



Louisville, Kentucky

A Racial Equity Audit of Louisville's Code Enforcement Program

Memorandum

TO: Laura Grabowski, Director, Office of Housing and Community Development, Develop
Louisville, Louisville Metro Government
Phil Crowe, Executive Administrator, Department of Codes and Regulations, Louisville Metro
Government
Ben Anderson, Assistant Director, Department of Codes and Regulations, Louisville Metro
Government

FROM: Libby Benton, Associate Counsel to National Initiatives, Center for Community Progress
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Progress

DATE: July 18, 2022

RE: LMG VPLI Local Implementation Scholarship

In February 2022, local leaders from Louisville Metro Government (LMG) attended the 2021-22 Vacant Property Leadership Institute (VPLI) in Austin, Texas, hosted by the Center for Community Progress in partnership with the National League of Cities, along with delegations from twelve other U.S. cities. LMG was one of three delegations competitively selected to receive up to 100 hours of customized technical assistance from Community Progress to implement focused and practical reform efforts based on new knowledge gleaned from their participation in VPLI through the VPLI Local Implementation Scholarship program.

LMG chose to focus its technical assistance on (i) reviewing its housing and building code enforcement process through the lens of racial equity, and (ii) examining how to apply a strategic and equitable approach to code enforcement to its vacant, abandoned, and deteriorating properties (VAD). Community Progress worked with LMG to review its current code enforcement processes and craft a one-day workshop aimed at helping code enforcement staff identify potential areas for reform and building broader support for such reforms within LMG.

This memo summarizes the outcomes of the scholarship and recommendations for further reforms. It provides a brief overview of Community Progress' understanding of LMG's existing code enforcement and collections process, based on a review of its ordinances, standard operating procedures, and conversations with LMG staff.¹ The memo then summarizes key observations and recommendations generated by LMG staff at the June 28, 2022 workshop.² The memo concludes with Community Progress' key observations about LMG's code enforcement process and recommendations for reform.

¹ Appendix A includes flow charts created by Community Progress summarizing these process, and Appendix B lists the LMG staff Community Progress interviewed.

² Appendix C includes the workshop agenda and Appendix D includes notes from the workshop.

LMG Code Enforcement System Overview

The focus of this engagement was on LMG's enforcement of its property maintenance standards, which are found in its property maintenance code³ and enforced by the Department of Codes and Regulations' Property Maintenance Division. The Department of Codes and Regulations is a division of Louisville Forward.

Data

Codes and Regulations uses Accela to manage its data. Louisville Forward also uses Tolemi, which includes several data sources related to property condition, including LMG's annual cut list—that is, the list of vacant and abandoned properties that LMG has identified and maintains—and data from a recent survey of properties with structures.

Code Enforcement Process

LMG's code enforcement process is primarily complaint-based. When investigating a complaint, the Property Maintenance Division's Standard Operating Procedures (SOPs) direct code enforcement officers to attempt to contact the property occupant and leave a door hanger. Code enforcement officers report that they document all observable violations, not only those that gave rise to the complaint.⁴ If officers see that neighboring properties have the same violations, the SOPs direct officers to document those violations as well.

In most cases, the SOPs direct code enforcement officers to issue a warning letter—formally, known as a Notice of Violation—giving the owner notice and time to correct the violation.⁵ The SOPs give the officers the option of issuing immediate citations for trash, high weeds, vehicles parked on grass, opening buildings, public nuisances, and graffiti on vacant structures. They also direct the officers to issue immediate citations only in limited circumstances, such as where the owner is a repeat offender.

Violations are primarily punishable by civil penalties.⁶ These penalties range from \$100 to \$1,100 and increase based on the number of uncorrected violations and the number of inspections LMG is required to conduct while the violations remain uncorrected.⁷ LMG staff report that they generally attempt to avoid deeming rental properties unfit for human habitation to avoid tenant displacement.

³ Louisville Metro Code (LMC) § 156.

⁴ If the complaint is for an exterior violation, officers report that they will attempt to document other exterior violations only. They will not seek to gain access to document interior violations.

⁵ Officers are also authorized by LMG ordinance to issue warning letters, rather than immediately issue citations. LMC §§ 32.283(B), 156.804(A).

⁶ LMC § 156.999(D). Violations are also punishable by criminal penalties of not more than \$250 if committed by a person, not more than \$500 if committed by a corporation, imprisonment for a term not to exceed 50 days, or both, but staff report that criminal charges are rarely brought. LMC § 156.999(F).

⁷ LMC § 156.999, Appendix C.

Property owners can appeal citations to the LMG Code Enforcement Board, which comprises five city residents who are paid \$100 per meeting.⁸ The board members serve as hearing officers and have the power to conduct hearings, impose fines and administrative costs, and issue remedial orders. LMG staff report that it currently takes two to three months to schedule a hearing and estimate that 75 percent of owners who file appeals own rental properties. It has been LMG's policy not to issue any further citations against a property while a hearing request is pending. LMG staff report that if an owner has corrected a violation before the hearing or is willing to do so within a reasonable time, the Code Enforcement Board will conditionally dismiss the citation, including the fines and costs.

