

Strategic Code Enforcement

How to Use Strategic Code Enforcement to Prevent Vacancy

Broken doors, high grass, or a sagging roof are more than just visual cues of vacancy. They pose serious health and safety concerns - and communities have the power to take action in response through code enforcement.

Code enforcement, defined broadly, includes all of the elements involved in obtaining compliance from private owners of vacant, abandoned, and deteriorated properties. Property ownership comes with important responsibilities, including maintaining properties in compliance with local codes.

What is strategic code enforcement?

Strategic code enforcement focuses on maximizing compliance while minimizing intervention from local government. It's an approach to code enforcement that uses data and community input to make the most of limited resources to achieve a community's goals.

Strategic code enforcement often involves public, private, and resident partners. The best strategic code enforcement efforts are equitable, effective, and efficient.

Equitable code enforcement recognizes differences in circumstances and provides the necessary support and protections to property owners in more vulnerable positions. Equitable code enforcement mitigates individual hardship while still working to improve property conditions.

Effective code enforcement results in an improved property that meets local standards. Property owners might comply voluntarily, or local governments can take action to abate the nuisance and recovery of costs or transfer ownership to a new responsible owner.

Efficient code enforcement achieves compliance in the shortest period of time and at the lowest public cost.



Code enforcement that is used equitably, effectively, and efficiently is one of the most promising approaches to vacant, abandoned, and deteriorated properties.

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Who is involved in strategic code enforcement?

Many different people are involved in a strategic code enforcement effort. Housing and building code enforcement officers are the individuals who inspect buildings for health and safety. They are responsible for responding to immediate and critical community needs. Department and division managers, attorneys, hearing officers and judges, and other public agency staff may also be involved. These individuals are collectively charged with finding ways to facilitate property owners to comply with necessary building and housing standards.

What success looks like in strategic code enforcement

When developing an equitable, effective, and efficient strategic code enforcement program, consider the following important elements:

- Use proactive, data-driven interventions tailored to neighborhood market conditions
- Invest in the health and safety of residents
- Give code enforcement officers the ability to diagnose problems
- Accommodate and protect vulnerable property owners who want to comply
- Build and maintain trust with community members
- Empower staff who have excellent interpersonal and problem-solving skills
- Allocate limited financial resources thoughtfully
- Define, measure, and report success
- Coordinate efforts across departments

Strategic code enforcement is one important way your community can address vacant properties. By responding to code violations in ways that are supportive, not punitive, and working in partnership with property owners, communities can make the most of time and resources and improve conditions for an entire neighborhood.



What are common issues that strategic code enforcement can address?

EXTERIOR

- Broken windows
- Broken doors
- Loud noise
- Junk vehicles
- Trash and debris
- High grass
- Peeling paint
- Sagging roof
- Deteriorated porch
- Couches on porch

INTERIOR

- Broken windows
- No fire alarms
- Mold
- Sewage backup
- No heat
- No water
- No vent plates
- Bug infestation
- Lead paint hazards
- No way to secure doors

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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.

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