

BUILDING AN EFFECTIVE CODE ENFORCEMENT MANAGEMENT SYSTEM

Panelists

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Agenda

- Recognize what code enforcement is.
- Discuss Management of:
 - Process
 - Data
 - Cases
 - Staff
 - Budget
- Closing Thoughts

Code Enforcement

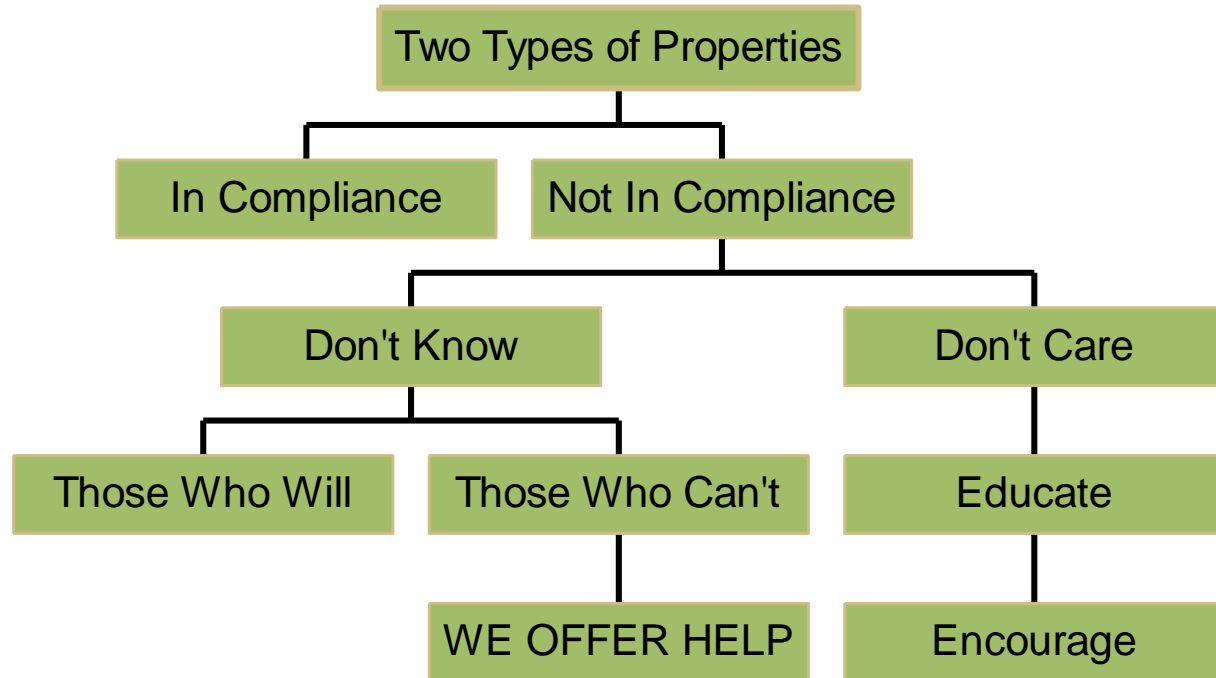
“ Code enforcement is the processes by which public agencies gain compliance with those laws, regulations, and permits over which they have authority.”

Code Enforcement: A Comprehensive
Approach Solano Press 1994

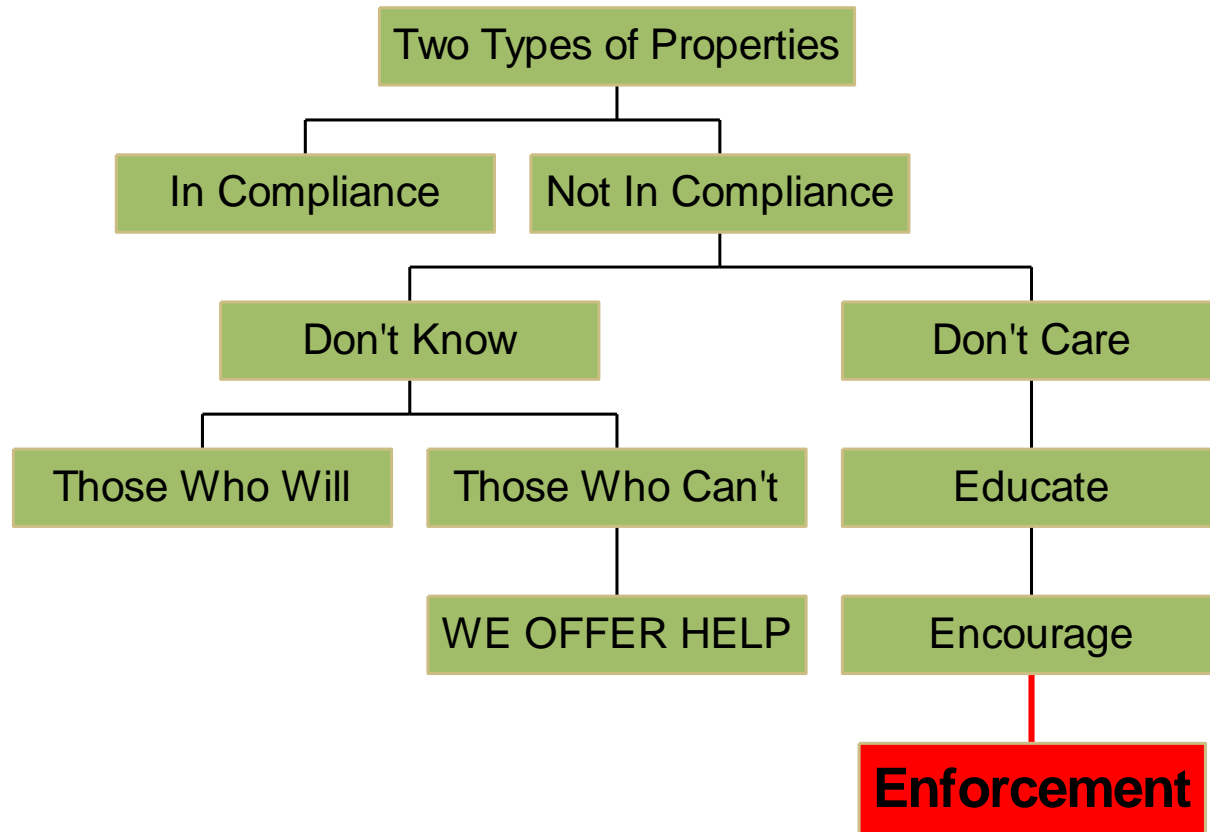
Code Enforcement

To help maintain established standards that preserve and promote the health, safety and overall environment of our community and neighborhoods.

COMPLIANCE IS THE GOAL



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There are only two types of compliance.

1. Voluntary
2. Enforced

PROCESS

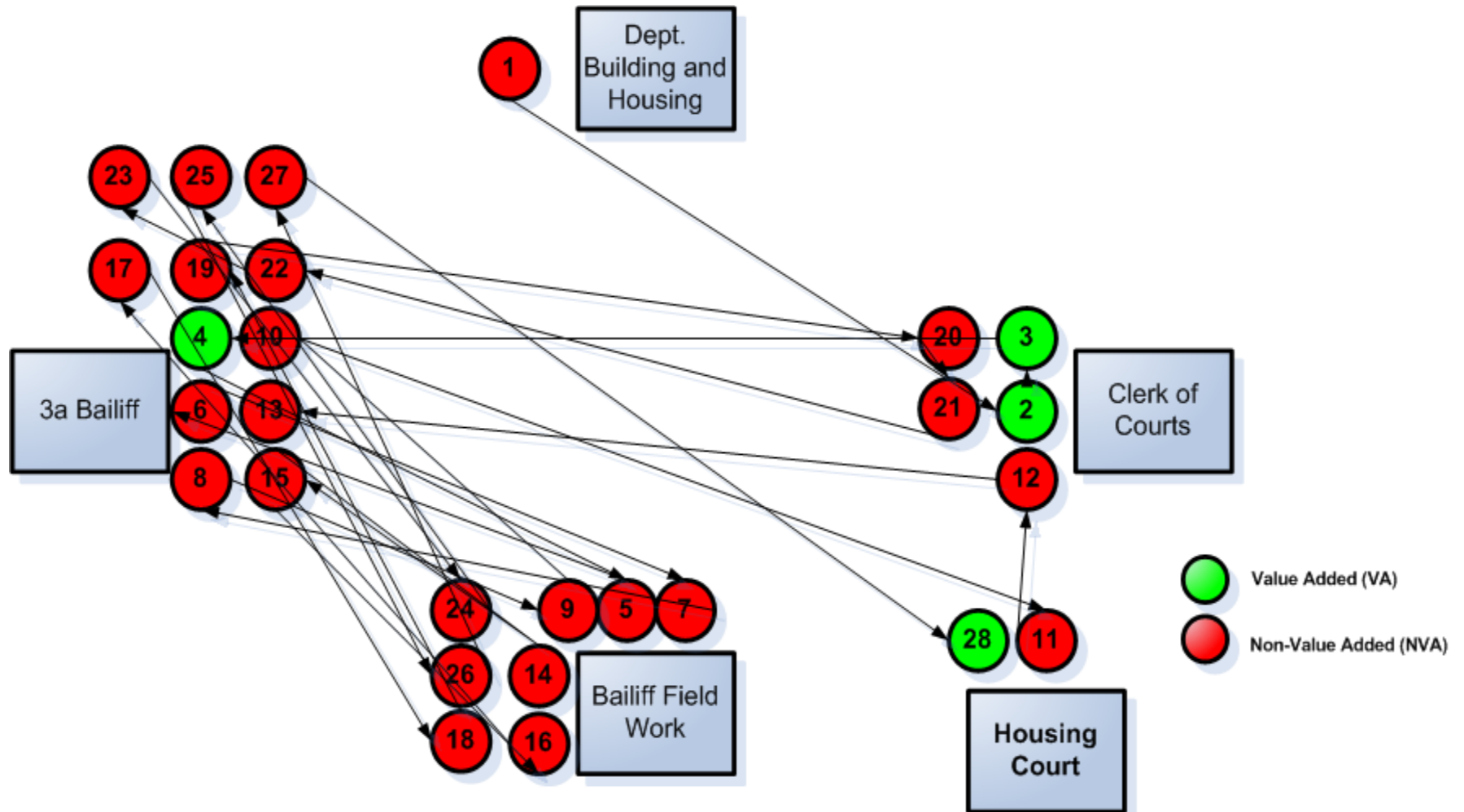
Effective code enforcement management requires a solid, sensible, easy to follow process.