If a property owner fails to correct a violation, staff report that LMG will continue to reinspect the property and issue additional citations. Generally, staff report that LMG will abate nuisance conditions on vacant properties only. A few times a year, however, they may abate nuisances at occupied properties where the conditions present health and safety concerns.

LMG has a rental registration ordinance, which requires rental property owners to register their properties with LMG by providing the property address and detailed contact information for the property owner and manager.⁹ There is no registration fee.

Collection Process

LMG's Office of Management and Budget (OMB) is responsible for collecting fines and other costs assessed against the properties. OMB sends two collection letters to the property owner. If the owner does not pay, staff report that OMB will then place a lien against the property. LMG can obtain a priority lien against the property for all civil fines assessed and charges and fees incurred by LMG in connection with a code violation, including abatement costs and an additional 15 percent to cover administrative costs on the fines, charges, and fees.¹⁰ The lien bears interest at 18 percent per year and is valid for 10 years from the date of the final order or court judgment.

After OMB has attached the lien, it has several options:

1. It can wait for the property to be sold to collect the lien.
2. It can foreclose on the lien and force a transfer of the property. LMG conducts these foreclosures using a judicial *in rem* process, which results in marketable and insurable title. It has the capacity to foreclose on only about 200 properties a year and relies on a small group called Vacant and Abandoned Property Statistics (VAPStats) to identify and prioritize properties for foreclosure. The properties are sold at public auction. Staff report that most properties do not receive bids and are transferred to the land bank.
3. It can waive the lien under its code lien waiver program. LMG staff report that this option is primarily used by title companies and attorneys, though staff will inform owner occupants of the option if they call.

⁸ LMC § 32.275 etc.; Local Government Code Enforcement Board Act, KRS 65.8801 to 65.8839.

⁹ LMC § 119.

¹⁰ LMC §§ 32.288; 156.999(E).

4. It can pursue a civil judgment in state court against property owners.¹¹ A civil judgment gives OMB the ability to try to collect LMG’s fines and costs from the property owner’s other assets. OMB staff decide when to use this option and report that this tool is primarily used against rental property owners with high lien amounts and multiple assets.

Recent Reforms

LMG’s Department of Codes and Regulations has already recently made several changes toward a more strategic and equitable code enforcement, including:

- Attending VPLI and encouraging code enforcement officers to watch Community Progress webinars on the basics of strategic code enforcement and strengthening community relationships to achieve equitable code enforcement.
- Expanding the number of abandoned properties that LMG maintains to reduce harmful effects of these properties on neighbors. LMG refers to these properties as its “cut list.”
- Checking whether a property is on LMG’s “cut list” before responding to a complaint and only responding to complaints on these properties if there is an open structure, shifting the strategy for these abandoned properties from penalties to timely abatement.
- Restoring code enforcement officers’ ability, on a discretionary basis, to give property owners warnings for certain violations before issuing citations.
- Partnering with Behavioral Insights to make their notices and citations easier to understand, which increased property compliance by 3.3 percent and fine payment by 12.0 percent.
- Reducing the time between notice and reinspection for certain nuisance violations, such as high grass or junk and debris.
- Working with Develop Louisville to dedicate \$1 million of new home repair assistance funds to properties referred by the Codes and Regulations.
- Restoring code enforcement officers’ ability to request supervisors waive citations in certain circumstances when owners have made repairs.

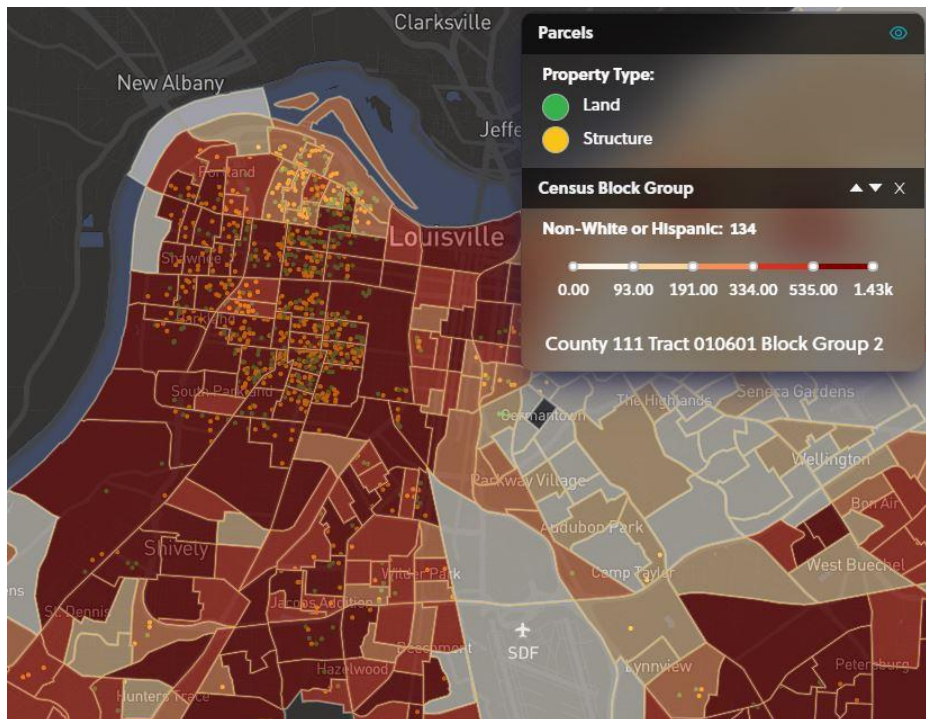
¹¹ LMC § 32.288(D).

