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Equitable, Efficient, and Effective Code Enforcement

A Roadmap for Decatur, Illinois



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Cover Photo: Downtown Decatur at night (Courtesy of the City of Decatur, with digital illustration by Community Progress)

About Center for Community Progress

The mission of Center for Community Progress is to foster strong, equitable communities where vacant, abandoned, and deteriorated properties are transformed into assets for neighbors and neighborhoods. Founded in 2010, Community Progress is the leading national, nonprofit resource for urban, suburban, and rural communities seeking to address the full cycle of property revitalization. The organization fulfills its mission by nurturing strong leadership and supporting systemic reforms. Community Progress works to ensure that public, private, and community leaders have the knowledge and capacity to create and sustain change. It also works to ensure that all communities have the policies, tools, and resources they need to support the effective, equitable reuse of vacant, abandoned, and deteriorated properties. More information is available at www.communityprogress.org

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Introduction

Nestled in the heart of Illinois, Decatur is a legacy city that has weathered decades of neighborhood and economic adversity. Not only are City of Decatur (City) officials seeking ways to address long-term challenges, they are also addressing the recent health and economic impacts of a global pandemic on Decatur residents. Despite these challenges, there are opportunities for hope and optimism—the City can draw on unprecedented temporary federal, state, and other resources to assist with recovery. They are dedicating significant resources to addressing the Decatur City Council’s number one priority: the health and vitality of its neighborhoods.

As a part of this commendable investment, the City entered into an agreement with the Center for Community Progress to assess and recommend changes to its existing approach to housing and building code enforcement, a key component of the City’s effort to stabilize and reinvest in Decatur’s neighborhoods. The City’s Department of Community Development (DCD) was Community Progress’ primary point of contact on this project given their role in administering—along with the City’s legal department and other partners—most housing and building code enforcement activities.

Because the City was interested in exploring new, innovative approaches to code enforcement and focusing on strategies that centered racial equity, Community Progress agreed to match the City’s investment using funds from its Technical Assistance Program for Equitable Recovery (TAPER) initiative. This initiative allows Community Progress to support communities seeking equitable approaches to code enforcement and delinquent property tax enforcement.

Community Progress and the City agreed to a final scope of work in late 2021 and kicked off work in January 2022. Over the course of the next six months, Community Progress:

- Reviewed state and local law and local policies related to the enforcement of housing and building codes.
- Reviewed data related to the City’s code enforcement activities and neighborhood demographics, as well as recent reports summarizing housing and other property-related data to understand challenges related to vacancy, property ownership, local housing markets, and property conditions.¹
- Reviewed documents supplied by DCD related to DCD priorities, operations, and staffing.
- Visited Decatur to speak with dozens of local stakeholders, including the city manager’s office; DCD management and staff; leaders and staff from the City’s legal department (Legal), the City’s information technology (IT) team; the fire department; the police department; leaders from neighborhood associations

¹ Key reports consulted in the development of this report include but are not limited to: CILBA Housing Market Analysis and Feasibility Study (2021) by Teska Associates, Inc.; Analysis of Impediments to Fair Housing Choice (2021) by Teska Associates, inc.; and Supporting Economic and Community Vibrancy and Wellness in Macon County, IL: A Comprehensive Community Assessment (2021).

through the Coalition of Neighborhood Organizations (CONO); and a group of local Realtor and business leaders.²

- Conducted follow up and virtual interviews with stakeholders from DCD, Legal, IT, community leaders, and the Macon County Clerk.
- Drew on our knowledge of national best practices and creative interventions to minimize the negative impacts of problem properties.

These activities informed our development of this final report, which includes a brief assessment of the City's existing approach but primarily outlines a framework and recommendations for how code enforcement can more equitably, efficiently, and effectively address the negative effects of problem properties on Decatur residents and neighborhoods. This report and recommendations are intended to compliment the City's and its partners' efforts to reimagine how they invest in Decatur neighborhoods. As former practitioners, we offer these recommendations to help the City plan for implementation, but it is our strong counsel that the City incorporate these recommendations within its broader strategy to invest in its communities. Moreover, leaders must work closely with local legal counsel to assess the viability of each recommendation prior to implementation.