Before you throw additional money, staff or systems at a CE bureau/department you must spend the time and effort to identify and evaluate your process.

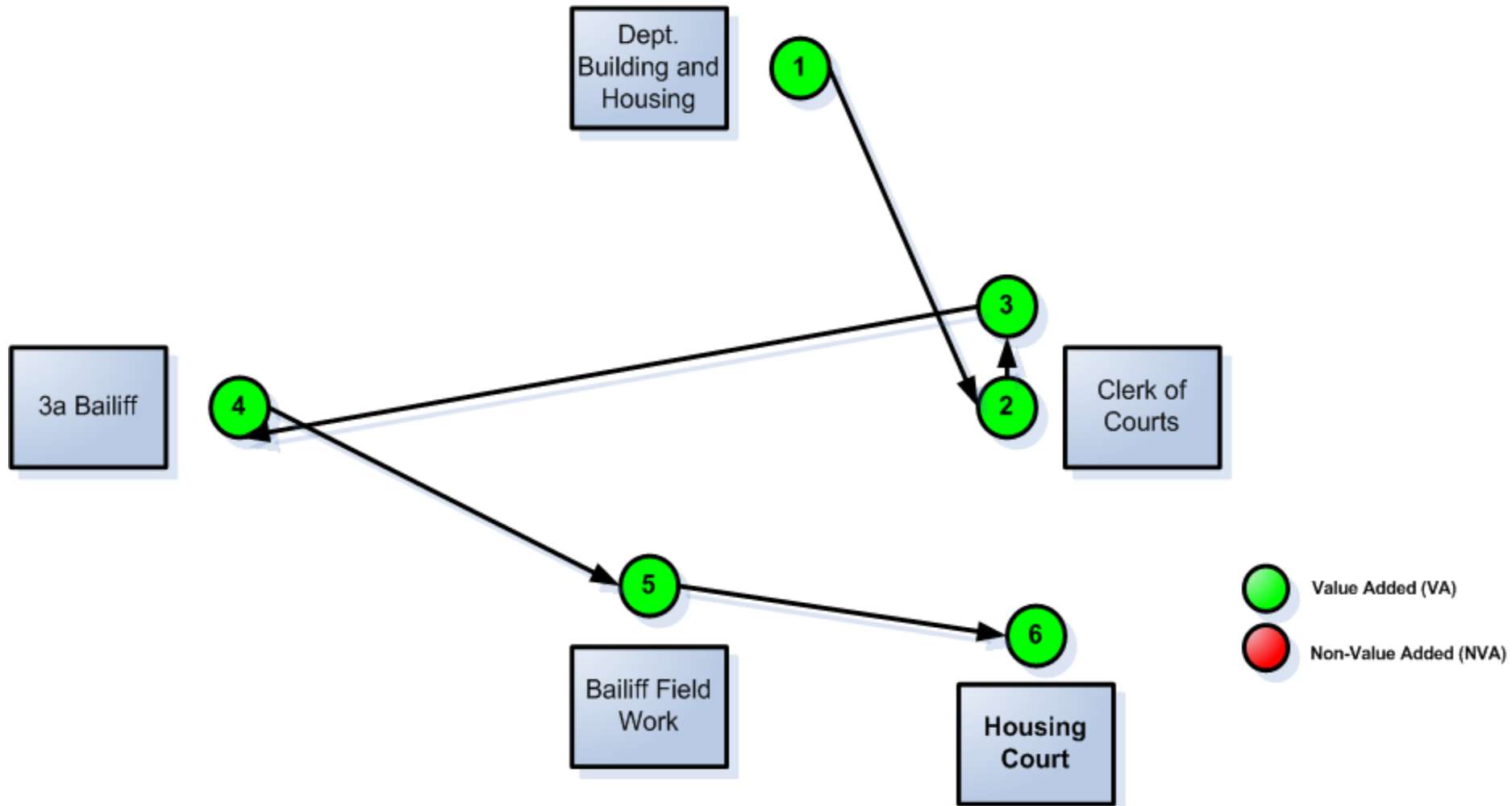
Compare it to requirements in state law and YOUR code. If a current action or time frame is not required in state or local law and does not make current common (or political) sense why are you still doing it?