Workshop: Key Observations and Recommendations

Community Progress hosted a one-day workshop, “From Traditional to Equitable: Reimagining Louisville Metro Government’s Code Enforcement Process,” in Louisville on June 28, 2022.

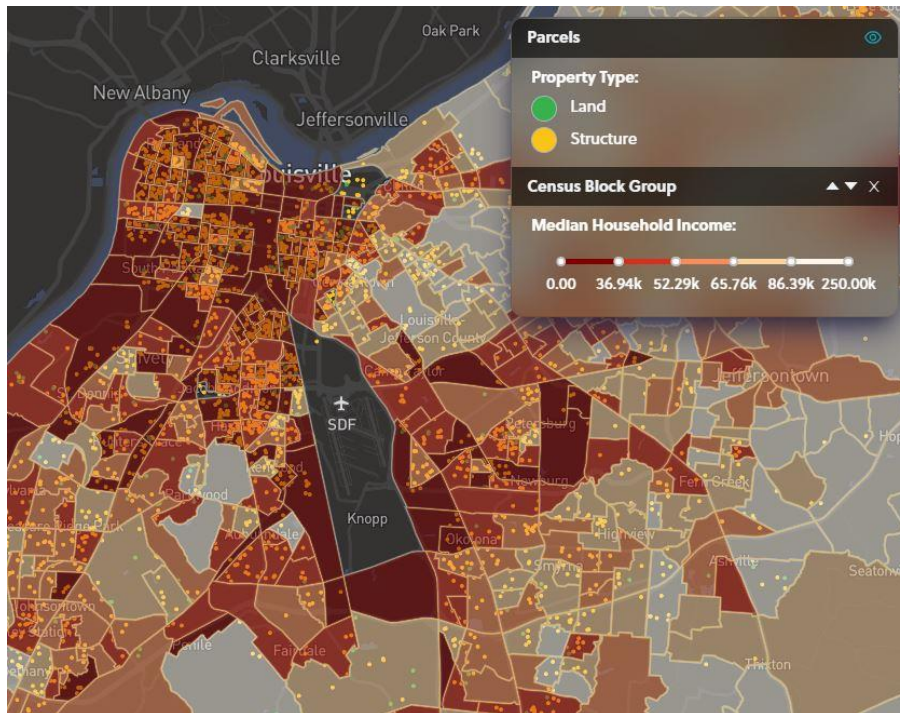
Approximately forty staff members from seven LMG departments attended the morning session,¹² which included three presentations from Community Progress. The first presentation provided an overview of Louisville’s VAD property challenges, highlighted the history of racist policies and practices that resulted in a concentration of VAD properties in Louisville’s neighborhoods of color, and discussed disproportionate impact of problem properties and code enforcement on Louisville’s residents of color. Community Progress created and displayed maps, included as Figures 1 and 2, showing the concentration of VAD properties and code enforcement complaints in neighborhoods of color and lower income neighborhoods.

Figure 1. Annual cut list, by neighborhood race and ethnicity
The lighter color represents a lower percentage of white non-Hispanic households



¹² Staff from the following departments attended the morning session: Codes and Regulations, Housing and Community Development, Vacant & Public Property Administration, Office of Management & Budget, Public Health & Wellness, Office of Equity, and the Jefferson County Attorney’s Office.

Figure 2. Open Code Enforcement Cases by Median Household Income
The lighter color represents a higher household income



Community Progress’ second presentation situated code enforcement within a coordinated, systematic approach to addressing VAD properties, highlighting the importance of cross-departmental coordination, and aligning code enforcement, delinquent property tax enforcement, and land banking to achieve equitable outcomes that center those most impacted by VAD properties. The final presentation provided an overview of Louisville’s code enforcement and collections process, described the key elements of strategic code enforcement, and highlighted models of more equitable and strategic code enforcement from across the country.