Definitions and Context

Housing and building code enforcement—hereafter referred to as simply “code enforcement”—is a system of laws, policies, practices, and programs that provide a framework through which a local government can ensure private property owners meet minimum property standards. As noted by Community Progress Senior Fellow Alan Mallach, “[t]he purpose of code enforcement and other property regulations is not to issue citations or collect fines, but to improve the community's quality of life by improving housing and neighborhood conditions.”³

A municipality's power to compel nonresponsive owners to comply with these minimum standards is rooted in state and local law. But the decisions on how and when to use these tools—e.g., fines, fees, abatement, and demolition—and when *not* to use them, are driven by policies articulated at the top levels of local government and carried out by a range of City departments. In Decatur, this includes DCD, Legal, police, fire, public works, and others. How much capacity and resources these departments have in order to support programs that address problem properties can offer insight into how local governments prioritize this work.

We use “problem properties” to refer to **any type of property, structure or vacant lot, that is in violation of state or local minimum property standards and may be harmful to the health and wellbeing of its residents or neighbors.**

The development of new code enforcement approaches to address problem properties—including the development of or amendment to law, policy, practices, and programs—must at every level incorporate the priorities, perspectives, and expertise of those most-impacted residents and neighbors. Therefore, much of this report frames opportunities to enhance the City's approach to code enforcement around the need to better communicate, connect, and work with residents and neighborhood leaders.

Finally, it is essential to balance the impact problem properties have on the health, safety, and morale of the community with the rights and well-being of those who live in and own problem properties. Within that delicate balance is the recognition that communities of color, and in many cases predominantly Black communities, are those most impacted by problem properties. A history of unjust and racist land use laws and policies drove Black families and other communities of color to neighborhoods with poorer, lower-quality housing choices and less economic opportunity. Over the years, public tools like urban renewal programs, delinquent

² A complete list of stakeholders interviewed can be found in Appendix A of this report.

³ See Alan Mallach's State Policy and Problem Property Regulation (2021) report, prepared pursuant to a joint program agreement with Community Progress and the Lincoln Institute of Land Policy, available at: <https://communityprogress.org/wp-content/uploads/2022/02/State-Policy-Property-Regulation.pdf>.

property tax enforcement, and code enforcement, have—intentionally and unintentionally—exacerbated these inequities. Without a deep understanding of how these laws and policies have harmed communities in Decatur, and guardrails that force local leaders to constantly evaluate the efficacy and impact of efforts to “revitalize” neighborhoods home to communities of color, code enforcement risks compounding the problem.

Key Takeaways

1. **Decatur faces significant problem property challenges.** Decatur’s urban core is struggling with extensive vacancy (15% of housing units vacant according to USPS, and there are thousands of vacant lots, of which nearly 700 are publicly owned) and substandard occupied rental and owner-occupied housing. In the past, these issues have been driven, in part, by job and population loss. Today, widespread poverty (federal poverty rate is greater than 24%), extremely weak housing markets (average single-family housing price in the OKO neighborhood is \$42,000), and community frustration from decades of public or private disinvestment in urban core neighborhoods have led prospective homebuyers and other investors to avoid investing in the urban core and seek options on the outskirts of Decatur or outside the city. There is little new development in the urban core except where the City or another well-funded entity is highly subsidizing the project, and homeownership rates are declining, particularly among Black households.⁴ The housing market is vulnerable to outside investors who cheaply acquire property, invest minimal or no dollars in renovations, and rent potentially unsafe properties until they’ve recouped their investment in 2-3 years. Often they walk away from the property when faced with potential fines, City action, or possible tax foreclosure.⁵
2. **Decatur’s leadership prioritizes neighborhood revitalization.** The Decatur City Council’s (Council) number one priority is neighborhood revitalization. New leaders in the city manager’s office and at DCD have experience dealing with these issues and are leading the charge in developing new community development strategies and investments. Leaders in critical City departments, including in DCD, Legal, fire, and police, are helping these new leaders understand the historical and legal context about what has (or hasn’t) worked in Decatur. The momentum, skills, expertise, and leadership are in place, and thanks to the infusion of cash to support pandemic recovery, now is the time to enact new approaches and programs—including an improved approach to code enforcement—that reflect the City’s commitment to investing in Decatur’s neighborhoods. City stakeholders Community Progress spoke with shared the sentiment that while it is a priority to attract new residents and businesses to Decatur, the City’s first priority is for those investments to improve the lives of the folks who live there now.
3. **To maximize code enforcement’s impact, the City must clarify priorities and policies, and improve data collection and analysis.** DCD’s Neighborhood Inspections Team (NI Team) is responsible for responding to and investigating potential code violations. Legal handles code violation cases where the owner has failed to comply with DCD’s notice to correct a violation and additional enforcement is needed—usually via prosecution in either administrative or circuit court. Legal has a wealth of knowledge of how to get the most out of the enforcement tools available. This partnership could be even more impactful if the city manager’s office works closely with DCD and Legal to articulate City priorities and develop policies and strategies for how code enforcement can address problems in concert with neighborhood revitalization strategies. In addition, more systemic mechanisms for collecting and analyzing relevant parcel data, enforcement outcomes, and other datasets will help the City tailor interventions and direct resources. These foundational improvements will enable the City to assess its ability to expand impactful programs and initiatives.
4. **Need to build lasting, authentic relationships with community partners.** There appeared to be a disconnect between the City and residents of neighborhoods most impacted by problem properties. The