Operational Assessment

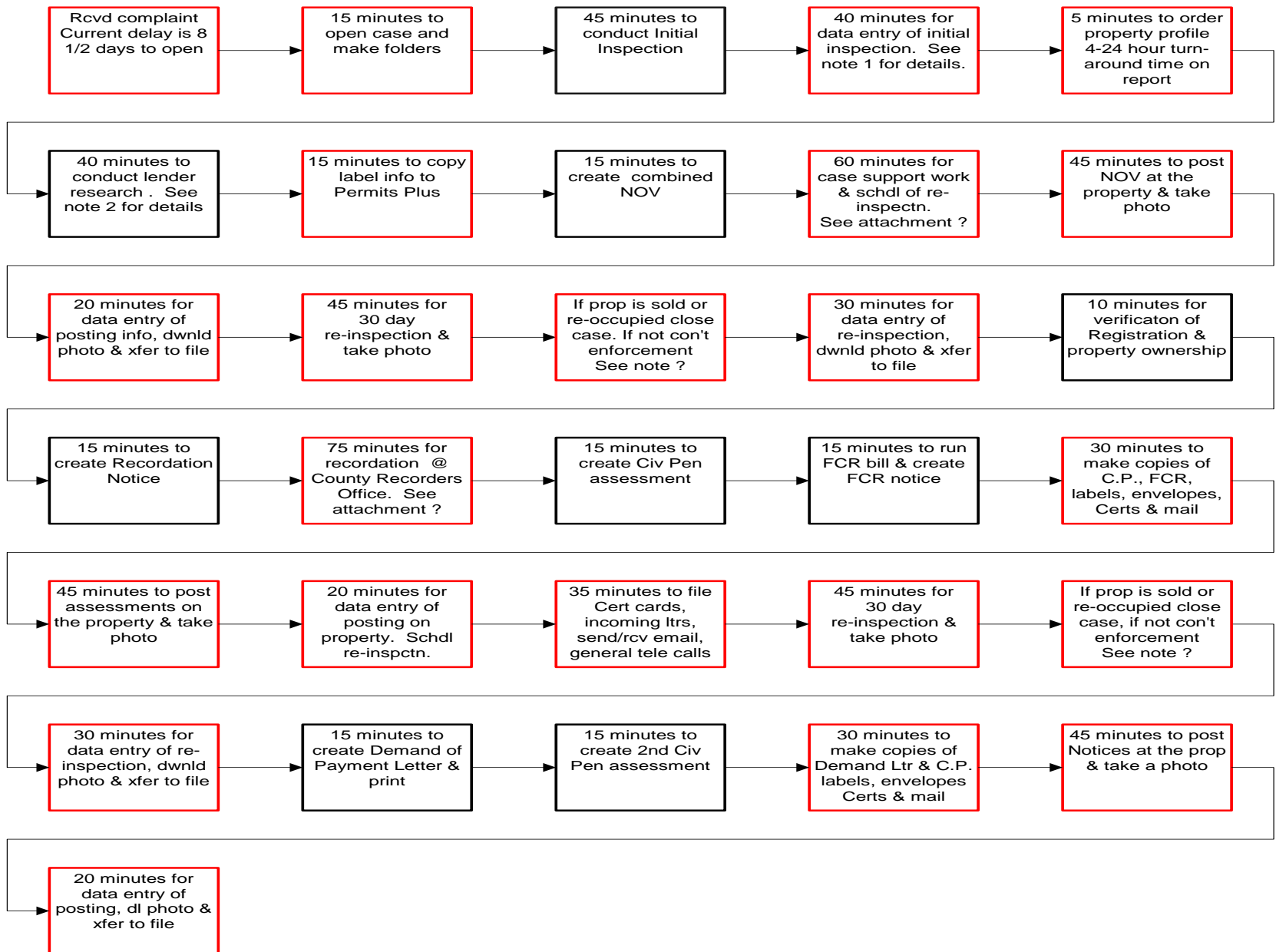
Before



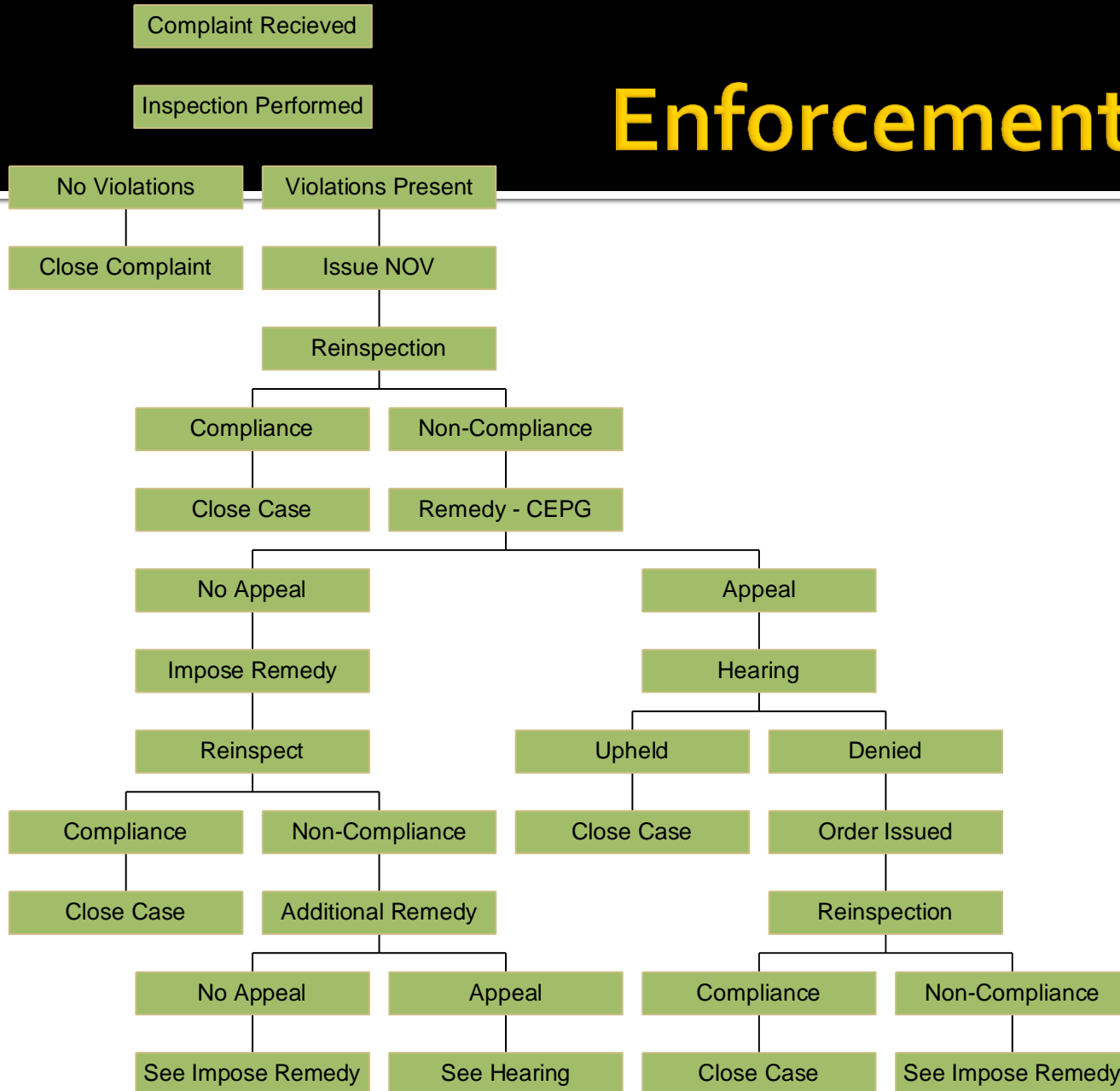
After



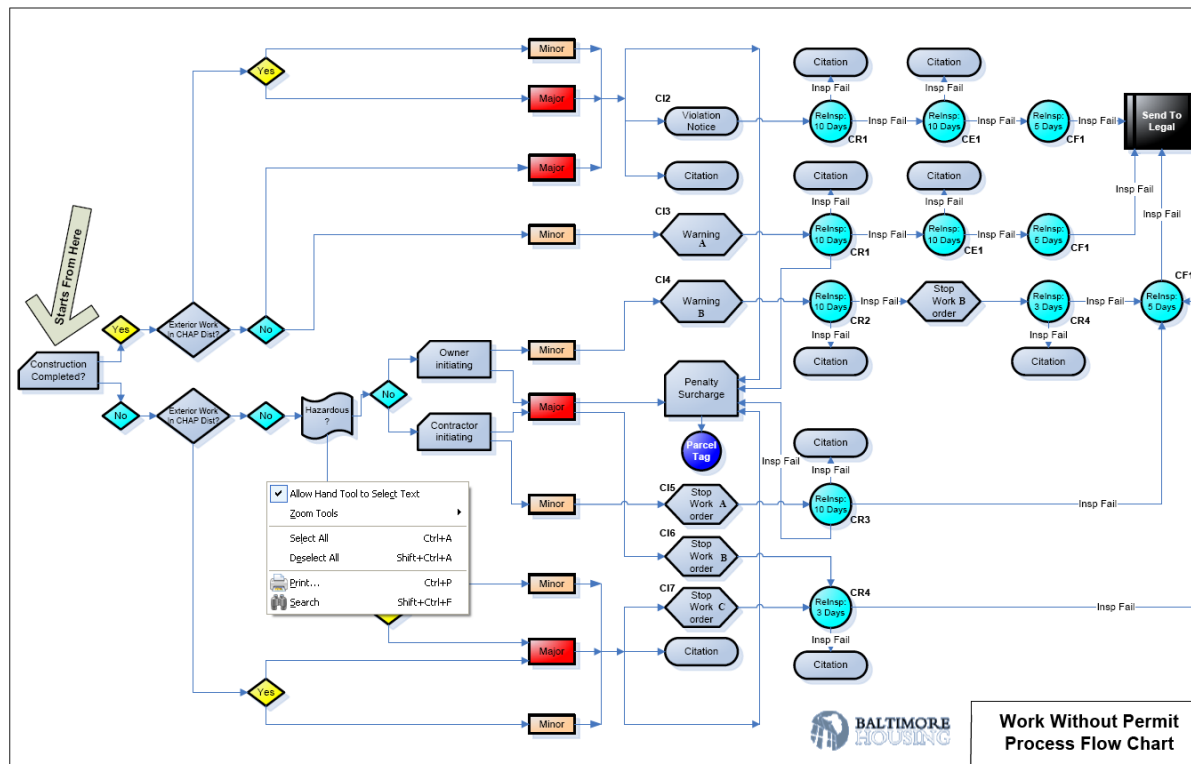
“Time of Task Analysis”



Enforcement Process



Have a plan with clearly defined business processes that map all the way through to your expected outcomes



Process Management Includes:

- Policies and Procedures
- Core and Secondary Services
- Enforcement Remedies (Tools)
- Organizational Structure
- Case-flow Data Reports/Charts
- Managing UP

Managing UP

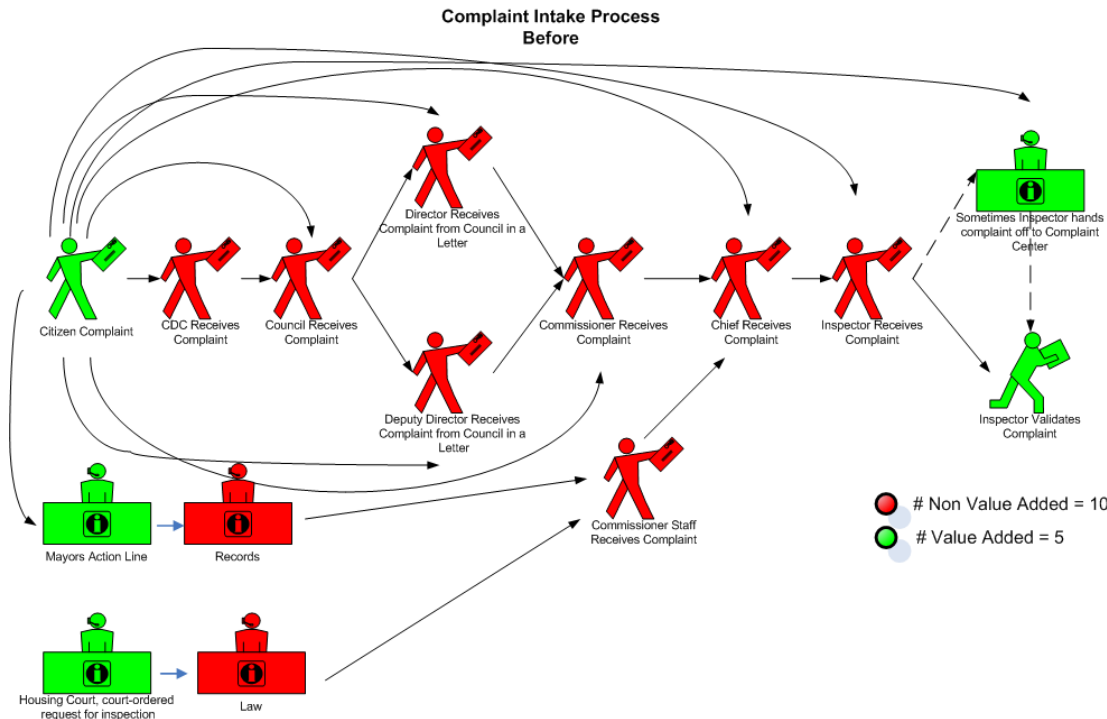
- Program Updates to Council and Media
- Community Outreach Sessions
- Code Enforcement Policy Groups
- Keeping current on trends
- Clearing the way for field staff
- Giving credit and taking blame

**Remember -
You will make waves.
Make sure someone has
your back.**

Michael Braverman

DATA SYSTEMS

Before



“The 1st rule of any technology used in a business is that Automation applied to an efficient operation will magnify the efficiency.

The 2nd is that Automation applied to an inefficient operation will magnify the inefficiency”

Bill Gates

After

Proposed Complaint Intake Process



● # Non Value Added = 1

● # Value Added = 3

Technology

- Automation/Prompting/Uniformity
- Digitization - Save Time, Money and Space)
- Categorization/Reporting
- Tracking Cases/Inspectors
- Streamlining and Accountability

Automation/Prompting/Uniformity

- Assists in information gathering
- Assists in case management
- Assists in compliance with SOP

Digitization - Save Time, Money and Space

- Ability to “share” files at multiple locations
- No more downtime from lost/misplaced files
- Wet signatures may still require hard file

Categorization/Reporting

- Type of property/use
- Occupied/vacant/abandoned
- Type of case/violation
- Enforcement remedy
- Compliance rates
- Ward/parish, census track, zip code
- Owner/occupant responsible
- Owner local/absentee

Tracking Cases/Inspectors

- Type of case/violation
- Pro-active vs. reactive
- Enforcement remedy
- Average # of days to comply
- Extensions
- Aids in employee evaluation
- Aids in ongoing “Time of Tasks Analysis”
- Aids in resource management and acquisition

Information and Management: Automated work flow systems

311 calls downloaded to
Inspector's Daily Schedule

Microsoft Internet Explorer

Address http://atweb/chip/Edit_I_ListDuePrint.aspx?Flag=1&PF=1

My Inspection List

[*Insp Due Today](#) [*Insp Due Next 7 Days](#) [*Insp In Progress](#) [*Notice List](#) [*My Request Status](#) [*My Last 100 Insp](#) [*My Info](#)

Record Count: 10 (To print, use the check box below to customize your list, maximum 20 inspections per print)

			District	Address	Block/Lot	Map	GIS	Insp Due	Type of RFA	Status	Prior
Proceed	View Folder	<input type="checkbox"/>	620	3602 FORDS LANE	4293-004B			04/11/2005	Re-Inspection Tier I	Re-Insp	600
Proceed	View Folder	<input type="checkbox"/>	620	3918 W STRATHMORE AVE	4299-020			04/04/2005	Re-Inspection Tier I	Re-Insp	593
Proceed	View Folder	<input type="checkbox"/>	620	3421 GLEN AVE	4441-035			04/04/2005	Re-Inspection Tier I	Re-Insp	593
Proceed	View Folder	<input type="checkbox"/>	620	3421 GLEN AVE	4441-035			03/28/2005	Re-Inspection Tier I	Re-Insp	586
Proceed	View Folder	<input type="checkbox"/>	620	3952 W NORTHERN PKWY	4426C-013			04/08/2005	Extension-30 Days	Re-Insp	197
Proceed	View Folder	<input type="checkbox"/>	620	3020 MANHATTAN AVE	4460-007			04/11/2005	Extension-30 Days	Re-Insp	200
Proceed	View Folder	<input type="checkbox"/>	620	7126 PARK HEIGHTS AVE	4218-018A			03/28/2005	Extension-60 Days	Re-Insp	186
Proceed	View Folder	<input type="checkbox"/>	620	2416 TANEY ROAD	4388-001			04/04/2005	Extension-60 Days	Re-Insp	193
Proceed	View Folder	<input type="checkbox"/>	620	7116 PARK HEIGHTS AVE	4218-022			04/08/2005	Extension-30 Days	Re-Insp	197
Proceed	View Folder	<input type="checkbox"/>	620	2904 TANEY ROAD	4358-038			04/04/2005	Extension-60 Days	Re-Insp	193