Codes and Regulations staff stayed for an interactive workshop to brainstorm, identify, and prioritize more equitable strategies to address three types of common problem properties: vacant residential structures, owner-occupied properties, and rental properties. The groups identified the following top three strategies for each problem property type.

Vacant Residential Structures:

- Expand code lien foreclosure and land banking programs
- Foreclose on abandoned properties on a block-by-block rather than property-by-property basis
- Create Codes and Regulations social media accounts, use the accounts to explain status of enforcement on certain properties

Owner-occupied Properties:

- Create more homeowner repair assistance programs, especially programs for seniors, with portion carved out specifically to help fix code violations
- Create a building material and tools donation center that property owners could access to fix code violations
- Assess and address the reasons for a backlog of scheduling LMG Code Enforcement Board hearings

Rental Properties:

- Create a proactive rental inspection and licensing program and provide adequate resources to operate
- Create a tenant rent escrow program
- Provide low-interest loans to low-income, responsible landlords for repairs

The training appeared to be well received and useful, with 87 percent of participants who responded to the event evaluation stating that they were likely or very likely to incorporate information they learned into their work and 81 percent responding that they felt better equipped to equitably address VAD properties. When asked what they found most impactful, respondents listed learning about Louisville’s historic, racist land use policies, learning about using data to tailor strategies for different property types, learning about examples from other cities, and understanding the need for departments to work together to equitably address VAD properties.



Community Progress: Key Observations and Recommendations

From the perspective of strategic and equitable code enforcement, Codes and Regulations is already doing many things right, including focusing on civil enforcement, using an administrative hearing system, and foreclosing on priority code liens to transfer vacant and abandoned properties to new owners. Since VPLI, Codes and Regulations has adopted several additional important changes, including giving officers more discretion to issue warnings and waive citations and shifting its strategy on vacant and abandoned properties from ineffective penalties to timely abatement.

LMG has powerful tools it can use to implement a more strategic and equitable code enforcement approach, including robust data and software programs, legal mechanisms, and talented and engaged staff. Going forward, we recommend that Codes and Regulations both continue to identify and address potential “pain points” within its enforcement and collection systems that have the potential to create, rather than address, inequality, and work also more broadly to draw on existing resources and resident input to create a detailed, comprehensive strategy to address VAD properties and advance racial equity.

Our recommendations below aim to provide more specific next steps to further these two broader goals and are listed in order from more general, longer-term projects to smaller, more specific changes.

1. **Leverage existing data and seek resident input to define code enforcement priorities and develop strategies.** Compared to many local governments, LMG has a wealth of data and tools it can use to understand its VAD challenges and help it set priorities, including data on code enforcement complaints and enforcement actions in Accela, Tolemi’s BuildingBlocks application, a recent property condition survey, and VAPStats joint meetings and reports. It also has skilled data analysts eager to work on these issues. Codes and Regulations should use these resources to:

- a. Identify the types of properties that are causing the most harm and where these properties are concentrated
- b. Develop strategies to address specific subset of properties such as:
 - i. Vacant residential structures
 - ii. Substandard, tenant-occupied property
 - iii. Substandard, owner-occupied property
 - iv. Vacant residential lots
 - v. Vacant or substandard commercial properties
- c. Tailor these strategies based on other property-specific factors, including neighborhood market strength, ownership type, and owner likelihood of compliance
- d. Consider how its strategies can complement or take advantage of other community and economic development initiatives, including the West End Opportunity Partnership
- e. Develop a community engagement process to gather community input on these findings and proposed strategies¹³
- f. After incorporating this community input, make its findings and priorities public and present them to the Metro Council
- g. Continue to use its data systems to measure property compliance and progress toward its goals and to ensure that policies that allow for discretion, such as providing notices of violations instead of citations or code enforcement board’s ability to conditionally dismiss citations, are being implemented in a way that are racially equitable



¹³ Codes and Regulations could seek assistance in developing such a process from LMG’s Department of Public Health & Wellness, which has experience developing community engagement process and has connections with several key community stakeholders that could be part of the process, including groups conveying around evictions and lead poisoning. In 2019, an organization called Hester Street published a report on community engagement around code enforcement, which could also serve as a resource: Hester Street, Tools and Tactics for Engaging Communities around Code Enforcement, April 2019, available at https://hesterstreet.org/wp-content/uploads/2019/07/Cities-RISE_CE-101_v10_FOR-PRINT.pdf.

