

# Memorandum



CITY OF DALLAS

DATE April 15, 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 **Tenant Occupied Substandard Structures**

On Monday, April 18, 2016, the Housing Committee will be briefed on Tenant Occupied Substandard Structures. 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, appearing to read '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

# Tenant Occupied Substandard Structures

Briefing to the Housing Committee

April 18, 2016

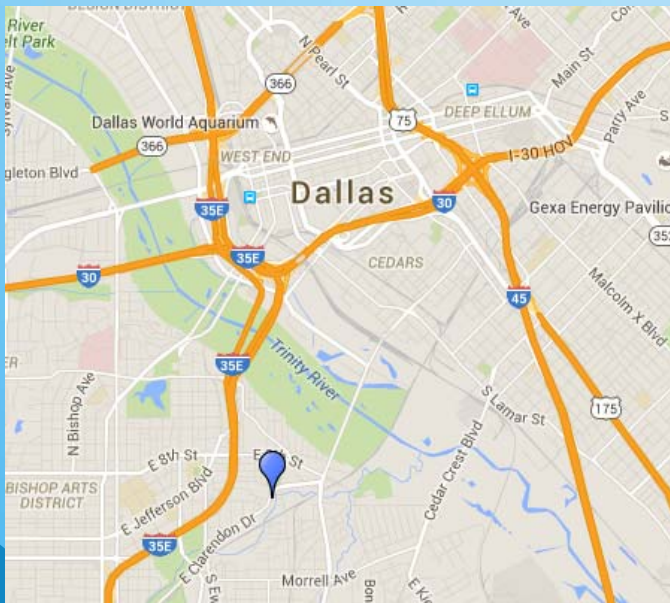


# Purpose of Briefing

- Advise the Housing Committee of a time-sensitive issue

# 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



- Occupied
- Found in violation
- No repairs made

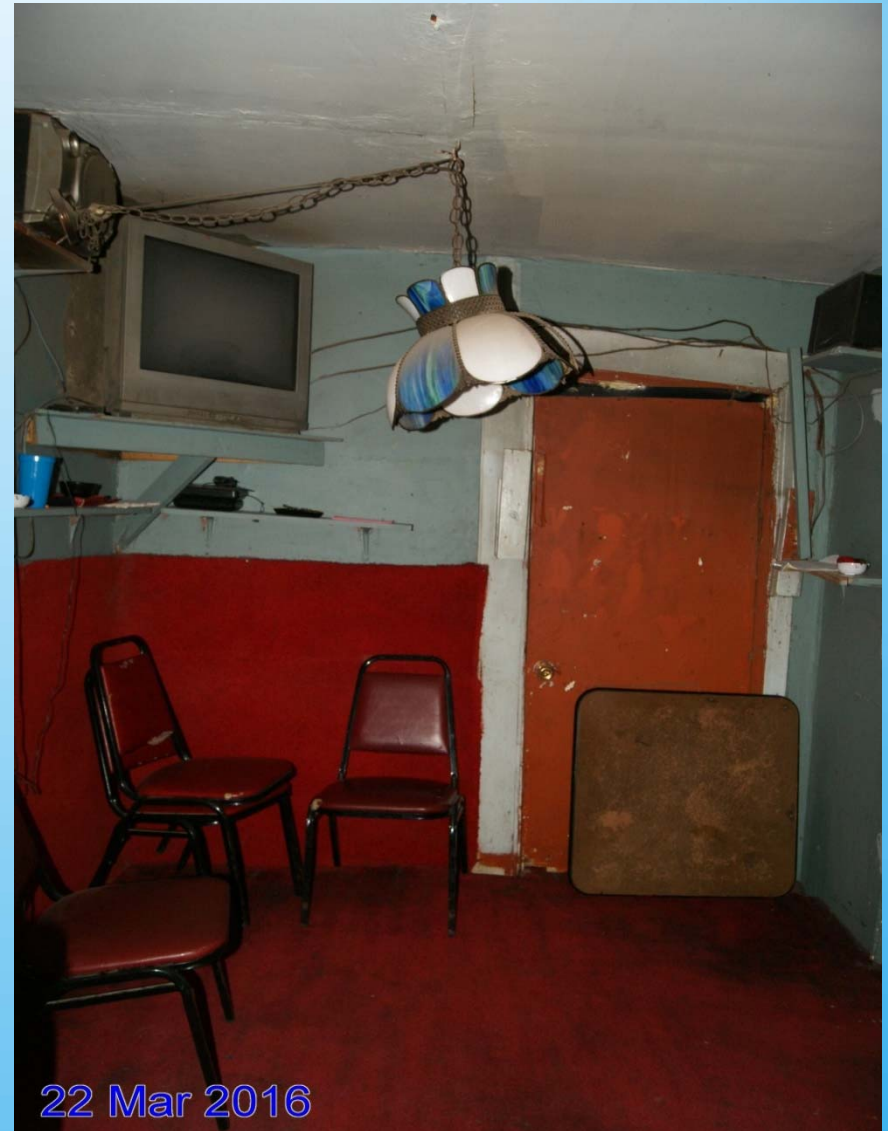




# 1328 E. Clarendon



- 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 27, 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 27, 2016 hearing