Local intranet

Streamlining and Accountability

Monitoring these factors allows me to:

- Track average compliance times for each type of violation
- Measure effectiveness of enforcement remedies
- Evaluate if officers are being too lenient or heavy handed
- Gauge effectiveness/efficiency of officers and programs
- Adjust staffing, resources and policies by action, area and/or violation type
- Review possible trends and redirect efforts if needed
- Set attainable goals
- Report to

Example

Building Without Permits

- Cases are Citywide
- FY 05/06: **44%** of case load, averaging 606 days to compliance
- FY 07/08: **77%** of case load, averaging 334 days to compliance
- Cases are research & labor intensive
- BWOP cases take more than three times as long to bring into compliance than other cases

Operational Scorecards

Revised Inspection Protocol

Print Date of Report is Nov 5, 2010

Scorecard for Quarter of: Quarter 2

Start Quarter: Quarter 1

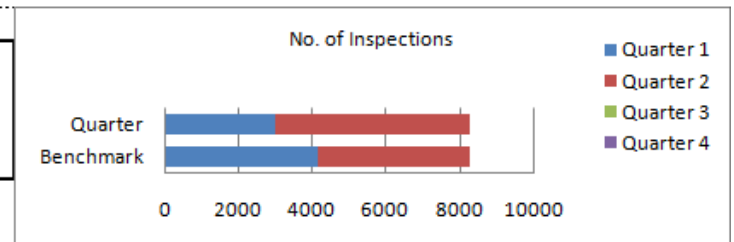
Quarters in Progress: 2

On Track?	Metric	Baseline 2009	QTD	YTD	Benchmark
✓	Total No. of inspections	20,177	4,130	4,130	<16,545
	Total No. of annuals	16,890	3,055	6,110	
	Total No. of passing annual inspections	12,630	2,199	4,398	
!	Total No. of units passing inspection the first time	10,391	1,729	5,700	11,430
✗	Total No. of failed annual inspections	4,260	856	2,000	<3,834
	Total number of self-certifications received	0	0	108	
✓	Full-time equivalent to complete all inspections	10		8.5	8.5
	Total No. of units on biennial cycle	0		0	

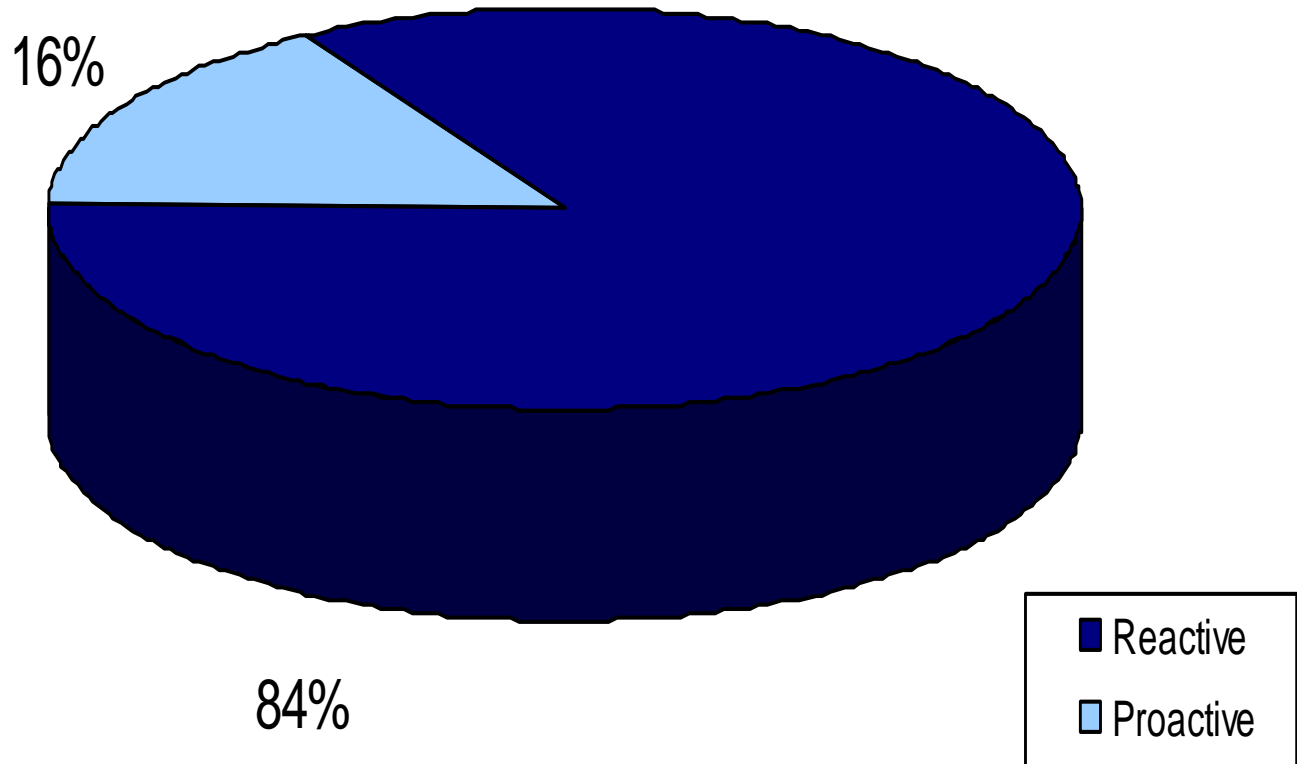
Potential Undesirable Outcomes	QTD	YTD	Acceptable Levels
Pass rate for first inspections conducted on a unit	56%	56%	68%

Key

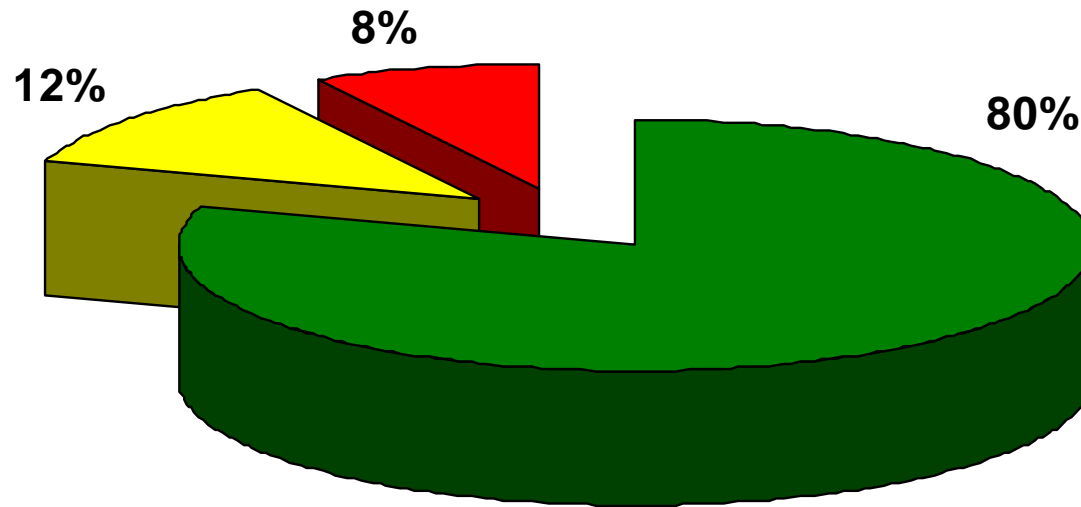
- ✓ On track to meet benchmark
- ! In danger of not meeting benchmark
- ✗ Not on track to meet benchmark



Reactive vs. Proactive Cases

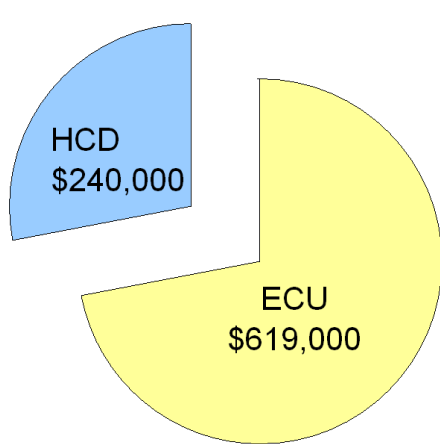


Compliance Percentages



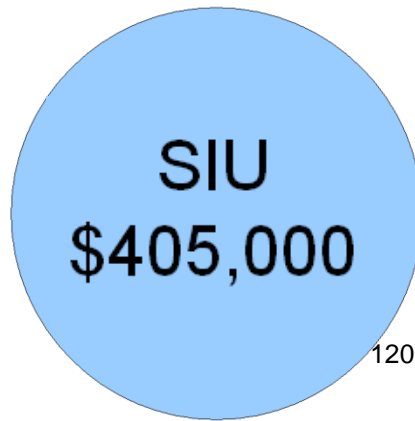
- Compliance w/o Penalty
- Compliance w/ FCR
- Require Additional Fines/Penalties