⁴ The Black homeownership rate in Decatur as of 2019 was 50.7% and white homeownership rate was 72.4%. See <https://stacker.com/illinois/decaturl/black-homeownership-gap-decatur-illinois>.

⁵ As referenced in footnote 1, the two reports authored by Teska and Associates, Inc., a planning and community/economic development consulting firm located in Evanston, Illinois, provide good summaries of existing data related to housing, demographic, and economic statistics and that helped Community Progress understand existing conditions. These studies are available upon request from the City and CILBA, respectively.

community leaders Community Progress spoke to did not know neighborhood revitalization was the Council's top priority, reported that they had little interaction with or understanding of the code enforcement process, and had the general impression that there was little the City could do to address neighborhood conditions. Similarly, the NI Team reported that they receive relatively few complaints from residents, especially renters, suggesting many renters may be unaware of their rights or the ability of the City to help secure repairs. This provides an opportunity to design new ways to connect with tenants, residents, and community leaders and use their knowledge and expertise to better address problem properties. It will be important for the City to follow through and show progress in order to continue to build relationships and trust.

5. **Decatur has good existing data resources.** The City has talented and resourceful IT staff, including a strong GIS manager and excellent analysts. These staff have built useful tools to collect and analyze City operational data (e.g., code enforcement cases and outcomes) and demographic and property-related data (e.g., household income, race, property condition, and housing market information). The City is just beginning to recognize the value of this data, but more work is needed to figure out how to institutionalize and operationalize these tools. For example, the City has a good code enforcement database created in-house, but needs to develop clear protocols to ensure DCD and other City users are capturing information at all points of the enforcement process to help the City assess code enforcement performance and outcomes. In addition, the City's various case management systems should be able to easily share information with one another about activities related to problem properties. The GIS team worked closely with DCD to develop a property condition survey in 2019 (which it is planning to update soon) and has developed a visual tool to analyze that and other demographic data at the neighborhood level. However, the City has yet to use that data to create focused strategies to deploy code enforcement tools and resources based on objective criteria that advance equitable outcomes.

6. **The underlying cause of many of Decatur's problem properties are poverty and weak neighborhood housing markets, not necessarily willful neglect.** These factors make traditional code enforcement tools challenging to use in communities like Decatur and can result in inequitable outcomes.

For **vacant properties** (structures or lots), the type of property causing the most harm in Decatur according to stakeholders interviewed, fines assessed either in administrative hearings or circuit court are often ineffective at deterring future bad behavior. Either the owner has already walked away, or the legal authority to enforce unpaid fines is insufficient (e.g., filing a relatively low-priority lien to recover administrative fines). If the City can find the owner to personally serve them, and if the owner is not a corporation or LLC, criminal penalties (like jail) may incentivize the owner to fix the problem and pay up that one time. However, they are just as likely to incentivize the owner to simply walk away in the future. After all, in most parts of Decatur's urban core neighborhoods, the cost to repair or rehab the property will likely exceed the value of the property.

For **substandard rental properties**, the type of property causing the second-most harm in Decatur, similar challenges apply. There is no systemic mechanism for the City to inspect the interior of these properties, and few public or private resources are available to support the impact on tenants if tough enforcement is needed (e.g., money for legal representation, rent escrow program, equitable relocation program).

For most **substandard owner-occupied properties**, the third-most problematic type of problem property, the problem is often a lack of resources to make the needed repairs. Fines are often ineffective at deterring future behavior because the choice with such limited resources is often not simply to "fix the violation or not"—it is to fix the violation or pay this month's utility bills. Criminal penalties may incentivize the owner to pay up and make repairs that one time but are just as likely to get the owner to simply walk away or, at the very least, further diminish those very limited resources needed to invest in the property.

This does not mean these tools cannot be effective. Indeed, Legal does a commendable job of putting in place programs that try to accommodate vulnerable property owners, like the program that allows them to waive fines if it is the first time the owner has been cited and the owner makes the necessary repairs. The bigger takeaway is that poverty and weak markets demand approaches that require patience, creative thinking, and long-term equitable neighborhood investment strategies tied to code enforcement.

