

City of Austin Code Compliance Department

RESOLUTION:
20130606-049
CM Spelman and
Mayor Pro Tem Cole

RESOLUTION:
20130606-050
CM Tovo and
CM Martinez

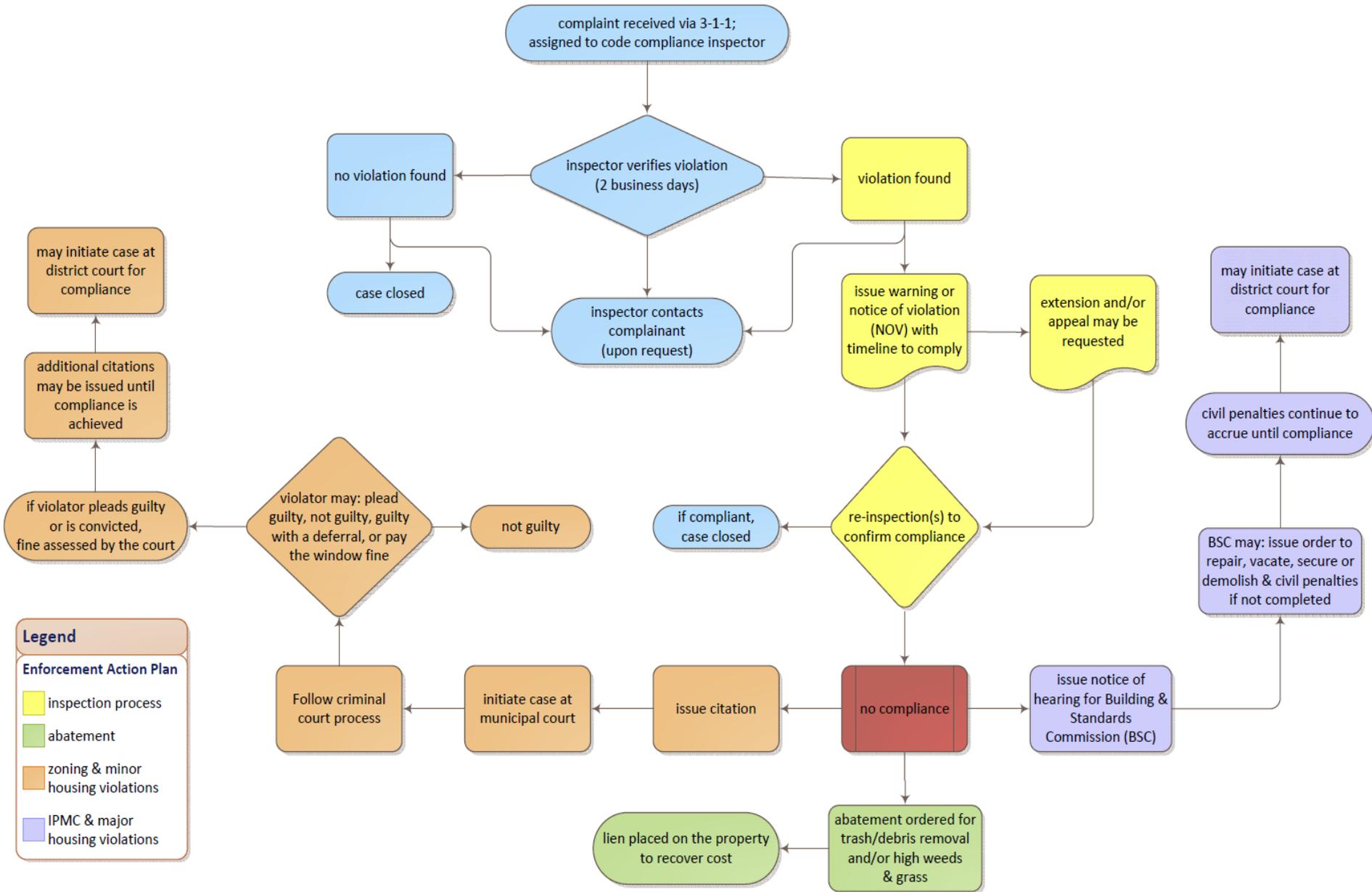


“Repeat Offender”