It does not necessarily require more money to do it better

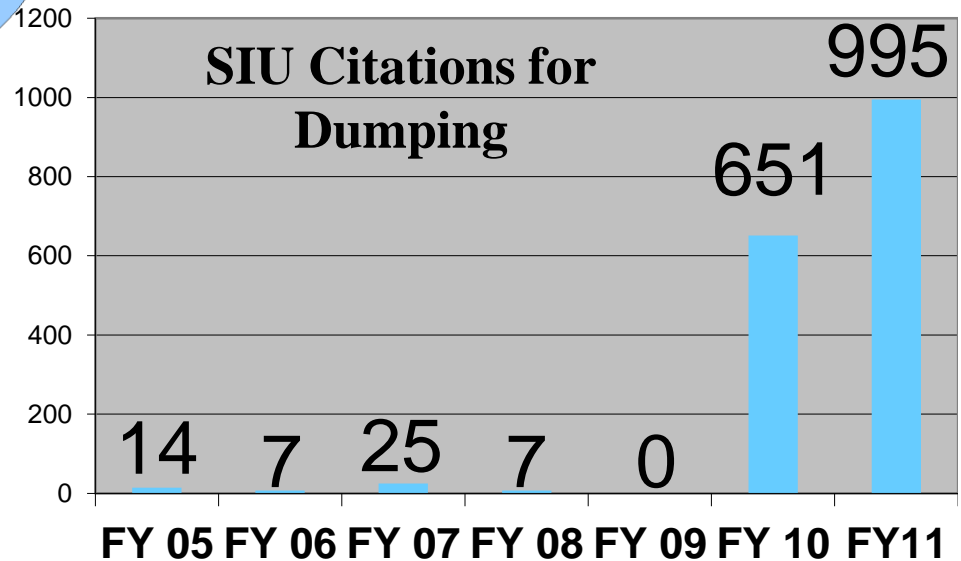


ECU (DPW + BPD) HCD Investigators

FY '09



FY '10



Relentlessly measure Relentlessly measure

FOCUS AREAS - Emerging Market Phase: CDC_1 (Report Name: V2V-Focus Area-CDC)																							
	Start-Up Metrics			Current Status		Activity												Legal				Permits,Revenue	
	# of Properties in Focus Area	Vacant on Start Date	Publicly owned Vacants	# currently vacant	vacants currently Publicly Owned	Not previously Vacant Added since start date	Abated VBN since start date	Cancelled VBN since start date (Owner Change)	VBN Not Yet Re Issue	# Citations issued for Fail to abate VBN	# Citati ons Mailed (VBN)	# Citations issued for Failing to abate Int/Ext Notice	# Citati ons Mailed (Int/E xt)	# Cancel (all other)	Re Issue New Owner	Vacant Notice Cases Filed	Itemized Notice Cases Filed	Active Permit VBN	Active Permit	All Permits	Permit Revenue		
Focus Areas																							
500 blk Castle St	94	25	0	20	0	2	5	6	0	0	0	0	0	5	5	0	0	1	4	49	\$11,252.00		
Bardlay	304	48	22	38	0	8	18	6	0	0	0	0	0	2	1	4	0	22	104	335	\$77,329.00		
Chase Street	347	21	1	19	0	5	5	4	0	0	0	0	0	3	2	4	0	3	12	117	\$17,672.00		

Duncan Street	165	42	15	NOTICE ROLL-UP (Open Notice = Service & Contact + PreBIN Extension + Bin + Bin Hold + Legal + Under Court Order)
Jefferson St	134	49	6	
Lower Caroline St.	226	64	26	
North Rose Street	110	22	0	
Park Heights	157	33	3	
Port Jefferson	134	32	2	
				</

INSPECTIONS																			
Type of Notice	Service & Contact			Extension				Bin				Bin Hold							
	# in S & C	# Overdue in S & C (Over 90 days)	% Overdue in S & C	# in Extension	# > 6 mos. in extension	% > 6 mos. in extension	# > 9 mos. in extension	% > 9 mos. in extension	# in Bin	# in Bin > 90 days	% > 90 Days in Bin	# in Bin > 180 days	% > 180 Days in Bin	# in Bin Hold	# in Bin Hold > 90 days	% > 90 days in Bin Hold	# in Bin Hold > 180 days	% > 180 days in Bin Hold	No Comp ID (72 hrs)
Vacant	14	0	0.00%	29	7	24.14%	4	13.79%	24	9	37.50%	1	4.17%	22	5	22.73%	1	4.55%	0
Exterior	6	0	0.00%	21	4	19.05%	0	0.00%	7	2	28.57%	0	0.00%	3	0	0.00%	0	0.00%	0
Interior/Exterior	14	2	14.29%	21	3	14.29%	2	9.52%	6	1	16.67%	0	0.00%	6	0	0.00%	0	0.00%	0
Interior	13	2	15.38%	2	0	0.00%	0	0.00%	5	2	40.00%	0	0.00%	1	0	0.00%	0	0.00%	0
Total	42	4	8.51%	73	14	19.18%	6	8.22%	42	14	33.33%	1	2.38%	32	5	15.63%	1	3.13%	0

LEGAL																
Type of Notice					In Court					Under Court Order						
	# in Legal unfiled	# in Legal unfiled <= 45 days	# in Legal overdue unfiled (> 45 days)	% in Legal Overdue unfiled	# Cases Filed and Open	# Filed Case Open > 6, <= 12 m	% Filed Case Open > 6, <= 12 m	# Filed Case Open > 12 mos.	% Filed Case Open > 12 mos.	# under Court Order	# under Court Order > 4 mos.	% under Court Order > 4 mos.	# under Court Order > 7 mos.	% under Court Order > 7 mos.	# over-due Court Order	% over-due Court Order
Vacant	41	8	33	80.49%	30	0	0.00%	1	3.33%	3	0	0.00%	3	100.00%	0	0%
Exterior	3	0	3	100.00%	3	0	0.00%	0	0.00%	1	0	0.00%	1	100.00%	0	0%
Interior/Exterior	11	6	5	45.45%	10	0	0.00%	0	0.00%	6	0	0.00%	6	100.00%	0	0%
Interior	1	1	0	0.00%	0	0	0.00%	0	0.00%	1	0	0.00%	1	100.00%	0	0%
Total	56	15	41	73.21%	43	0	0.00%	1	2.33%	11	0	0.00%	11	100.00%	0	0%

CASE MANAGEMENT

How can we deploy code enforcement effectively?

- It is absolutely critical to understand your local housing sub-markets (typology)
- Set achievable goals in each market
- Evaluate resources, develop partnerships with all stakeholders and try to find the most productive combination of existing assets – enlisting the private sector, CDCs, and residents in the process
- Focus on outcomes not output
- Relentlessly measure
- Most importantly, have a plan with clearly defined business processes that map all the way through to your expected outcomes

Set achievable goals in each market

Vacants to Value is a new initiative which utilizes the private market to maximize the repair and rehabilitation of blighted properties. *Vacants to Value* uses different strategies on different blocks depending on the housing market:

STRATEGY 1: STREAMLINE THE DISPOSITION PROCESS

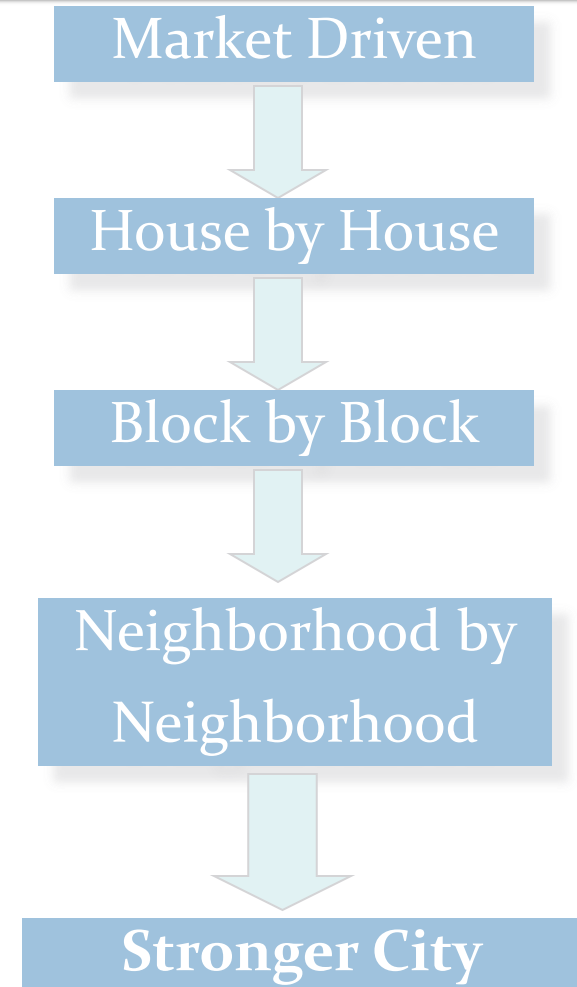
Historically, processes for selling city owned properties have been cumbersome, antiquated, and time consuming. Many potential buyers have lost financing and others have given up in frustration. To address this, *Vacants to Value* will reorganize HCD's Land Resources Division to consolidate all acquisition, asset management, and disposition activities. Other changes include increasing marketing efforts and policy reforms that will streamline internal processes as well as sales.

STRATEGY 2: STREAMLINE CODE ENFORCEMENT IN MIDDLE MARKET AREAS

On transitional blocks, *Vacants to Value* is a new streamlined approach to code enforcement that does not rely on litigation. Up until now, litigation was required in every instance where a vacant building owner was non-compliant. Code enforcement officers can now issue \$900 citations (like parking tickets) which will promote outcomes on a scale previously unattainable.

STRATEGY 3: FACILITATE INVESTMENT IN DISTRESSED MARKETS NEAR AREAS OF STRENGTH

On distressed blocks, *Vacants to Value* is a new public-private partnership that facilitates the rehabilitation of entire blocks without the costs and long timelines associated with conventional approaches. Going forward, strategically deployed code enforcement attorneys will work with committed, capitalized developers to effectively leverage whole block solutions in targeted areas.



SERVICE PRIORITIES

CORE SERVICES

1. MFH inspections (State/CVMC \$)
2. Hotel/motel inspections (CVMC \$)
3. MHP inspections (State/CVMC \$)
4. Abandoned Property Reg. (CVMC \$)
5. BWOP w/ life-safety (\$)
6. AVA (State \$)
7. Signs in the PROW (CVMC \$)
8. CUP inspections (CVMC \$)
9. Home ocs. w/ life-safety
10. Sewage spills/leaks
11. Unsecured pools
12. Abandoned refrigerators
13. Fences w/vision issue

SECONDARY SERVICES

1. Garage sales
2. Bus. license follow-up
3. Parking issues
4. Outdoor storage
5. BWOP no life-safety
6. Trash cans left out
7. Excessive signage
8. Trash, junk and debris
9. Home ocs. no life-safety
10. Noise
11. Lighting
12. Expired bldg. permits
13. Fences w/o vision issue

ENFORCEMENT OPTIONS

- Administrative Citations
- Inspect Via Warrants
- Cease & Desist Orders
- Post Dangerous Building
- Post Do Not Occupy
- Vacate/Relocate
- Board and Secure
- Notice to Franchise Tax Board
- Recordations
- Lien Foreclosure
- Land Bank
- Utility Disconnects
- Civil Penalties/Daily Fines
- Abate Summarily
- Abate Via Court Order
- Public Nuisance Abatements
- Demolitions
- Receiverships
- Unfair Business Practices
- Injunctions
- Criminal Prosecution

A FULL COST RECOVERY COMPONENT SHOULD APPLY TO ALL CASES/OPTIONS

COMPLIANCE IS THE GOAL

Necessary Legislation

- Receivership
- Administrative e-citations
- Daily Fines
- Liens and lien collection or foreclosure
- Registration requirements
- Drug nuisance
- Padlock – (high-crime properties)
- Tailored ICC codes
- Define owner/occupant's legal responsibility to ensure outcomes
- Ability to clean/secure and lien property
- Full Cost Recovery

COMPLIANCE IS THE GOAL

Be friendly. Be fair. Be firm and move forward.