- 2. For vacant properties, work with other LMG departments to explore ways to increase LMG’s capacity to conduct code lien foreclosures.** When owners of vacant and abandoned properties refuse to maintain their properties, causing harm to neighbors and neighborhoods, the most efficient, effective, and equitable strategy to address these properties is to compel a transfer to new, more responsible ownership. LMG is fortunate that it can use its priority code liens and judicial *in rem* foreclosure process to force the transfer of these properties and can rely on the Louisville Land Bank Authority to manage the properties that are not purchased at the foreclosure sale. Using these tools to transfer properties advances racial equity by not only reducing the harm these properties cause, especially in neighborhoods of color, but also by creating inventory for the land bank, which is in the process of adopting disposition strategies thoughtfully designed to advance racial equity.

Unfortunately, LMG’s capacity to use these tools appears limited. LMG acknowledges that it has thousands of vacant and abandoned properties that would likely be eligible for priority code lien foreclosures,¹⁴ but it can currently only conduct around 200 such foreclosures each year. Codes and Regulations should work with other LMG departments to explore ways to secure more funding to expand the number of properties LMG can foreclose on and the number of properties the Land Bank can manage and help shepherd to new uses.

LMG should also explore potential state law changes to give Kentucky land banks greater ability to gain control of properties facing priority code lien or delinquent property tax foreclosure, such as a right of first refusal to purchase the properties before auction or the ability to submit a priority bid at auction. This ability, which land banks possess in several other states, would give land banks a great ability to acquire specific properties and then dispose of them according to policies that prioritize equitable outcomes and neighborhood goals.

- 3. Work with the Office of Equity and the Office of Management and Budget to ensure within LMG, code enforcement success is not based on fine collected, but compliance achieved.** From veteran leadership to new inspectors, the staff of Codes and Regulations feel strongly that their goal is to ensure all Louisville residents live in healthy and safe neighborhoods through property compliance. While citations and liens are placed on properties to incentivize action or recoup LMG’s costs, they can make it harder for low-income property owners to comply. On the other hand, OMB is responsible for the collection of code fines and measures success based on the amount it collects. These can be contradictory goals. Ultimately both departments, under leadership at City Hall, should operate in pursuit of a shared goal and vision when it comes to the collection of code enforcement fines. That vision and goal setting should come in advance of each departments’ annual equity review and equity impact statement development.
- 4. For rental properties, explore the creation of a proactive rental inspection and licensing program.** Codes and Regulations’ current approach, focused on citations and liens, does not appear to be effective against many substandard rental properties. We heard that some rental

¹⁴ LMG, for example, has a list of 1,500 properties on its “cut list,” which it has identified as vacant and abandoned.

property owners simply pay the fines or allow liens to accrue on their properties, rather than correcting violations. Moreover, while LMG’s policy of not foreclosing on code liens on occupied properties helps prevent tenant displacement, it also removes a powerful tool to encourage compliance or transfer the property to new, more responsible ownership. LMG should explore adopting strategies that would require owners to bring their rental properties into compliance, like proactive inspection and licensing programs. These programs should be designed to have limited impact on landlords who maintain their properties and do not have violations, while also holding negligent landlords accountable. As with any proactive rental inspection program, resources and safeguards are needed to prevent further harms on tenants and must be developed and launched *in tandem*—not after—with an inspection and licensing program. At a bare minimum, resources should include relocation assistance for tenants and financial assistance to make repairs for some owners.¹⁵

5. **For owner-occupants, continue to review and revise standard operating procedures and communications to ensure they reflect a policy of “code encouragement.”** Codes and Regulations is already moving in the right direction by allowing officers to provide warnings, rather than immediate citations, and creating a process for waiving citations if owners bring their property into compliance. Codes and Regulations should gather a group of the officers who attended the June 28 workshop to review its existing procedures and communications and identify additional changes that could help move away from penalizing owner-occupants with citations, fines, and liens and toward a strategy of giving these owners the time and resources they need to comply.

These changes might include: creating handouts with property maintenance and social services resources, which could be included with all notices and citations and posted on LMG’s website; adding language to the notices and citations encouraging owners to contact the officers if they have questions or do not have the resources to make repairs; adding language to the citation encouraging owners to file an appeal or request a waiver of the citation if they need more time or resources to make repairs; and translating the notices, citations, and handouts into languages commonly spoken by property owners.

6. **Clarify or eliminate the requirement that officers issue notices or citations for violations observed on all surrounding properties when responding to a complaint.** Codes and Regulations’ standard operating procedures direct officers to check their surroundings and issue citations if they observe the same violation on neighboring properties. From our conversations, it appears that some officers may be issuing notices or citations for *all* violations they observe on neighboring properties and that these citations are often issued when they are called to a neighborhood to respond to a complaint of illegal dumping. Because Louisville’s code

¹⁵ For more information on proactive rental inspection programs, please see the following resources: Alan Mallach, Center for Community Progress, [Raising the Bar: A Short Guide to Landlord Incentives and Rental Property Regulation](#) (December 2015); Alan Mallach, Center for Community Progress, [State Policy and Problem Property Regulation](#), Chapter 3 (February 2022); Amy Ackerman, [A Guide to Proactive Rental Inspection Programs](#), Change Lab Solutions (2014).

enforcement complaints are concentrated in neighborhoods of color, it appears this practice would disproportionately impact property owners of color and could discourage residents of these neighborhoods from reporting violations. It also directs more code enforcement resources to exterior property violations on properties for which it has not received a complaint, which is not an efficient or equitable use of limited resources.