Report Overview

This report contains the following five sections:

Background and Code Enforcement Overview

The first section summarizes background about Decatur and offers an overview of the City's existing approach to code enforcement.

Framework and Supporting Observations

This section introduces a framework identifying three areas in which Community Progress believes the City could make improvements to make code enforcement more equitable, efficient, and effective. This section also summarizes our observations for why the City should focus on these three areas. This section provides important context for the next three recommendations sections.

Recommendation 1: Establish Clear Priorities and Improve Data Collection and Analysis

This section offers recommendations for how the City's approach to code enforcement can become more equitable, efficient, and effective if City leadership defines clear priorities and works with DCD and Legal to develop and implement new policies to support those priorities. It also describes how a more systematic approach to data collection, management, and analysis can drive these priorities and policies, and assess and tailor interventions based on outcomes, not just outputs.

Recommendation 2: Build Community Capacity Through Education, Outreach, and Resource Development

The section recommends the City implement a series of strategies and initiatives to help educate, build relationships, and partner with community members and organizations. It includes recommendations for the City to make more information about code enforcement and its processes accessible, offers examples and suggestions for ways to improve and systematize outreach programs, and stresses the importance of connecting residents to available resources like housing or repair grants. Any changes the City makes to its code enforcement approach will be better served if the City prioritizes strategies to better understand community needs and tailor its interventions accordingly.

Recommendation 3: Create New Programs to Address Specific Problem Property Types

Based on Community Progress' conversations with community members and City officials, as well as our assessment of available data and a tour of the City's neighborhoods, we focused our recommendations to create new code enforcement programs to address the three types of problem properties that are causing the most harm to Decatur residents and neighborhoods: (1) vacant and abandoned properties, with a primary focus on vacant structures; (2) substandard occupied rental properties, and (3) substandard owner-occupied properties.⁶ One of the most important parts of designing a code enforcement approach is recognizing that the types of strategies used to address vacant properties must differ from those that address occupied properties.

In part because of the unprecedented level of resources available through American Rescue Plan Act (ARPA) funds,⁷ the recommendations in this report are ambitious. However, especially because these ARPA funds must

⁶ The primary focus of this report is on properties located in residential neighborhoods. This is because the scale of problem residential properties vastly outweighs the scale of problem commercial properties. This is not to say the City should not focus resources on commercial properties—they should. In fact, the City's ability to demolish a single long-standing vacant commercial building or incentivize the reuse of a long-time vacant but stable commercial structure may do more for community confidence than any single code enforcement-related activity. However, the code enforcement tools to address commercial properties are largely the same as the tools the City can use for residential properties. What makes commercial properties so difficult, primarily, are the costs of remediation (e.g., demolition, rehab) and the need for a strong economic development strategy to bolster opportunities for reuse.

⁷ See more about ARPA on the Community Progress website at: <https://communityprogress.org/resources/arpa/>.

be spent by 2026, the City will need to think carefully about what resources it is willing to commit to address these recommendations in the short term and in the long term. Thus, our recommendations are presented as a menu of options from which the City must prioritize. We have suggested priorities for implementation in Appendix B, but ultimately, we defer to the expertise and judgement of local leaders to decide which recommendations are most appropriate to pursue.

Community Progress has thoroughly enjoyed working with our partners at the City, and we look forward to continuing to serve the City and its residents in the future.

Background

For much of the twentieth century, Decatur was a major agricultural and industrial center, once known as the “Soybean Capital of the World” (1922). Over the years a significant number of Decatur households found employment at major manufacturing plants for companies like Wagner Castings and the tire producer Firestone.

Sadly, both Wagner Castings and the Firestone plant shut their doors in the early twenty-first century, as have several other major industrial and manufacturing plants in Decatur. Decatur’s population reached its peak in 1980 at roughly 94,000, but by the 1990s more and more residents left of the city as the jobs dried up. From 2010 to 2020, Decatur lost 7.4% of its population and was identified as one of Illinois’ fastest-shrinking cities by the *Chicago Tribune*.⁸

As of the 2020 U.S. Census, just over 70,000 people make Decatur their home. Like many shrinking cities across America, particularly rust-belt cities that lost major industrial employers, folks who live in and own real estate in Decatur have borne the brunt of the decline of investment in their city and their neighborhoods. The neighborhoods that have experienced the greatest decline—measured by a significant loss of private and public investment in housing, economic development, and neighborhood infrastructure—are overwhelmingly majority-Black and other communities of color.