Everyone is afforded an opportunity to comply.

Have to recognize the difference between a reason and an excuse.

Use whatever is legal, ethical and moral to motivate compliance.

The jurisdiction does not want their money or their property
BUT in the absence of compliance they will take either or both.

STAFF MANAGEMENT

“How many code enforcement officers should I have?”

Short answer? I don't know.

See Process Management , Operational Assessment
& Time of Tasks Analysis.

WHAT +

HOW LONG x

HOW MANY x

20% ÷

2,080 = Total FTE's you will need.

THEN you need to qualify employee types.

Staffing

- Enough Staff vs. The Right Staff
- Qualifications
- Expectations (Policies and Procedures)
- Reasonable Attainable Goals
- Authority and Tools
- Responsibility
- Retrain, Reassign or Replace
- Levels of Discretion
- Organizational Chart “Chain of Command”

Enforcement:

Trained investigators

To determine the appropriate remedy, investigators need to be able to find anyone, *or* determine with finality that the person cannot be found.

Enforcement:

Integrated code enforcement attorneys

Efficiencies are created and outcomes are enhanced when code enforcement attorneys are integrated directly into a code enforcement division and report up through the division's organizational structure.



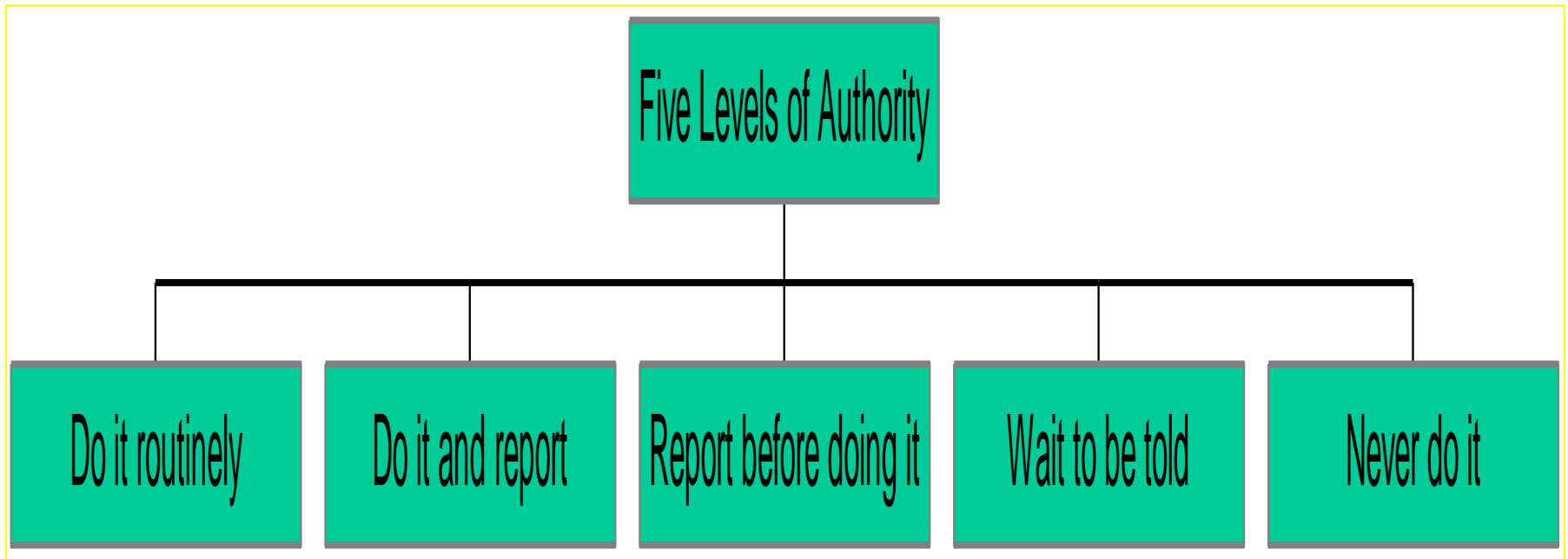
Involve staff in “The Big Picture” whenever possible.

- What are the problems we are trying to address?
- What is needed to address them?
- Written policies and procedures.
- Set short-term attainable goals that can be accomplished quickly.
- Set long-term goals that will improve outcomes broadly, but take longer to achieve.
- Be realistic: CHANGE TAKES TIME.

Examples of “Big Picture” Priorities

- Eliminate vacant buildings
- Improve sanitation
- Enhance property maintenance
- Mitigate drug nuisance activity
- Support neighborhood morale through visible enforcement
- Promote community involvement through access to data and an on-ramp to government

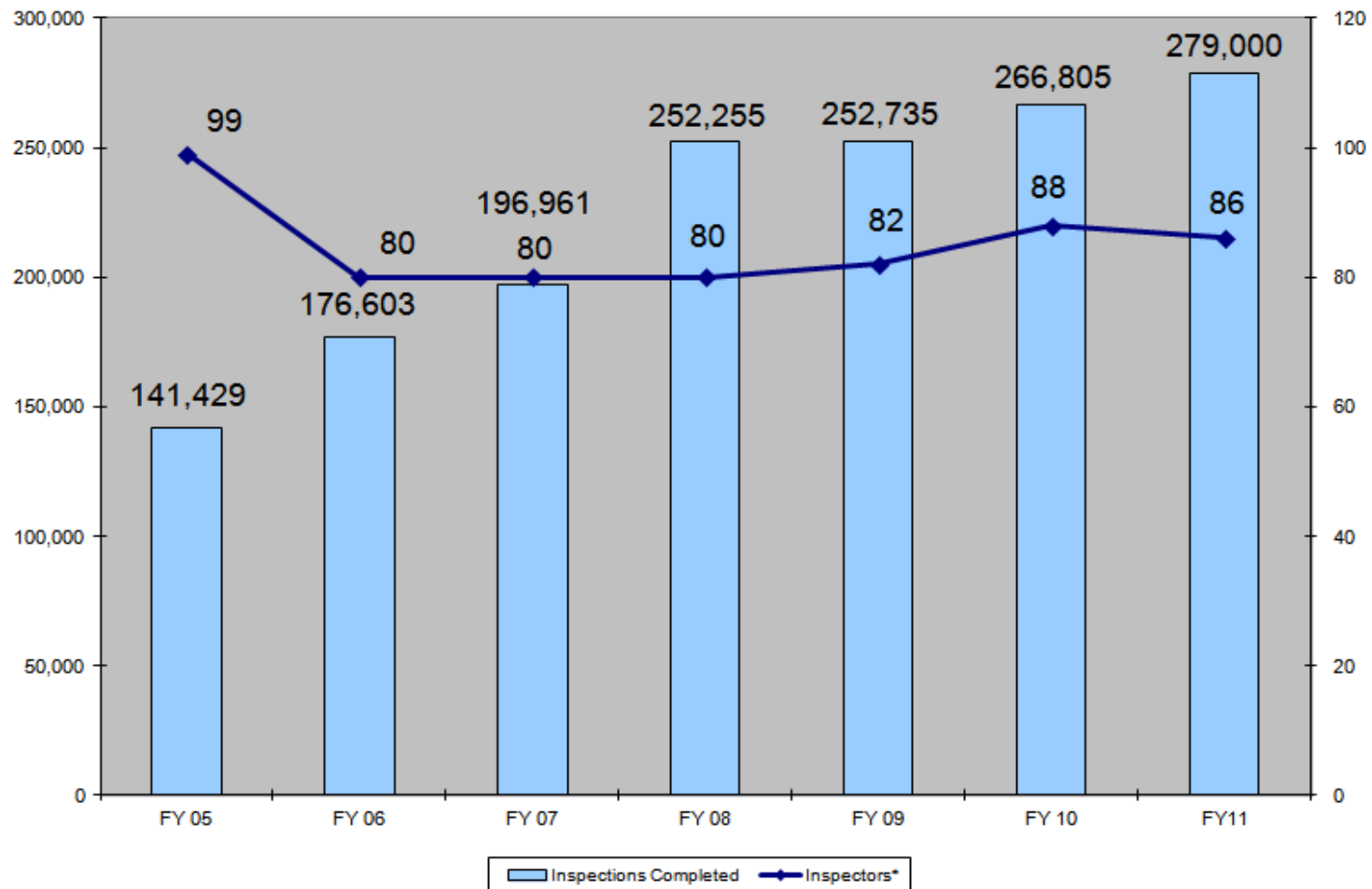
Staff Authority



Routinely deviating from the standard procedure
creates new “procedures”, which result in uncertainty, confusion and frustration.

Productivity can be enhanced

Inspections Completed v.



An involved staff is a motivated staff



“We work to the mission and not the clock.”

BUDGET MANAGEMENT AND ENHANCEMENT

No Time. No Money.