7. **Consider repealing or revising LMG’s public nuisance property ordinance or, at a minimum, remove enforcement from Codes and Regulations.** Codes and Regulations is responsible for enforcing LMG’s public nuisance property ordinance, which imposes civil and criminal penalties on property owners and tenants if certain illegal conduct occurs at a property.¹⁶ LMG’s ordinance deems a property a public nuisance if, among other things, the police have responded to a property and issued an incident report for certain criminal activities, including assault and misdemeanor drug possession, twice in one year. The ordinance does not require an arrest or charges or provide an exception where the tenant is a victim of the alleged criminal activity. Nationally, similar ordinances have been found to discourage victims of crime from seeking help and to disproportionately impact communities of color and persons with mental disabilities.¹⁷ Codes and Regulations should consider whether its role enforcing this ordinance undercuts its ability to gain the community trust and build the relationships with residents, especially renters of color, that is needed to equitably enforce its property maintenance standards and explore whether the ordinance should be repealed or revised and, at a minimum, enforcement should be removed from Codes and Regulations.

Conclusion

Codes and Regulations should be applauded for its commitment to advancing racial equity and for the changes it has already made toward more strategic and equitable code enforcement since participating in VPLI. With the tools at its disposal, including robust data and software programs, powerful legal mechanisms, and talented, engaged, and open-minded staff, LMG has the potential to become a national leader in equitable and strategic code enforcement. To do so, its leadership must make a sustained investment of resources and time in those neighborhoods that have suffered for decades from systemic vacancy and unjust disinvestment. It has been a pleasure to work with our key project partners at LMG and their colleagues, and we look forward to continuing to serve as a resource, connecting again at our Reclaiming Vacant Properties conference, and continuing to track LMG’s good work.

¹⁶ §156.057.

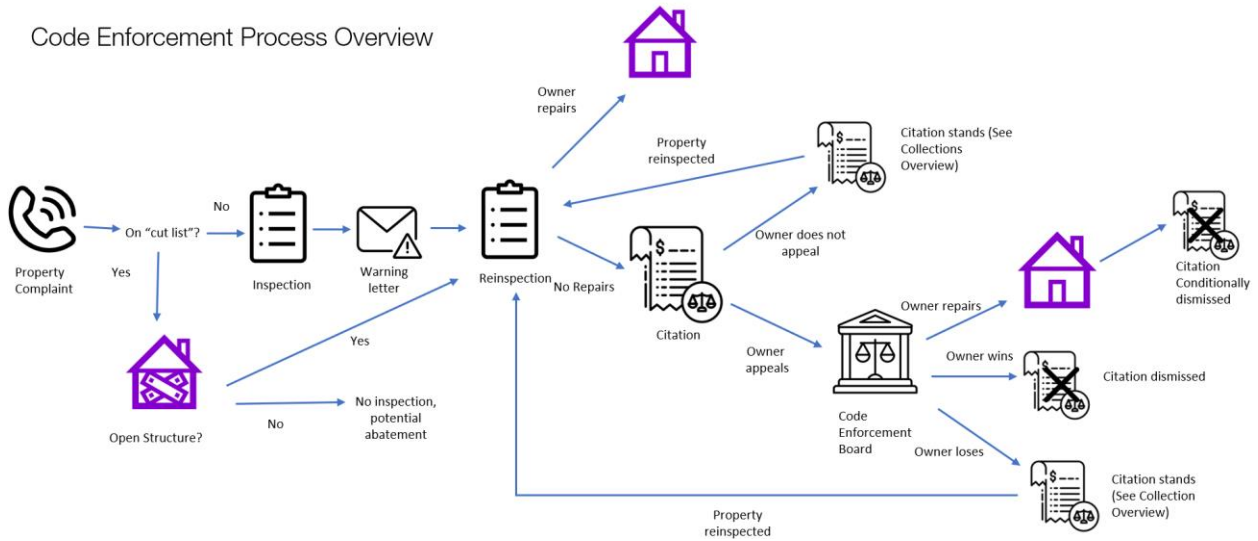
¹⁷ For more resources related to public nuisance ordinances, see the American Civil Liberties Union’s webpage, “I Am Not A Nuisance: Local Ordinances Punish Victims of Crime,” <https://www.aclu.org/other/i-am-not-nuisance-local-ordinances-punish-victims-crime#:~:text=Nuisance%20ordinances%20give%20rise%20to,through%20litigation%20and%20legislative%20advocacy>.

