

AUSTIN'S 2-5-2 REPEAT OFFENDER PROGRAM

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Three Key Components for Addressing Problem Rental Properties

Identification



Monitoring

Enforcement

1. Identification

ROP:

- ❑ **Complaint-driven program**
 - ❑ Relies on residents to report violations
- ❑ **Biased toward large properties**
 - ❑ 69% of ROP properties are 50+ units
vs 16.4% of Austin rentals
 - ❑ Only two single-family homes
- ❑ **Delayed inspections: at end of registration term**
- ❑ **No new properties added since November 2014.**

1. Recommendations to Improve Identification

- Adopt a **comprehensive rental registration program**.
- Conduct immediate **comprehensive inspection**.
- Adopt **High Impact Landlord** to identify high volume owners of smaller-sized problem properties. See Dallas's new program.
- **Engage and work directly with tenants and neighborhood groups** to identify problem properties.

2. Monitoring

- ❑ Brand new online monitoring tool: Yay!
 - ❑ But still not meeting ordinance requirements: No list of rental properties with NOV's not complied with in timely manner
 - ❑ No status of cases at Muni court and BSC.
 - ❑ Does not list violation found.
- ❑ Database Issues
 - ❑ Inability to run basic reports on rental properties
 - ❑ No linkage to Municipal Court database

2. Recommendations to Improve Monitoring

- ❑ Add more detailed information about problem properties in code case tracker.
- ❑ Provide the information required under the ordinance.
- ❑ Modify database to allow for properties to automatically be placed on the repeat offender list when qualify under the ordinance.
- ❑ Require more detailed quarterly Code reports: types of enforcement actions brought, status of enforcement actions, etc.

3. Enforcement

- ❑ **Failure to register:** As of May 2014, 9 properties flagged for ROP since November 2014 had not registered with City.
- ❑ **Long delays** in resolution of code violations: 159 days.
- ❑ **City failing to take swift and aggressive enforcement actions** against owners with repeated code violations.
 - ▣ 283 code complaints against 29 ROP properties
 - ▣ Only 11 citations w/6 resulting in paid fine (total of \$3,001).
 - ▣ 23 properties w/ no citations.
- ❑ Strain on city resources.

3. Enforcement & Remedies

- Building & Standards Commission
 - ▣ 7 BSC orders issued against ROP properties
 - ▣ No standard referral procedures
 - ▣ Long delays before cases heard
 - ▣ Are fines being collected?
- Administrative Hearings
 - ▣ Still not being used?

3. Recommendations to Improve Enforcement & Remedies

- **Enforce NOV remedy deadlines** and follow through with swift fines, citations, and other legal recourse.
- **Adopt a community prosecutor initiative.**
- **Set specific performance measurements for enforcement of ROPs and develop regular reports to track progress.**
- **Bring in outside auditor** to examine ways for Code to more efficiently enforce code violations.
- **Adopt full-cost recovery policies:** graduated fines, inspection and re-inspection fees, registration fee based on number of units.



Questions?