**Hey Buddy, can
you spare a dime?**

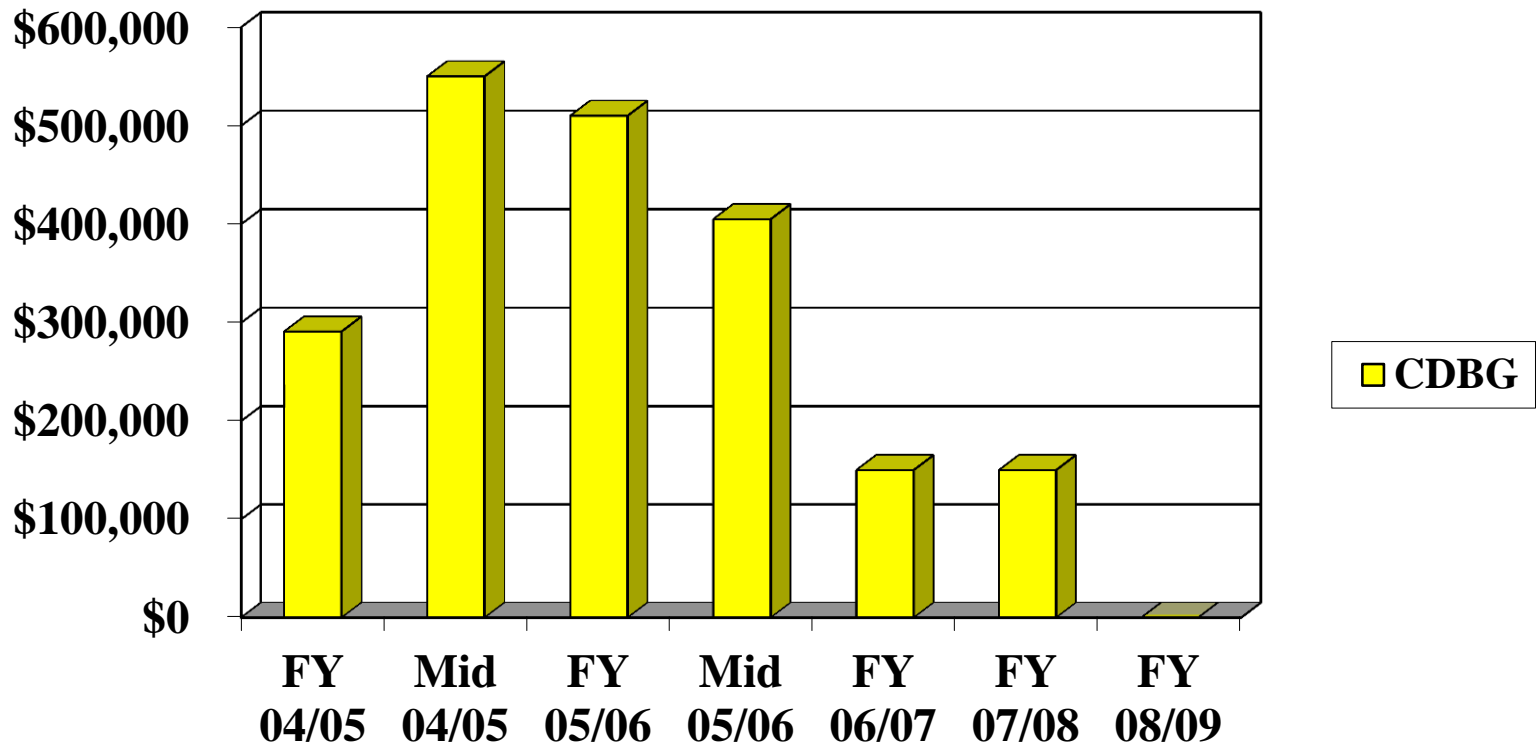
Effective code enforcement can generate revenue and reduce cost

It does not necessarily require more money to do it better.

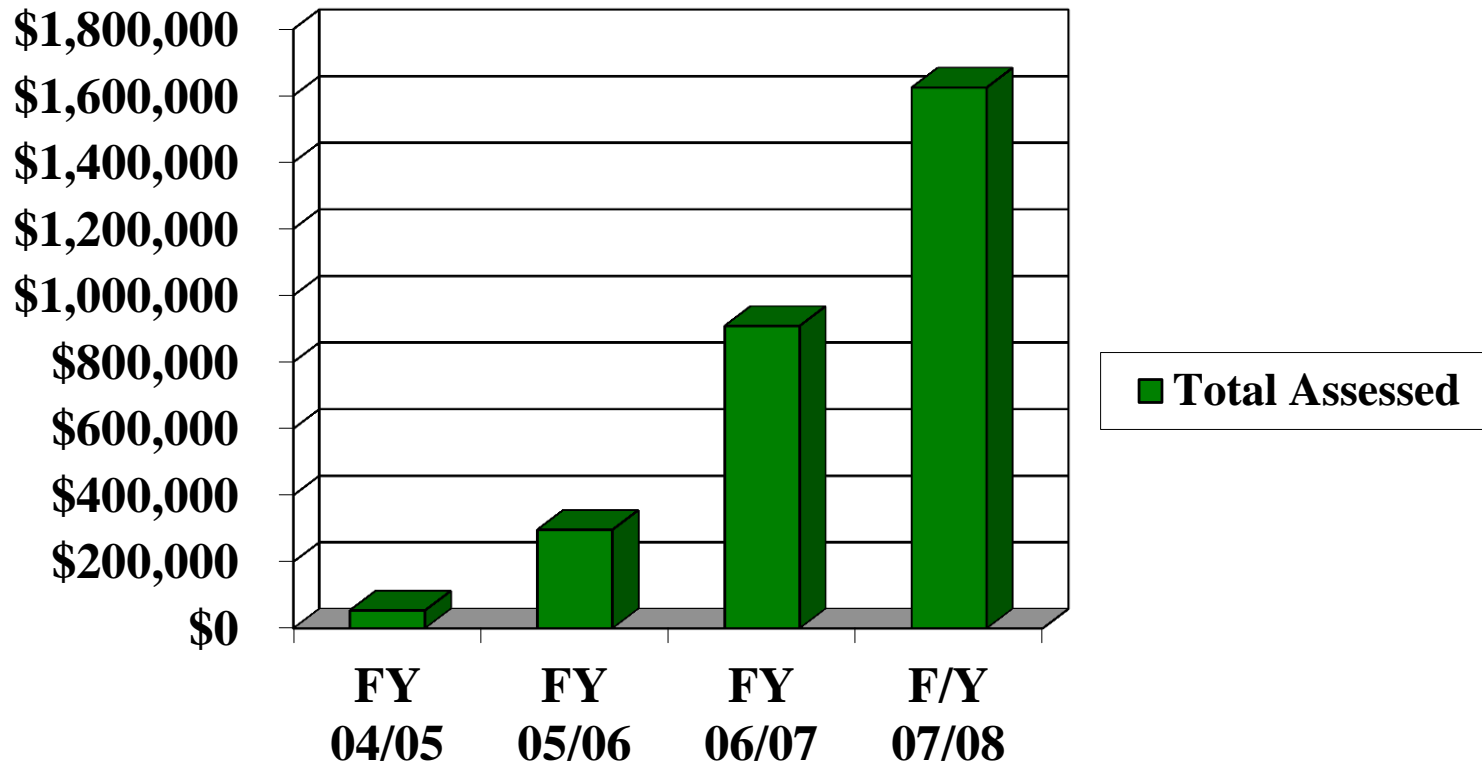
Productivity can be enhanced.

New revenue can be generated.