Ordinance Highlights

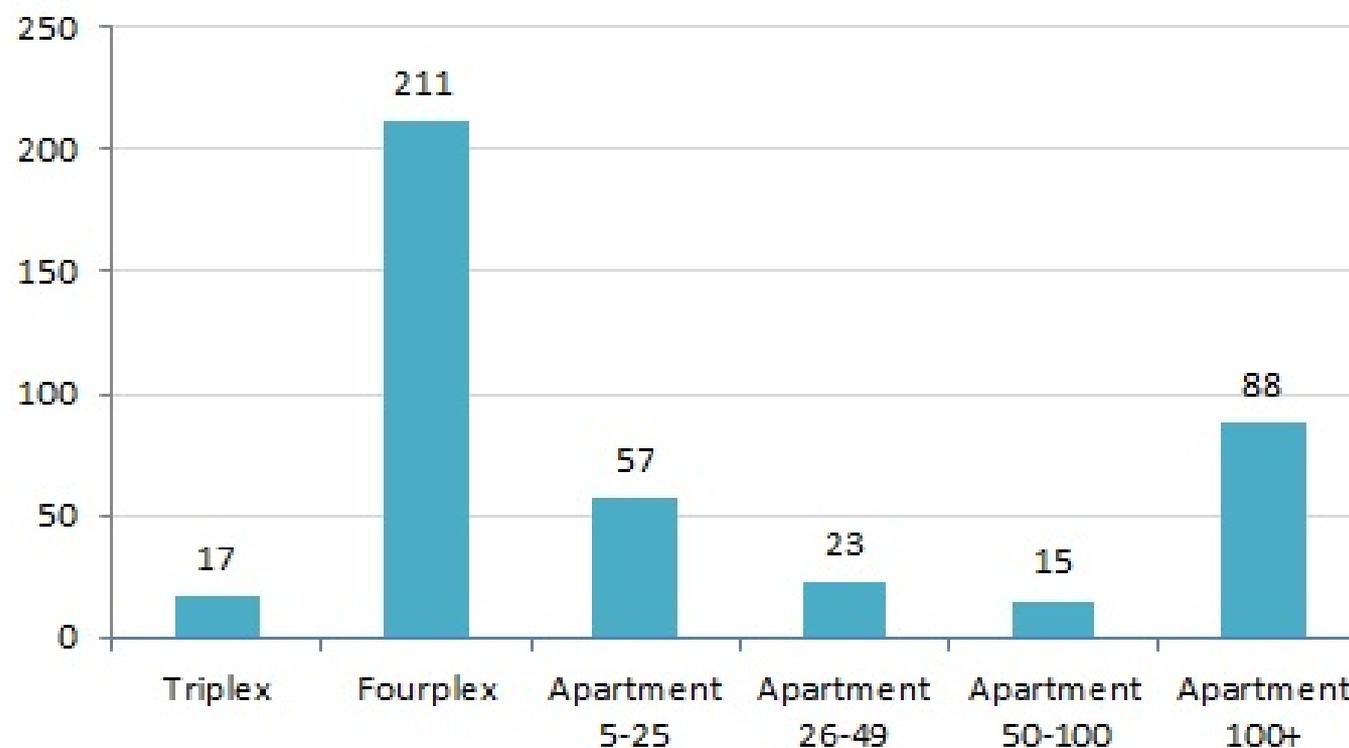
- Creates a repeat offender program citywide
 - Two or more separate notices of violations in 12 mo. & not timely corrected
 - Five or more separate notices of violation issued on separate days in 12 mo.
 - Two or more citations are issued for the same property within 12 mo.
- Properties will be in the program at least two years
 - properties that are identified a second time, will be in the program at least 5 years
- Registrant/local contact must respond within 2 hours in any 24 hour period
- Periodic inspection may occur once every year
 - notice must be given to the landlord and tenant prior to inspections
- Violation types covered by ordinance
 - 25-12 Technical Codes (International Property Maintenance Code)
 - 10-5 Sanitary conditions (I.E. high grass/weeds, trash & debris, stagnant water)
 - 25-11-32 Work without permit violations

Compliance/Enforcement Process



Repeat Offender Statistics

**Potential Repeat Offenders by Property Type
5-Year (October 1, 2007 through June 6, 2013)**



“Pilot Rental Registration”

