G.L. c. 239, s. 8A). **Save the rent money you withhold.** A judge may require you to pay all or some of it back. If they do and you don't have this money, you may be evicted. If you withhold rent and your landlord tries to evict you from your home, you will need to prove, at a minimum, that:

- The violations may endanger or materially impair the health, safety, or well-being of a tenant;
- The rental property owner knew about the violations before you started withholding your rent; and
- You did not cause the violations.

Option 3: Make the Repairs Yourself

State law allows you to use your rent money to pay for certain repairs (M.G.L. c. 111, s.127L), and not pay that amount in rent to your landlord. You cannot withhold more than 4 months' rent in a 12-month period to pay for repairs. If you withhold some or all your rent and use it to make repairs and your landlord tries to evict you from your home, you will need to prove:

- The local health department or court determined that the violations may endanger or materially impair the health, safety, or well-being of a residential tenant; 2
- The landlord was issued an Order to Correct those violations; and
- The owner did not start the repairs (or to sign a contract for work) within 5 days after getting the Order and did not complete repairs within 14 days after receiving the notice of violations.

Option 4: End your Lease Early and Move

If you meet certain conditions, you may be able to end your lease or rental agreement and move out within a reasonable time. Contact an attorney to find out more about this option. If you cannot afford an attorney, **you may be eligible for free legal aid services.** Go to masslrf.org to find available options for free legal advice.