City of Austin
Code Compliance Department

Development of Staff Response to Council Resolutions 20130606-049 & 20130606-050

July 2013

Background

- City Council proposed two approaches for stronger code enforcement on residential rental properties.
- June 6, 2013, Council passed resolutions (20130606-049 & 20130606-050) directing staff to develop ordinances
- Staff to bring proposed ordinances back to Council within 90 days
- Ordinances review by Building and Standards Commission (BSC) and Community Development Commission (CDC) prior to Council

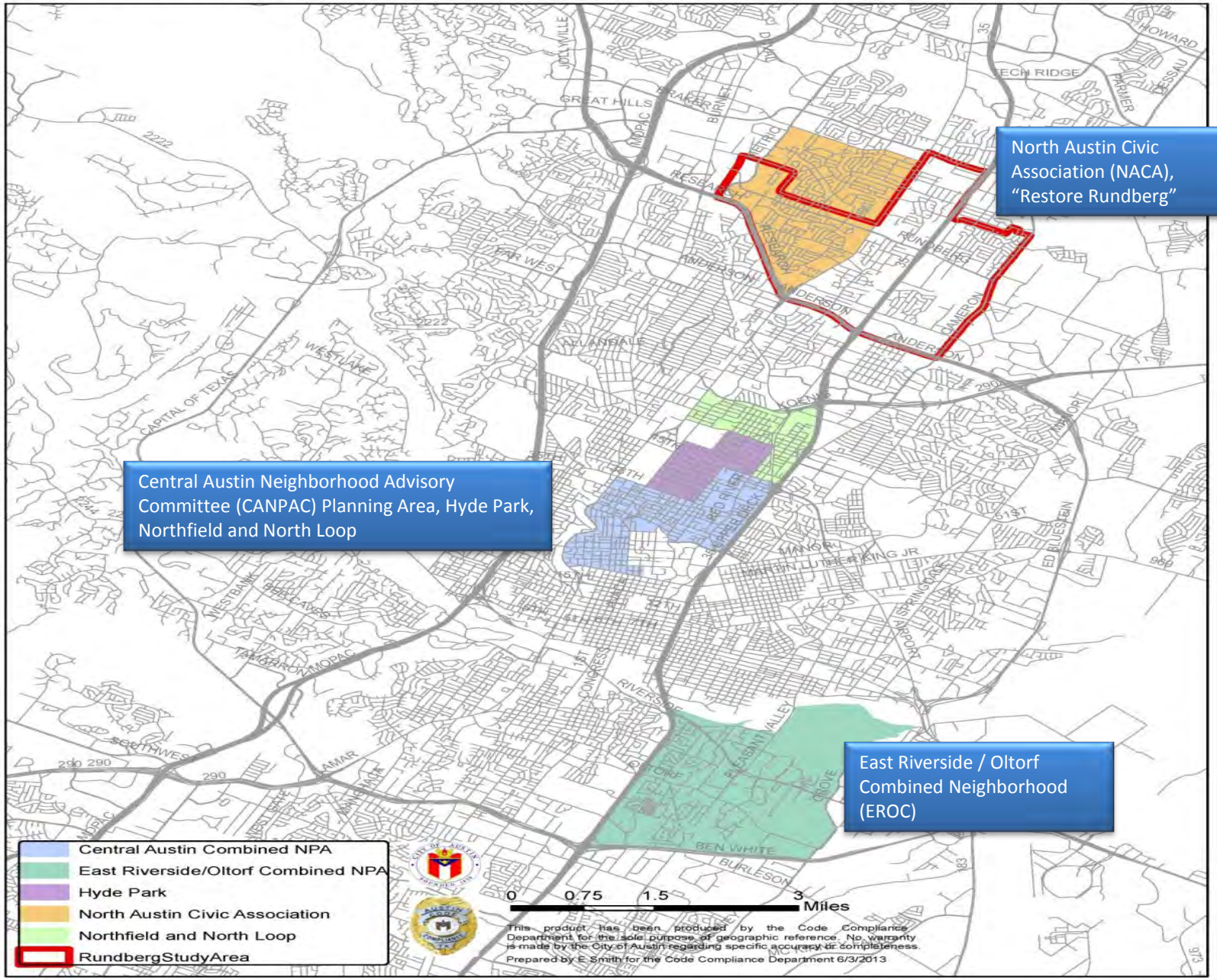
Resolution 20130606-049
CM Spelman/MPT Cole

- Repeat Offender Program with Registration Program
  - Requires registration after second citation or notice of violation (NOV) within one year
  - Fees assessed to cover cost of program and inspections
  - Requires consideration of prior convictions when considering penalties
  - Stiffer penalties for repeat violators
- Develop comprehensive plan to use existing tools
  - Utility cutoffs
  - Referral to Justice of the Peace
  - Checklist of dangerous conditions
- Develop Performance Measures
- Encourage City prosecutors to weigh heavily on the number and severity of prior citations, NOVs and restrict negotiations with repeat offenders to seek maximum penalties allowed
- Review of proposed ordinance by BSC and CDC prior to Council consideration