Today, the brunt of that disinvestment can be seen in neighborhoods that make up the “urban core” (urban core outlined on the map in Figure 1).

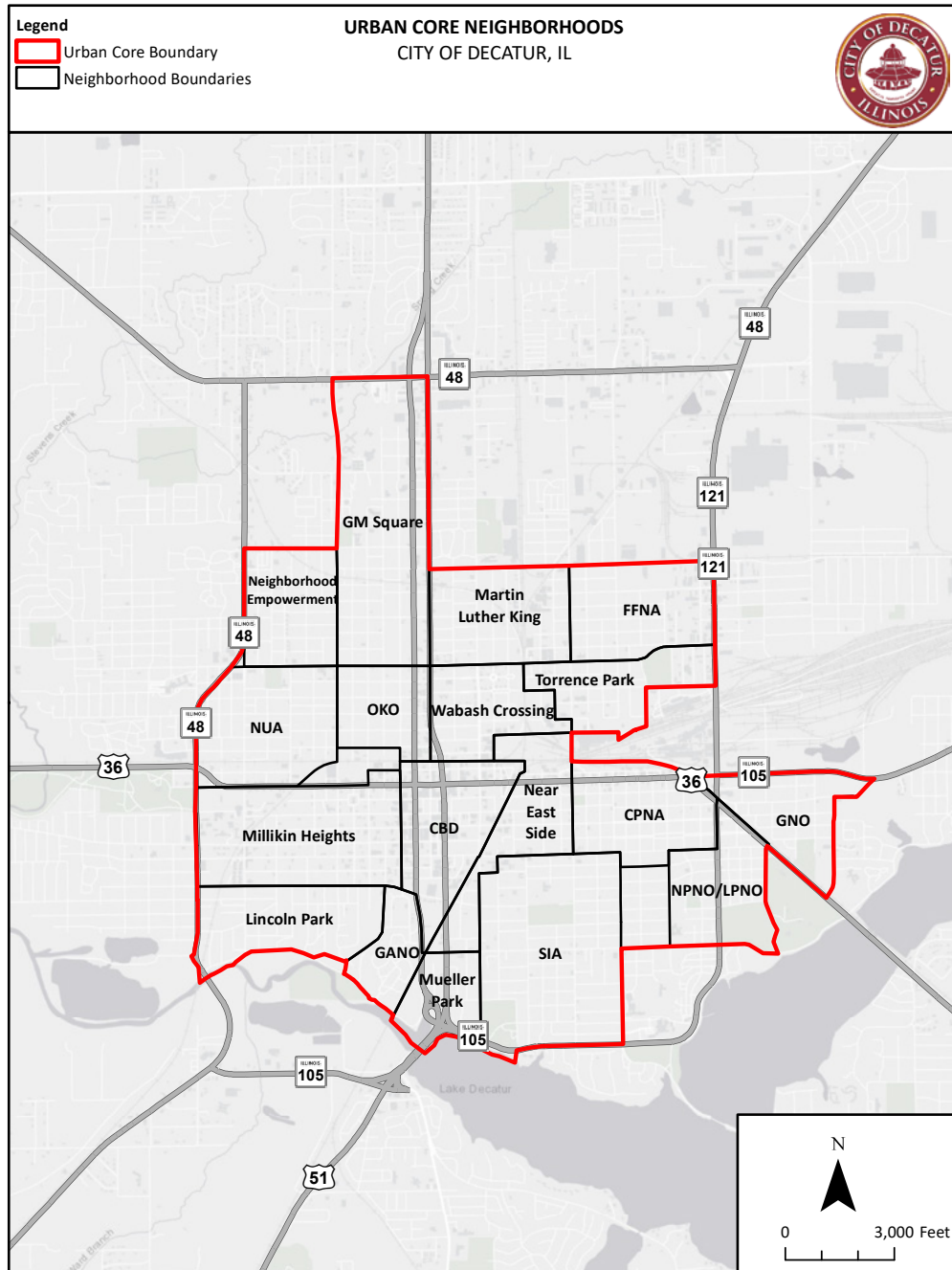
Based on data from the Teska Associates reports, more than 5,300 housing units, or 15% of the 36,515 total housing units in Decatur, are vacant. According to 2015-19 U.S. Census data, roughly 73%—nearly 27,000—of these housing units are single family homes. The City reports there are hundreds of properties on the demolition list, but some estimates of properties that would qualify for demolition are closer to 1,500. As of 2021, there are thousands of vacant lots, nearly 700 of which are owned by either the City or the Macon County Trustee.⁹ Members of the Coalition of Neighborhood Organizations (CONO) whom Community Progress spoke with, as well as City stakeholders, universally agreed that **vacant properties were the single most problematic property type impacting Decatur’s urban core neighborhoods**, and especially those vacant properties where the owner had abandoned the property and where the property contained a residential building. Moreover, high vacancy rates correspond with areas where the population is predominantly Black or other non-white households.

