

Memorandum



CITY OF DALLAS

DATE April 1, 2016

Honorable Members of the Housing Committee: Scott Griggs (Chair)

TO Carolyn King Arnold (Vice Chair), Monica R. Alonzo, Mark Clayton, Casey Thomas, II, and Tiffinni A. Young

SUBJECT **Code Compliance Issues in District 4**

On Monday, April 4, 2016, you will be briefed on Code Compliance Issues in District 4. A copy of the briefing is attached for your review

Please contact me if you have any questions or need additional information.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Code Compliance Issues in District 4

Briefing to the Housing Committee

April 4, 2016

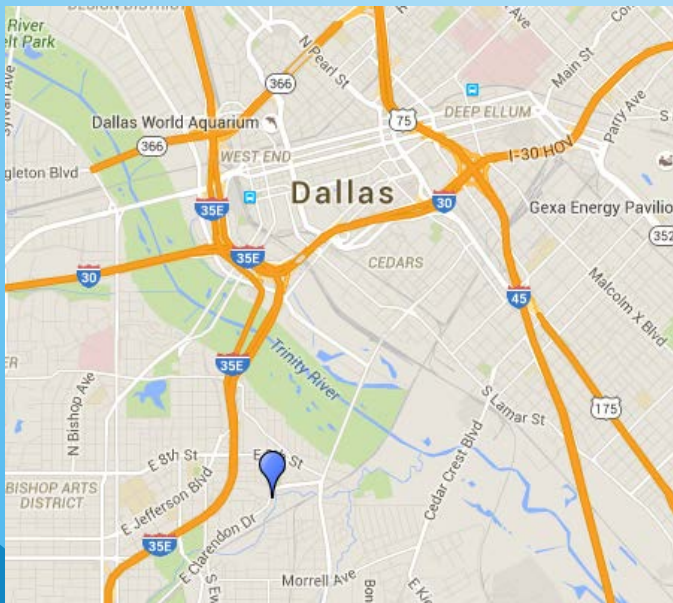


Purpose of Briefing

- Advise the Housing Committee of a time-sensitive issue in District 4

Issues

- Six structures in very poor condition used as rental homes in the 1300 block of E. Clarendon Drive



1320 E. Clarendon



- Occupied
- Found in violation
- No repairs made



1322 E. Clarendon



Thursday 29 October 2015

- Occupied
- Found in violation
- No repairs made



Thursday 10 December 2015

1324 E. Clarendon



- Unoccupied
- Found in violation
- No repairs made



1326 E. Clarendon



7 Jan 2016

- Occupied
- Found in violation
- No repairs made



Thursday 10 December 2015

1328 E. Clarendon



- Occupied
- Found in violation
- No repairs made



1330 E. Clarendon



- Occupied
- Found in violation
- No repairs made



Remediation of Urban Nuisance

- Urban Nuisance Defined: Tex. Loc. Gov't Code § 214.001; Dallas City Code § 27-3(34)
 - Property is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare
- Dallas City Code §27-16.3 allows municipal court to order:
 - Repair
 - Payment of civil penalties (up to \$1000 per day)
 - Vacation
 - Demolition

Typical Code Compliance Steps

- Service requests from residents or proactively created by Code Inspectors
- Property inspected
- Enforcement actions taken
 - Notices of Violation (NOV) issued
 - Citations issued if still in violation upon re-inspection
 - City action (mow/clean) followed by liens on the property
- Property owners that do not respond to typical enforcement efforts are referred to City Attorney's Office
 - Notice letter
 - Pre-suit inspection and attempted negotiation of Repair Agreement
 - Municipal or district court action

Efforts to Abate Violations 1320 – 1330 E. Clarendon Dr.

- Six dilapidated shotgun houses, all initially tenant-occupied
- Two owners
- The properties were referred to Community Prosecution in July 2015
 - Initial inspections carried out with owners' consent and presence on July 27, 2015
 - Significant code violations related to health, safety, and sanitation documented
- Chapter 54 Notice Letter was delivered to owners by certified mail and hand delivery
- Several in-person and on-site meetings with owners beginning in July 2015

Court Filings and Court-Ordered Inspections

- Neither owner provided any plans to abate health and safety violations
- Urban nuisance actions filed in municipal court for each property in Aug/Sept 2015
- Hearings set for each property with 30 days notice
 - Owners, tenants, interested parties were permitted to be heard
- Court entered orders for each property finding that the violations existed, and requiring repair within 30 days
 - Court orders monthly inspections and compliance hearings
- No significant repairs completed
 - City filed notices of noncompliance in November for each property
 - Court authorized additional inspections
 - Owners no longer responsive

Ongoing Enforcement Actions

- City has repeatedly reached out to occupants
 - Letters posted and hand delivered in December 2015
 - Visits from relocation specialist in early December 2015
 - Follow-up from Crisis Intervention and Community Court Social Services in December 2015 and January 2016

Additional Remedies

- Seek order to vacate properties
 - Hearing set for April 21, 2016
 - Have not in the past sought order to vacate occupied properties for code violations
- Consider legal options to bring property into compliance
- City Attorney's Office prepared to brief legal issue in executive session

Next Step

- Proceed on current path and seek court ordered vacation of properties at April 21, 2016 hearing