Resolution 20130606-050
CM Tovo/CM Martinez

- One year Pilot Registration Program for any multi-family residential rental property within three areas:
  - North Austin Civic Association (NACA), “Restore Rundberg”
  - Central Austin Neighborhood Advisory Committee (CANPAC) Planning Area, Hyde Park, Northfield and North Loop
  - East Riverside/Oltorf Combined Neighborhood (EROC)
- Program to Include:
  - Fees assessed to cover cost of program and inspections
  - Names and contact information of property managers
  - Periodic scheduled inspections
  - Listing of tenant’s names (if feasible)
  - Conditions under which registration of single and duplex rental properties are required
  - Registration program to address safety , occupancy and other issues associated with stealth dorms
  - Requires consideration of prior convictions when considering penalties
  - Enhanced fines after the first conviction

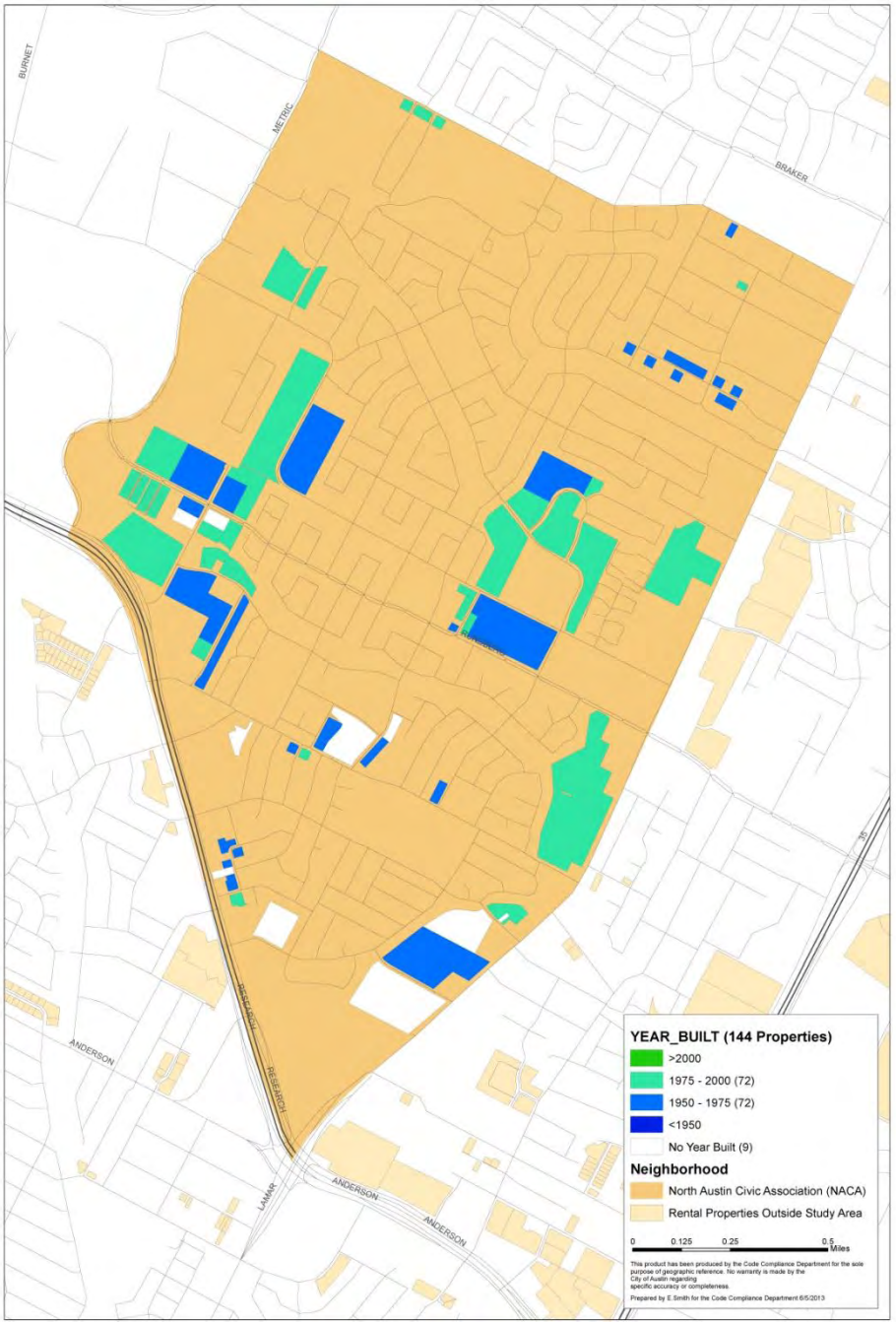
Proposed Areas for a One-Year Pilot Rental Registration Program



