AUSTINCODE DEPARTMENT

Repeat Offender Properties

Suspension and Revocation Process

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January, 2023

History

In 2013 Austin City Council approved Ordinance (No. 20130926-012 and 20141120-003) to help ensure residential rental properties are maintained in accordance with public health, safety, and property maintenance standards outlined in the City's code.

The ordinance provides enforcement procedures to ensure the property is in compliance with the required maintenance. Citations, BSC and suspension/revocation process.

The suspension/revocation was initiated in June of 2020 to incentivize ROP properties toward code compliance.

A suspension or revocation prohibits the registrant from renting vacant units to new tenants.

The suspension/revocation has been a very effective enforcement tool for gaining compliance at ROP properties.

Suspension and Revocation

Suspension - § 4-14-50

The code official may suspend rental registration for a rental property if the code official determines:

(1) the property is declared substandard or dangerous by the Building and Standards Commission, the code official, or a court of competent jurisdiction;
(2) the registrant fails to timely comply with a notice of violation;
(3) the registrant fails to comply with a requirement of this Chapter;
(4) the registrant fails to comply with other City permitting requirements; or
(5) the registrant fails to pay its annual registration fee.

Revocation - § 4-14-51

The code official may immediately revoke a registration that has been suspended pursuant to Section 4-14-50 (*Suspension*) if the code official determines that the registrant is:

(1) a condition that is dangerous or impairs habitability exists at the rental property during the suspension period; and
(2) the registrant fails to take remedial action to correct the condition.

Even if the registration has not been suspended, the code official may immediately revoke a registration issued under this chapter if an order to vacate the rental property is issued by the Building and Standards Commission or a court of competent jurisdiction.

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Procedures

An “Intent to Suspend Letter,” is sent to property owner providing 30 days to comply with the violations cited on the letter.

The Suspension letter is sent notifying the owner that the property is suspended, and that the owner has 10 days to appeal.

90 Properties are currently participating in ROP.
6 Properties currently suspended.

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YOUR ROLE

CODE OFFICIAL RECEIVES S&R APPEAL

must be done within 10 days of notification

APPEAL PRESENTED TO BSC

BSC MAY GRANT OR DENY THE APPEAL

What happens if BSC upholds suspension and revocation?

A suspension or revocation prohibits the registrant from renting vacant units to new tenants.

Vacant units are verified thru Austin Energy utilities, units reflecting management company or owner’s name indicates unit is vacant.

Inspectors will inspect units to assure they are vacant, a follow-up in approximately 30 days will be conducted to assure it remains vacant. An updated request will be made to Austin Energy to verify if units remain in management or owner’s name.

Municipal Court charges will be filed if units are confirmed to be occupied.

THANK YOU

Any questions?

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