Ordinance Highlights

- Creates a rental registration program in pilot areas
 - All multifamily and single family/duplex if repeat offender
- A tenant list of names & contact numbers will remain on property
 - list must be available in case of emergency
- Registrant/local contact must respond within 2 hours in any 24 hour period
- Periodic inspections will be scheduled every two years
- A 3rd party inspection program will be available for compliant properties
 - allows qualified inspectors to conduct yearly inspections.
- Registration may be suspended, if necessary
 - vacant units cannot be leased, existing tenants are not affected

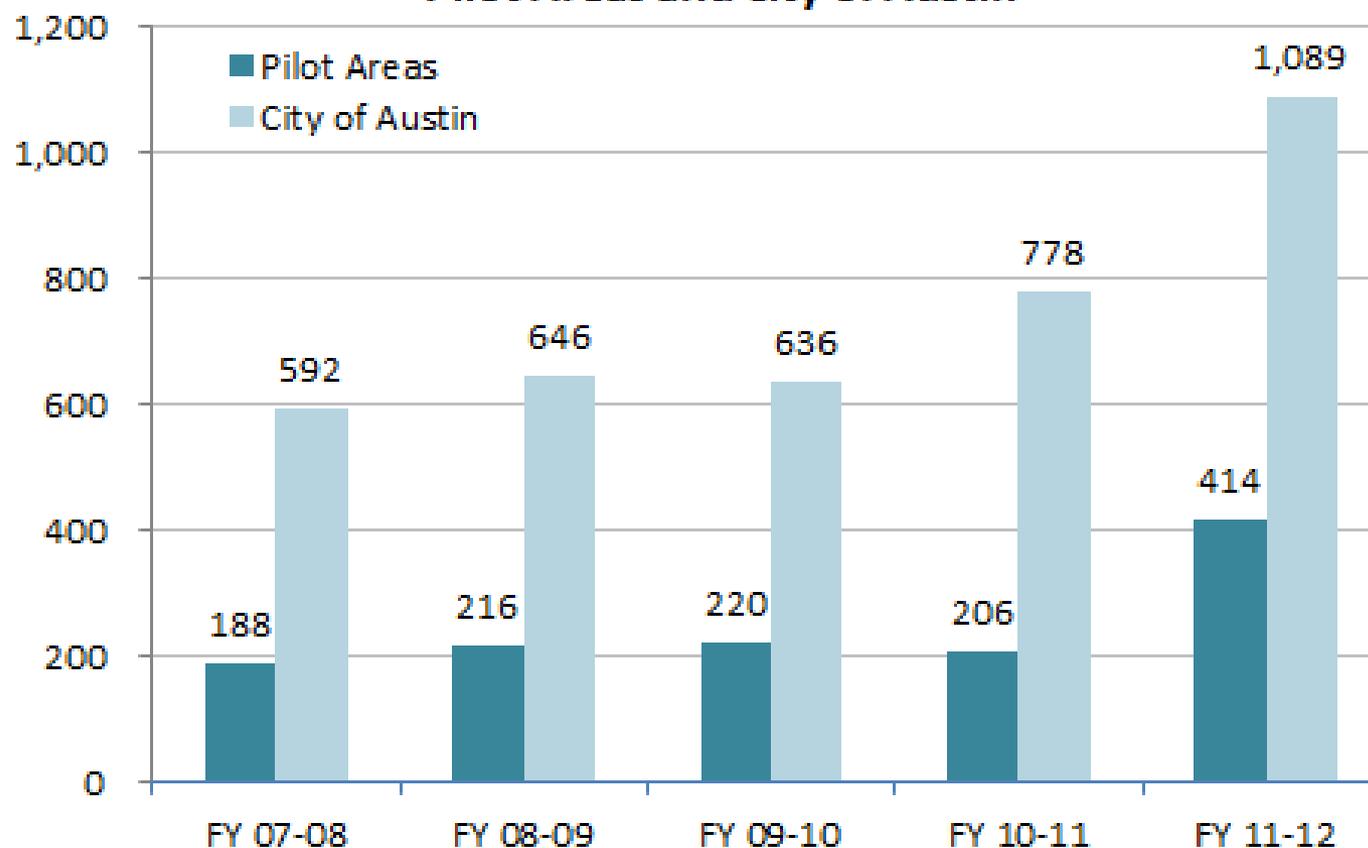
+ “Pilot Rental Registration”

