

Strategic Code Compliance

A New Code Enforcement Approach

When property conditions harm occupants or the property's deterioration threatens the safety of neighbors or the stability of the neighborhood, local governments need tools to step in.

Code enforcement broadly refers to the process local governments use to enforce state and local laws governing housing, building, or health standards. We use “code enforcement” to refer more specifically to the process local governments use to enforce property maintenance standards on existing buildings and properties.

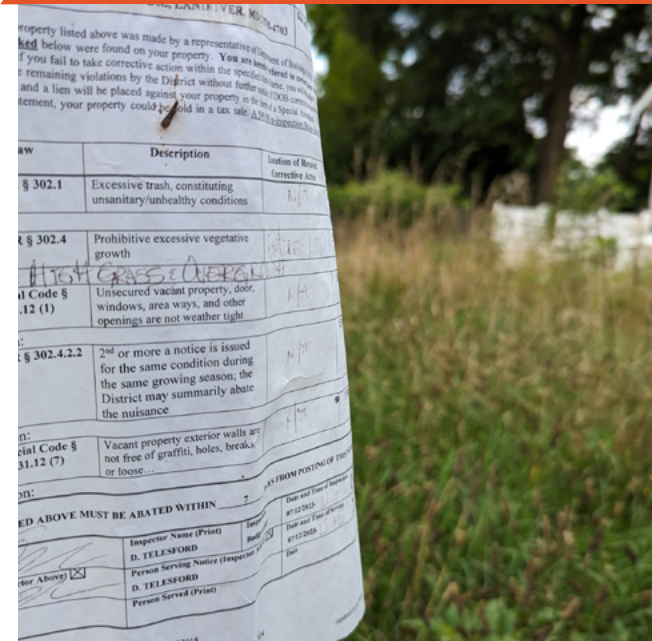
Shifting from Traditional Code Enforcement to Strategic Code Compliance

Most local governments take a traditional approach to code enforcement—a reactive approach that treats all properties and owners the same and uses civil and criminal penalties to compel compliance.

Threatening property owners with penalties may persuade owners in strong real estate markets who have the resources to fix the issue. However, traditional code enforcement is less effective in neighborhoods with weak real estate markets and with owners who lack the resources or will to bring their properties into compliance.

More than a specific program or strategy, local governments in these communities must shift their framework from traditional code enforcement to strategic code compliance. Local governments must start with the goal of creating safe and healthy homes and neighborhoods. They must see bringing properties into compliance with property maintenance codes, through not just enforcement but also a variety of partnerships and programs, as a key way to achieve this goal.

Code compliance is a more strategic approach to code enforcement that recognizes different owners have different incentives (and abilities) to bring their properties into compliance.



Core Elements of a Strategic Code Compliance Approach

- Use parcel, market, and social data to inform proactive actions and strategic allocation of resources.
- Adopt policies and practices informed by data that recognize properties and owners can and should be treated differently.
- Track and evaluate outcomes and adjust as needed—with a commitment to transparency and communication.
- Break out of the silos and collaborate across departments and sectors.
- Make broad changes within the department and local government to support a culture of code compliance.
- Make equity both a core principle and a desired outcome.

Learn More how your community can take a better approach to code compliance at communityprogress.org/code-enforcement

Implementing Strategic Code Compliance on Different Properties

Our 2024 publication ***Reevaluating Code Enforcement: A New Approach to Addressing Problem Properties*** describes key recommendations for local governments to consider when approaching strategic code compliance on three common property types:

VACANT AND ABANDONED PROPERTIES

For vacant and abandoned properties, use the “Fix it Up, Pay it Up, Give it Up” approach. 1) Give the owner a chance to fix property conditions or the local government will step in, 2) If the local government fixes the issue, make the owner pay back the public cost, and 3) If the owner doesn’t fix or pay, transfer the property to a new, responsible owner.

RENTAL HOUSING AND TENANT-OCCUPIED PROPERTIES

For rental housing, create a proactive rental inspection and licensing program, making sure you have a just, well-resourced program in place to provide resources that prevent tenant displacement and retaliation.

OWNER-OCCUPIED PROPERTIES

For owner-occupied properties, create “equitable offramps”—programs, resources, and partnerships to help low-income homeowners bring their properties into compliance and avoid costly citations, fines, and court actions.

Want to reform code enforcement in your community but don't know where to start? We're here to help.

Contact Community Progress at **technicalassistance@communityprogress.org** for customized, expert guidance and training to help your community break the cycle of vacancy.

Shifting to strategic code compliance is not easy, but the effort is worthwhile and necessary. Implementing a strategic code compliance framework is key to achieving the goal of code enforcement: healthier and safer housing and neighborhoods where all residents can thrive.



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American Rescue Plan Act (ARPA)

Why should ARPA funds be invested in strategic, equitable code enforcement?

The American Rescue Plan Act's (ARPA) \$350 billion [State and Local Fiscal Recovery Fund](#) distributes federal relief to every US state, local, territorial, and Tribal government, which must be obligated by December 31, 2024 and expended by the end of 2026. This once-in-a-lifetime infusion of flexible funding is focused on catalyzing broader community recovery and rebuilding and addressing the immediate and long-term negative impacts of the COVID-19 pandemic, particularly on low-income communities and people of color.

NEED: Deteriorating property conditions have left many homeowners and tenants exposed to health and safety risks. Continued economic impacts due to the pandemic have left residential and commercial property owners unable to invest in property repairs and municipalities without adequate capacity to enforce property maintenance codes.

OPPORTUNITY: Activities to support the **strategic, equitable enforcement of housing and building codes are ideal candidates to address this need with ARPA funding** given the following:

- 1** Code enforcement **raises the overall quality of a community's commercial and residential building stock**, an imperative for healthy living environments and strong neighborhoods, a stated ARPA goal.
- 2** Providing assistance to affected and low-income homeowners, landlords, and tenants for home repair, weatherization, or other programs to mitigate health and safety risks are **explicitly eligible ARPA uses**.
- 3** Code enforcement, paired with property repair grants, can **reduce the presence of lead, mold, and other health hazards** that cause or exacerbate health concerns, a goal specifically stated in ARPA guidance.
- 4** Equitable code enforcement prioritizes ensuring vulnerable tenants or homeowners have **access to safe, healthy homes and mitigates the risk of displacement**.
- 5** Support for local governments to **hire and train qualified staff** to respond to increased health and safety risks in communities most impacted by the pandemic aligns with ARPA's guidance.

ARPA ON THE GROUND

- [Detroit, MI](#) is using ARPA funds to provide free home repair services, beginning with roof repairs, to qualified homeowners.
- [Syracuse, NY](#) proposed to use \$4.5 million of ARPA funds to invest in advanced technology for housing inspectors to detect lead and to remediate lead hazards.
- [St. Louis, MO](#) is investing \$15 million in a home repair fund for low income owners.

POTENTIAL IDEAS FOR ARPA USE

- Repair grant programs for low- to moderate-income homeowners and landlords to fix code violations.
- Implement a rental registration, inspection, and licensing program – funding could support dedicated enforcement capacity and repair grants.
- Data and technology infrastructure that improves efficiency of code enforcement programs, like parcel surveys, software platforms, and field equipment for inspectors.
- Code enforcement staff capacity and training programs.
- Resident collaboration with code enforcement, such as quarterly meetings, community tool sheds and clean-ups, and neighborhood walk throughs with code enforcement staff.
- Tenant support programs, including programs that help tenants bring claims against negligent landlords to secure critical repairs.

Learn More about the American Rescue Plan Act at communityprogress.org/resources/arpa/

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