Proposed Areas for One Year Pilot Rental Registration Program

North Austin Civic Association (NACA)

"Restore Rundberg"



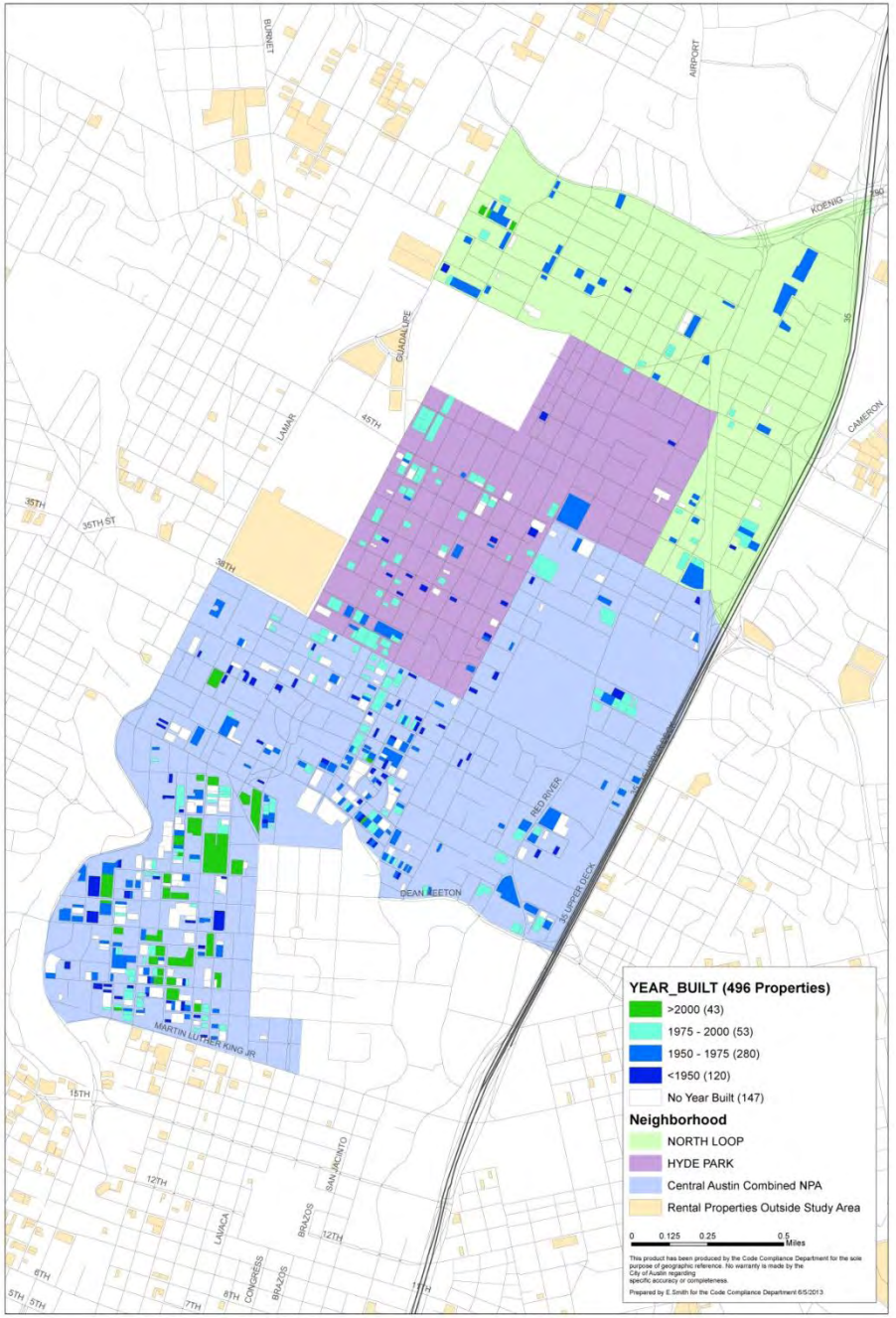
Proposed Areas for One Year Pilot Rental Registration Program