Appendix A: Stakeholders Interviewed

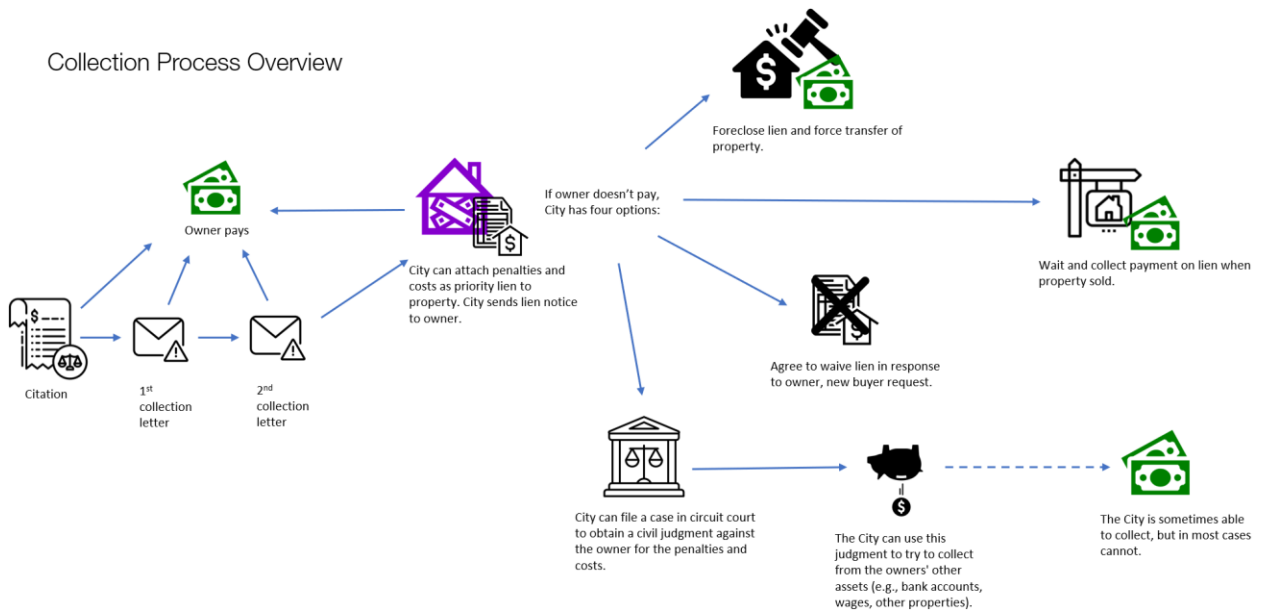
Name	Title	Organization
Benjamin Anderson	Assistant Director, Codes & Regulation, Louisville Forward	Louisville Metro Government
Michele Benzing	Code Enforcement Officer, Division of Property Maintenance, Codes and Regulations, Louisville Forward	Louisville Metro Government
Kate Bischoff	Director of Client Services	Tolemi
Richard Champion	Director of Finance, Office of Management & Budget	Louisville Metro Government
Nathaniel DeSpain	Executive Administrator, Codes & Regulation, Louisville Forward	Louisville Metro Government
John Flood	Fiscal Manager, Office of Management & Budget	Louisville Metro Government
Donald Gentry	Code Enforcement Officer, Division of Property Maintenance, Codes and Regulations, Louisville Forward	Louisville Metro Government
Daniel Gibbs	Code Enforcement Officer, Division of Property Maintenance, Codes and Regulations, Louisville Forward	Louisville Metro Government
Laura Grabowski	Director, Office of Housing and Community Development, Develop Louisville, Louisville Forward	Louisville Metro Government
Ebony Harris	Executive Administrator, Office of Management & Budget	Louisville Metro Government
Rebecca Hollenbach	Executive Administrator, Center for Health Equity, Department of Public Health and Wellness	Louisville Metro Government
Robbie Howard	Assistant County Attorney	Jefferson County Attorney
Michael Meeks	Chief Equity Officer, Office of Equity	Louisville Metro Government
Carrie Peers	Finance Supervisor, Office of Management & Budget	Louisville Metro Government

Appendix B: Code Enforcement and Collections Process Charts

Code Enforcement Process Overview



Collection Process Overview



Appendix C: Workshop Agenda

From Traditional to Equitable: Reimagining Louisville Metro Government's Code Enforcement Process
Louisville Metro Government, VPLI Local Implementation Scholarship
June 28, 2022