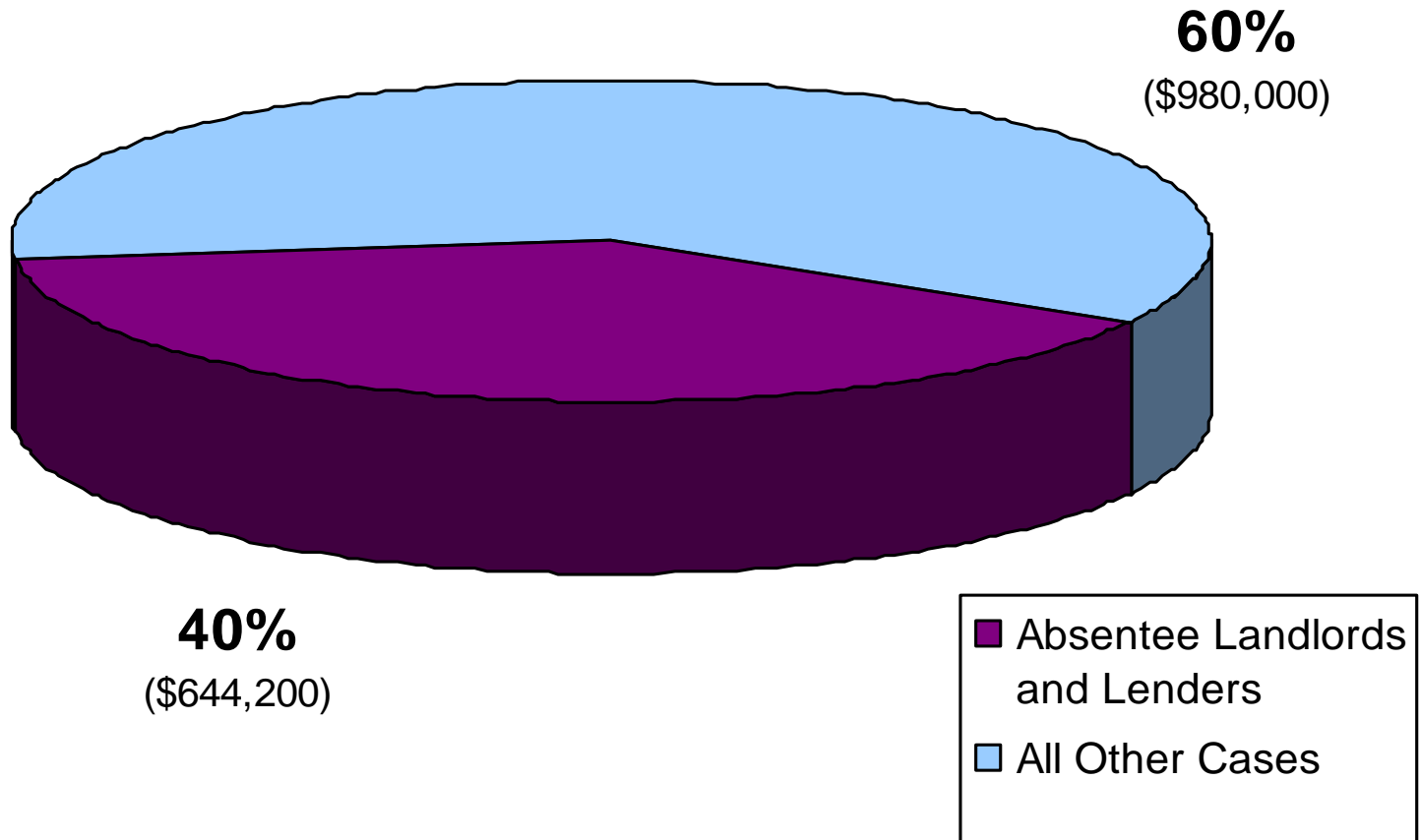
CDBG Funding



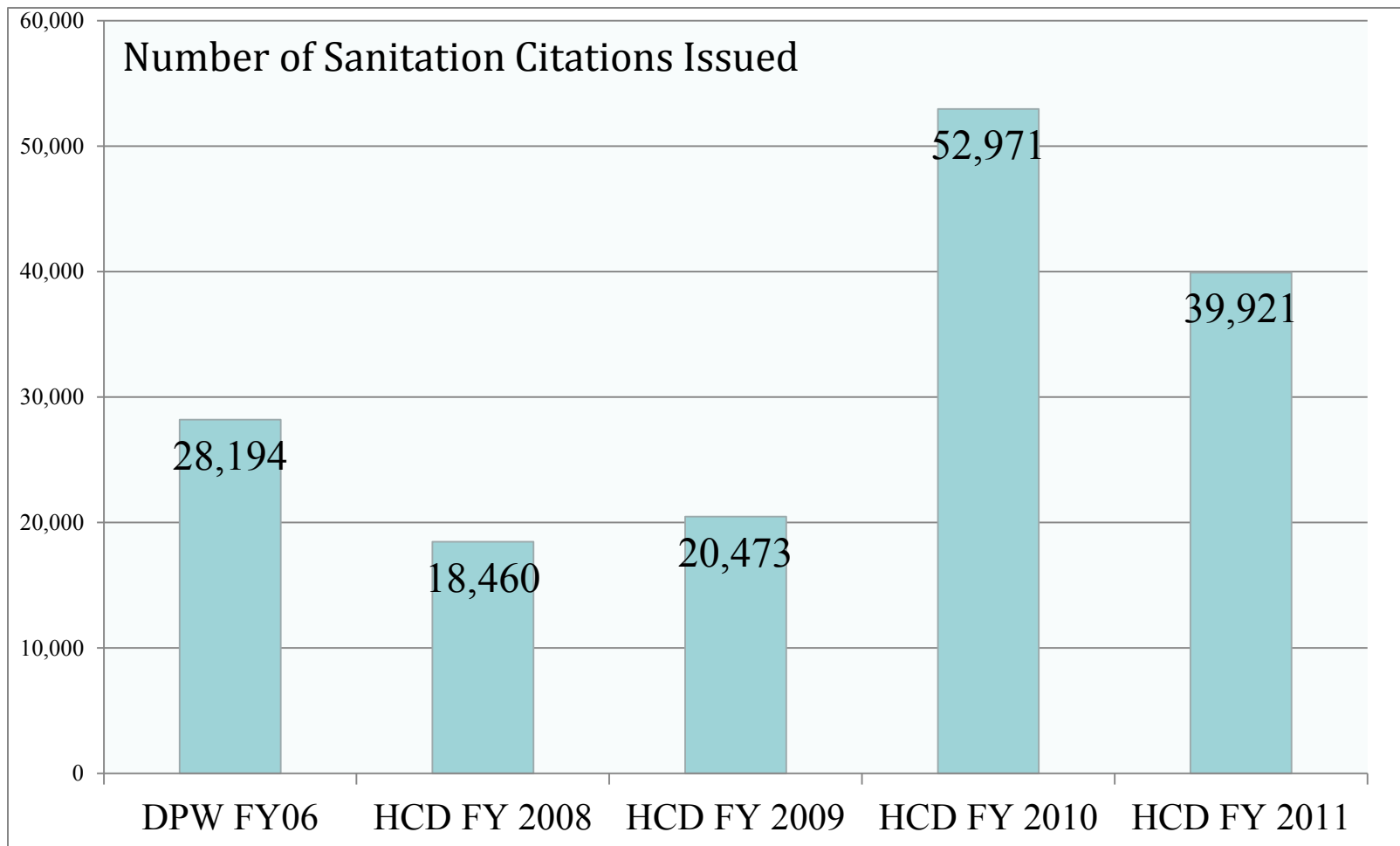
FCR, Fines and Penalties Assessed



Fines & Penalties Breakdown



nce property maintenance



FULL COST RECOVERY

- Ordinance is required
- Track **ALL** staff time
- Calculate at fully burdened rate
- Track **ALL** expenses
- Charge if compliance is not gained within time frames allowed.

Compliance within reasonable time frame results in no fines or Full Cost Recovery.

It is the violator who sets the amount of Full Cost Recovery and/or fines by their compliance or the lack thereof.

Code Enforcement staff should provide reasonable extensions to anyone that will diligently work toward compliance.

CLOSING

Six Sigma



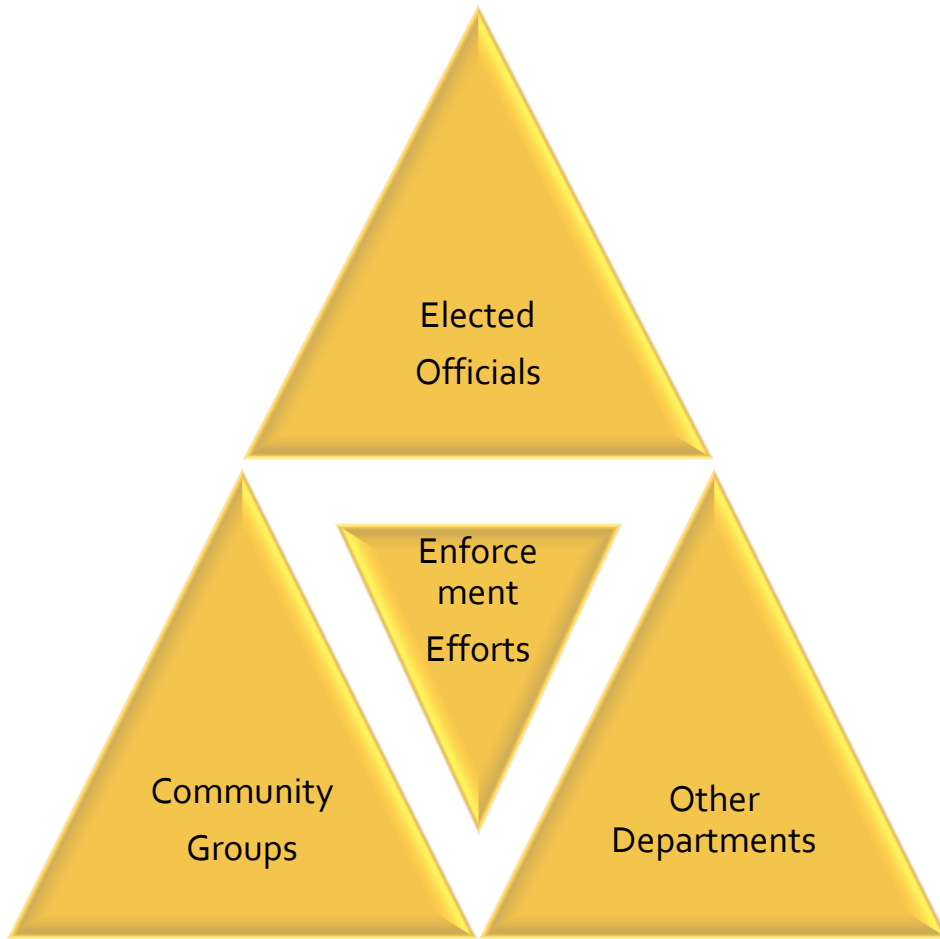
Successful Enforcement Programs Require:

- Proper Managerial Structure and Accountability
- Clearly Stated Goals and Objectives
- Multiple Enforcement Options
- Metrics for Success
- Detailed Policies and Procedures
- Adequate Training
- Personal/Group Accountability
- Coordination with other Departments
- Administrative/Political Support
- Rewards

Code Enforcement Audit

- Is your CE program holistic/comprehensive?
- Do you have
 - Sensible, cohesive process?
 - Solid information systems?
 - Integrated management frameworks?
 - Staff buy in and coordination?
 - Variety of legal/administrative remedies and tools?
 - Dedicated, reliable legal counsel?
 - Adequate means of cost/fine collection/recovery?
- Do your elected and civic leaders support your code enforcement efforts or even understand them?
- Do you have strong partnerships with the key community stakeholders?

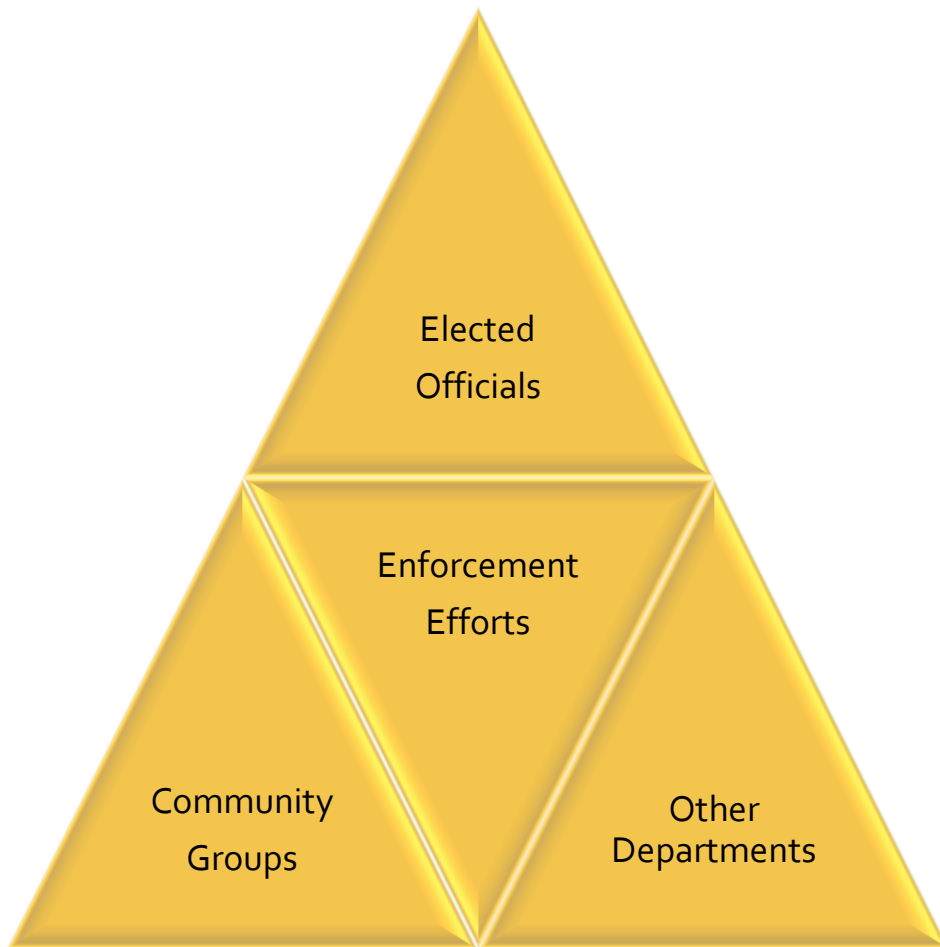
Enforcement is only PART of the solution.



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Enforcement is only PART of the solution.



“What works, works. What doesn’t work, doesn’t work.
Working hard at something that doesn’t work won’t make it
work.”

John W. Alston