Central Austin Neighborhood Advisory Committee (CANPAC) Planning Area

Hyde Park

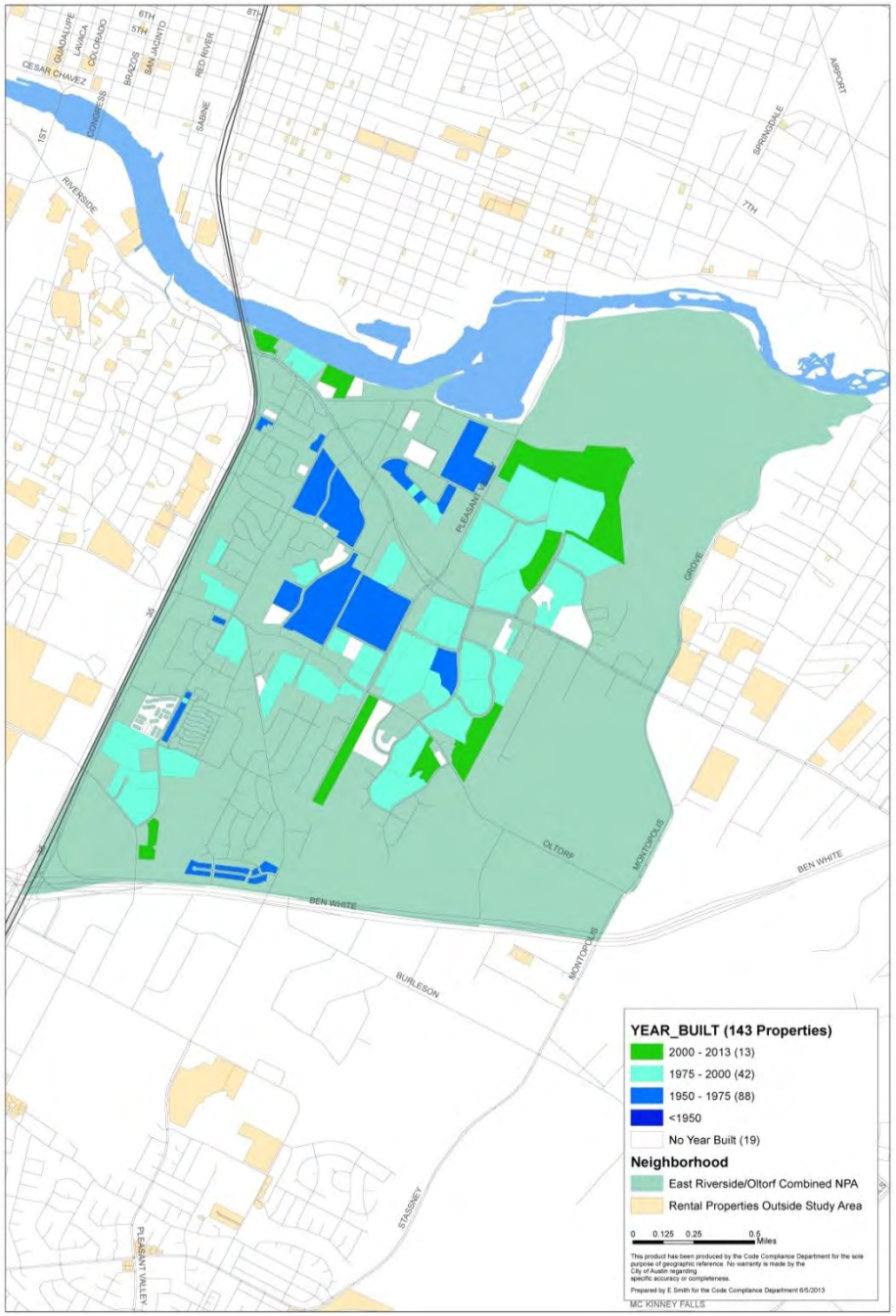
Northfield

North Loop



Proposed Areas for One Year Pilot Rental Registration Program

East Riverside/Oltorf Combined Neighborhood (EROC)



Communications With Community

- Web Site - Speak-up Austin (available July 8 – 31, 2013)
- Staff meetings with focus groups (June 25 – July 31, 2013)
  - Community Advocates
  - Representatives of property owners, property managers and tenants
  - Neighborhood Associations
  - Austin Neighborhood Council
  - Building and Standards Commission
- BSC Special Called Meeting – Tuesday, July 30, 2013 in Council Chambers - Public Comments

Schedule 2013

- Complete focus group phase – August 1
- Develop two draft ordinances and preliminary cost impact – August 9
- CDC review of draft ordinances - August 13
- BSC review of draft ordinances – Mid-August
- Council review of staff's proposed ordinances - August 29 or September 5
- Receive direction from Council

Focus Group Questions

- How should the City of Austin address apartment complexes operating with unhealthy, sub-standard or even dangerous living conditions?
- What should the City do about apartment complexes that are frequently deemed unsafe with little or no action taken by the property owner?
- What should the City do to help prevent unsafe living conditions?
- If the City of Austin begins inspecting apartment complexes are there parts of the city where inspections and enforcement should be focused?

Focus Group Questions

- Do you have suggestions or concerns about either resolution?
- Do you have any other recommendations for a registration program for multi-family properties?
- How should the City of Austin measure the success of the program?