AGENDA

- 8:45 - 9:00 AM Check in + refreshments
- 9:00 - 9:15 AM Welcome + introductions
- 9:15 - 9:45 AM **A Grounding in Equity**
Widespread vacant, abandoned, and deteriorated (VAD) properties can pose significant harms to people and the neighborhoods they call home. Not by coincidence, communities of color are almost always disproportionately harmed by these problem properties.
This session will highlight:
- *A high-level overview of Louisville's problem properties*
 - *The importance of a coordinated approach to examining code enforcement, and the larger systems it touches, through the lens of racial equity*
- 9:45 - 10:30 AM **Systematic Approach to Addressing VAD properties**
There is no single legal tool, funding source, or government department that can address issues that contribute to vacancy and abandonment alone. A coordinated approach with interconnected policies and tools is the only way for communities to equitably, effectively, and efficiently address vacancy and abandonment.
This session will highlight:
- *An overview of Community Progress' systematic approach to addressing property vacancy and abandonment*
 - *Code enforcement's role in that coordinated approach to property revitalization*
- 10:30 - 10:45 AM Break
- 10:45 - 12:15 PM **Centering Equity in Strategic Code Enforcement**
Housing and building code enforcement helps local governments maximize limited resources and address the harmful impacts of VAD properties on residents and neighborhoods. Code enforcement can be a powerful, supportive tool to address community stability. When equity is not centered however, code enforcement activities can lead to unintended consequences.

This session will highlight:
- *Elements of strategic code enforcement*
 - *Case studies of equitable code enforcement practices from across the country*
- 12:15 - 12:30 PM Final thoughts + closing
Participants are encouraged to eat their lunch on site or take it to-go.
Codes and Regulations staff are invited to stay for a workshop session starting at 1:00pm

1:00 - 3:30 PM Session 2: Codes and Regulations staff
Centering Equity in Strategic Code Enforcement
The workshopping session with code and regulation staff will focus on examining current code enforcement policies and practices through the lens of racial equity. Through workshop activities and facilitated discussions, participants will be encouraged to think about policy and practice reforms that could lead to more equitable outcomes, along with the resources that will be needed to implement those efforts and barriers that might exist.

Appendix D: Summarized Notes from Afternoon Workshop

Property Breakout Groups – What are changes that could be made to make code enforcement more equitable?

Rental Properties:

- Encourage officers to contact the owner and to organize meetings between owners, tenants, and property owners together to clarify violations and who is responsible for repairs.
- Officers should follow up more quickly on interior violations to ensure they are addressed.
- Include list of resources for tenants and owners with citations.
- Examine whether some violations are really considered nuisances in the neighborhoods where they occur or pose health and safety concerns (for example, inoperable vehicles) and consider changing the code to reflect this.
- Create more junk days because tenants often do not have the resources to dispose of big trash.
- Shutdown bad landlords. The City should prevent certain landlords from operating and owning property in the City.
- Require that leases clearly explain the property maintenance responsibilities of the tenant and landlord.
- Create a proactive rental inspection and licensing program. New Albany, Indiana's program was cited as an example. The program could reward good landlords with less frequent inspections.
- Create a program that would allow tenants to escrow their rent with the City if violations are found at the property. The money could be used for repairs or relocation. The City could use the interest on the funds to fund code enforcement.
- Impose restrictions on individuals and companies that purchase properties at the commissioner sales, like the restrictions imposed for land bank purchases. Suggested restrictions: wills, no open violations, agreement to repair the property.
- Create a new position within property maintenance that focuses on tenant and landlord education and connecting landlords and tenants with resources.
- Provide low-interest loans to landlords for repairs.
- Connect owners with legal assistance to make wills.
- Provide more resources to do all the above.

Vacant Residential Properties:

- Expand foreclosure and land banking programs.
- Foreclose properties on a block-by-block rather than property-by-property basis.
- Reduce the number of citations until the land bank is revitalized.
- Create social media accounts for code enforcement, which could be used to provide updates on certain properties.
- Increase community involvement and engagement.
- Publicly shame property owners.
- Adopt strategies to try to prevent out-of-state or investor purchasers and instead promote homeownership.
- Provide resources to make it easier to rehab vacant properties for homeownership.

- Create community tool sheds.

Owner-occupied Properties:

- Schedule code enforcement board hearings more quickly.
- The community development department should provide updates to code enforcement on property owners that they have referred.
- Expand home repair and assistance programs, especially for seniors. Create buy back program for seniors.
- Create clear guidelines for when code enforcement officers can give owners a break with property documentation.
- Reform Chapter 32 to allow code officers to waive citations and to allow preconference for all code cases.
- Policy on no code lien foreclosure on occupied properties
- Continually evaluate adjustments (nuisance list)
- Create a material donation center and identify other sources of assistance, like volunteers or supporting trade apprenticeship programs

Full Group – What are potential next steps?

- Host community meetings around code enforcement, like Metro councilmembers' neighborhood meetings
- Use social media, flyers, etc. to educate residents about simple things, like what they do to maintain their properties and resources
- Create social media pages for code enforcement
- Encourage Metro councilmembers to incorporate information about code enforcement in their newsletter and other communications with constituents
- Increase accessibility by translating more documents
- Use Accella data to monitor adjustments