There were few hard data points available to assess the true scale of occupied problem properties. Given the age and condition of much of Decatur’s housing stock in the urban core, there are serious challenges with the quality

⁸ See U.S. Census data for Decatur at: <https://www.census.gov/quickfacts/decaturchicagotribune.com/news/breaking/ct-census-illinois-cities-population-loss-20200608-elh5s7pq7vcjriqnlii6hyaiea-story.html>. See also: <https://www.chicagotribune.com/news/breaking/ct-census-illinois-cities-population-loss-20200608-elh5s7pq7vcjriqnlii6hyaiea-story.html>.

⁹ Public control of these vacant lots is likely preferable to private ownership given the City is already addressing the problem (e.g., mowing, debris removal) and can work with other public entities to assemble or quickly sell properties for reuse or development opportunities as they arise.

► **Figure 1: Urban Core Neighborhoods**

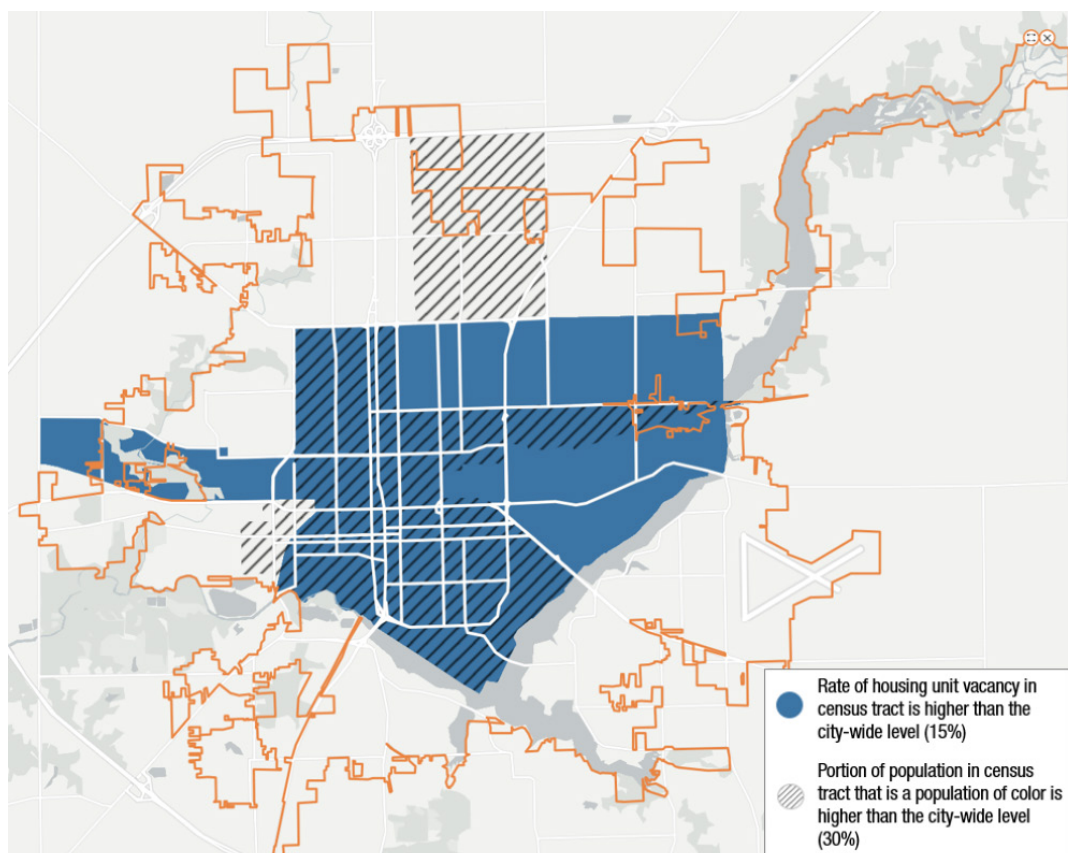


of rental and owner-occupied housing, as well as commercial properties. Anecdotal data from CONO members, DCD's NI Team, realtors, and most City stakeholders identified **substandard rental properties as the most problematic occupied property type**, especially because violations in these properties directly affect the health and safety of the occupant.¹⁰ This takeaway is even more important because there are more vulnerable residents living in rental units as opposed to owner occupied housing units. The Teska Housing Market Study summarized American Community Survey data (2019 5 Year Estimates) revealing that 42% of the total rental units in Decatur, or 4,675 units, house families who spend 35% or more of their monthly income on housing costs. The number of owner-occupied units that house families who spend 35% or more on their income on housing costs is 2,431, or 13% of the total owner-occupied units.