Stealth Dorms

- Registration required when 3 or more adjacent properties are owned by one person.
- If deemed a repeat offender, registration is required
 - Violations of the International Property Maintenance Code
 - Sanitary Conditions violations
 - Performing work without obtaining a permit
- Tenant list requirement would encourage compliance with occupancy limits

Pilot Multifamily Violations vs. Citywide

Total Number of Multifamily Code Violation Cases*
Pilot Areas and City of Austin



Evaluation Criteria

For Pilot Rental Registration Program

- Number and percentage of properties that:
 - registered
 - received a periodic inspection
 - received periodic inspections and violations were found
 - received periodic inspections and no violations were found
 - timely complied with a Notice of Violation

- Changes in the rental market

- Stakeholder's perspective

Community Input

DATE PRESENTATION & FOCUS GROUP SESSION

- June 25 Community Leader
- July 2 Community Advocates
- July 16 Neighborhood Association Representatives from Proposed Pilot Areas
- July 17 Tenant, Apartment & Realtor Associations
- July 23 University of Texas Professors/Researchers
- July 24 Austin Neighborhood Council
- July 30 Building and Standards Commission and Public Input Session
- July 8-31 SpeakUp Austin Online Public Input Forum
- August 16 Building and Standards Commission Retreat
- August 20 Community Development Commission
- August 28 Building & Standards Commission – response to comments
- September 17 Community Development Commission

Community Feedback

Recommendations reflect feedback that was agreeable to the majority of participants through input sessions:

- Proactive Enforcement
- Stealth Dorms
- Education & Training
- Incentives
- Performance Measures
- Tenant Protection
- Transparency & Resources

Commission Feedback

■ Building and Standards Commission (BSC)

1. Add language regarding level of authority for local contacts
2. Reduce the size of local contact signage at single family residence
3. Have local contact signage in both English and Spanish
4. Incorporate the application fee into the registration fee
5. Clarify that Notice of Violations (NOV's) issued on separate days are considered Repeat violations

■ Community Development Commission (CDC)

1. Recommend adoption of both ordinances
2. Recommend a Chapter 54 enforcement modeled after Dallas program
3. Investigate simplified permit process for person responding to citation
4. Consider longer pilot program where code compliance is principal issue
5. Protection of tenants from displacement and homelessness
6. Online tool for tracking status of code compliance cases

Best Practices

Texas Cities	Best Practice
Arlington	annual inspection score report
Dallas	multi-family inspection process
Fort Worth	single-family & duplex registration; inspection process
Houston	crime prevention
Irving	multi-family inspection process
Other Cities	Best Practice
Baltimore, MD	enforcement & penalties
Boston, MA	compliance plan for properties with failed inspections
Boulder, CO	registration process
Chicago, IL	refusal to issue permits to unregistered properties
Los Angeles, CA	property types; rent escrow account program
New York, NY	registration program
San Francisco, CA	self-certification program
Seattle, WA	scope of ordinance, posting license, third party inspection
Raleigh, NC	probationary rental occupancy permit

Projected Personnel Cost

CM Spelman Resolution Personnel Costs						
(Oct 1, 2013 - Sep 30, 2014)						
#	Position	Hours in FY14	FY14 Salary	Salary & Other costs	FTE's	Total Costs for
1	Code Compliance Inspector C	2080	\$53,830	\$104,111	0	\$0
2	Program Specialist	2080	\$42,182	\$68,815	0	\$0
Total			\$96,013	\$172,926	0	\$0

CM Tovo Resolution Personnel Costs						
(Oct 1, 2013 - Sep 30, 2014)						
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Staff Recommendation

- That the Austin City Council adopt:
 - The Repeat Offender Ordinance and
 - The Pilot Rental Registration Ordinance

- Both ordinances will provide much needed tools for stronger, more balanced code enforcement

- The department will also increase enforcement through
 - enhanced fines and penalties
 - additional resources and programs

- The department will collaborate with other departments, committees and neighborhood representatives to address stealth dorms and occupancy issues

City of Austin Code Compliance Department

Questions and Discussion