Still, the NI Team and many community members both believe that substandard owner-occupied properties are a significant problem because of the number of owners cited for code violations who appear at either administrative hearings or circuit court. This last point is true in most communities—owners of poorly maintained vacant or rental properties show up to hearings much less frequently than owner-occupants. This may be because these owners are out of town or corporate and difficult to find, it may be because they are savvier at skirting the system, or it

¹⁰ Many folks also identified large, vacant commercial sites as problematic but, as discussed earlier, residential properties were still a larger problem in terms of scale, and the calculus for when to intervene in problem commercial properties must include a range of factors that are different than those for residential properties.

► Figure 2: Census Tracts Where Vacancy >15% and Population of Color >30%



may be because owner-occupants truly want to resolve the situation or disagree with the City's characterization of the violation cited.

Knowing the scale of the challenges, Decatur residents reported to Community Progress that Decatur is an ideal place for folks to put down roots. They point out that while vacancy affects downtown retail shops, significant investment over the past decade in downtown streets and infrastructure, like the Merchant Street corridor, has slowly started attracting new activity. Projects like the ones in John's Hill have invested substantial public and private resources in improving neighborhood conditions and infrastructure around the complete rebuild of an existing school. Large agricultural and food processing companies, like Tate & Lyle and Archer Daniels Midland, are still major local employers, and many manufacturing firms located in and around the city remain a key source of jobs. Millikin University and Richland Community College are strong anchor institutions that support the broader community, and while unemployment is still higher than the rest of the state (Decatur at 6.5%, rest of the state at 4.7% as of March 2022), that rate is declining (down from 8.9% in March 2021).¹¹

Decatur's residents are resilient. Despite the challenges with the conditions of the existing housing stock and the limited financial value in neighborhood housing markets in the urban core, residents see their city's opportunities for families in more limited income brackets to attain homeownership and the American Dream. Where investors and Realtors point to limited contractors and high cost of rehab with little hope of recouping their investment, residents point out that those costs could be mitigated with a targeted, long-term, dedicated investment in building the capacity of Decatur's workforce.

The economic challenges and impacts of disinvestment have eroded the health and vitality of Decatur's neighborhoods *over decades*. An improved approach to code enforcement won't solve these issues on its own, nor overnight. However, committing in the long-haul to the recommendations in this report and tying this work directly into the City's and community members' goals for neighborhood revitalization will lay the foundation for moving forward.

Code Enforcement Overview

This subsection provides an overview of which **public departments or agencies** are involved in the code enforcement process; the current **code enforcement process**; and the **available code enforcement toolkit**. This summary is not meant to comment on individual performance, but to give the reader a better idea of how the system currently works. The inspectors, attorneys, and code enforcement actors Community Progress met and interviewed were dedicated and skilled public servants with the common goal of improving housing and neighborhood conditions in Decatur.

Public Code Enforcement Actors

There are a variety of public actors involved in or whose work aligns closely with issues related to addressing problem properties and code enforcement. While much of this section focuses on the work done by the primary code enforcement team at the City—which we define as DCD's NI Team and Legal—observations throughout this section often apply across this spectrum of actors.

¹¹ See the U.S. Bureau of Labor Statistics at: https://www.bls.gov/eag/eag/il_decatur_msa.htm.

 **Figure 3: Overview of Decatur Public Code Enforcement Actors**

Primary Actors	
DCD, Neighborhood Inspections (NI Team)	Inspects and enforces various provisions of the City's housing, environmental, zoning, and nuisance codes
Legal Department (Legal)	Applies legal tools and expertise to address noncompliance; files and prosecutes violations in administrative or the Circuit Court of Macon County
Other City Actors*	
City Manager's Office	Working with city council and mayor, responsible for establishing and implementing City priorities and policy for how the City approaches issues like problem properties
DCD, Neighborhood Revitalization (NR Team)	Manages programs to support neighborhood revitalization, including housing rehab programs, weatherization programs, and others
DCD, Building Inspections (BI Team)	Reviews building plans, issues building permits, monitors contractor licenses, inspects buildings for structure integrity, handles some fire prevention code issues in absence of local fire marshal and fire inspection team
DCD, Planning and Zoning (Planning)	Responsible for economic development initiatives, as well as current and long-term planning efforts
Fire Department (Fire)	Responds to calls in vacant buildings, works with state fire marshal's office to conduct fire investigations when needed, responds to fire calls at problem properties
Police Department (Police)	Responds to calls of criminal activity in problem properties and occasionally partners with DCD on certain inspections where there is a potential criminal element
Department of Information and Technology (IT)	Builds and manages various code enforcement databases, GIS team maps data for DCD analysis
Public Works Department (Public Works)	Responsible for coordinating abatement of certain nuisances and other violations, like cleaning up accumulations of trash/debris
Administrative Hearing Officer	Independent attorney hired by the City to hold hearings and issue orders to correct violations, abatement nuisances, and impose fines for noncompliance
County/Regional Actors	
Macon County Circuit Court	Court with jurisdiction to hear code violation cases and appeals from administrative hearing officer decisions; the City files more serious violations in court, seeks abatement and demolition orders, enforces unpaid judgments
Macon County Treasurer	Collects property tax payments, conducts the annual tax sale of the unpaid property tax debts (e.g., tax certificates) to private investors
Macon County Trustee	Holds tax certificates not sold at the annual tax sale on behalf of the County, collects redemptions, and forecloses on certificates that are not redeemed; offers foreclosed properties for sale via auction
Central Illinois Land Bank Authority (CILBA)	Regional entity focused on acquiring, managing, and disposing of vacant, abandoned properties for purposes consistent with community goals and needs for land, including affordable or market rate housing, economic development, greening programs, and other public or private purposes

* Missing from the table above are key community organizations and groups. The City is cultivating relationships and partnerships with organizations like the Coalition of Neighborhood Organizations (CONO) and the United Way of Decatur and Mid-Illinois (United Way) for home repair/assistance grants, but more work is needed to identify and build the capacity of existing community-based organizations and nonprofits to help the City develop, prioritize, and partner on strategies to address problem properties.

The Code Enforcement Process

The City's general approach to code enforcement is like that of other U.S. cities: A resident reports a violation, one of the City's four NI Team inspectors inspects, notice and an opportunity to correct are given, and if there is no compliance, then the City may pursue legal remedies to compel compliance through Legal, including fines or abatement. This subsection offers a summary of the current process.

A neighbor or resident calls the City to report a code violation

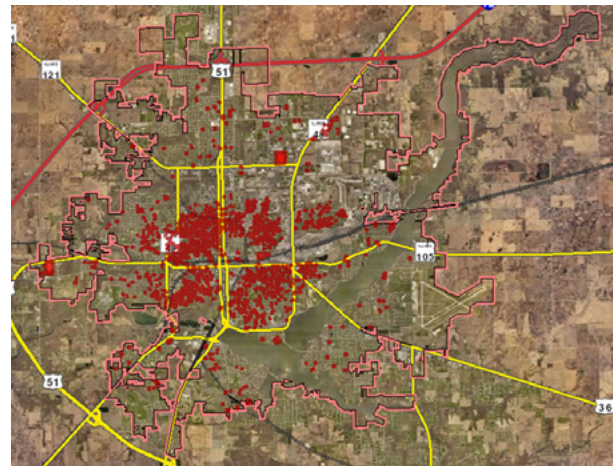
Most potential violations that are inspected by the NI Team come to the City through a voicemail complaint system. Most code enforcement cases are generated from these types of complaints, meaning the system is largely reactive. However, community members we interviewed suggested that many violations don't get reported to the City, either because residents don't know they can do so or because they don't believe the City has the resources to address the problem.

Inspectors reported that they routinely drive through neighborhoods in their geographically assigned inspection zones and report and inspect observed violations on their own. This more proactive approach is helpful to assess external, easily observable violations but it is unclear exactly how many cases are generated through this approach and how much time inspectors have to do this work.

The City's code enforcement case management system records the violation

The property address and the voicemail complaint are entered into the code enforcement case management system. The City has built its own internal code enforcement case management system that successfully captures most code enforcement activity. The City has also recognized the importance of providing some public access to this information, demonstrated by the City's public-facing Code Enforcement database, available on the City's website. The image on the right provides a snapshot of this database and plots where each of the City's active code enforcement cases are located using red dots.

The database allows the City to track each case, individual inspector outputs, whether the case was referred for additional prosecution to Legal, whether a lien was filed against the property, whether a lien was paid, and a host of other helpful data points. If the City considers upgrading this system, this core information and processes should set a baseline for moving forward.



Violations are automatically assigned to one of four inspectors

The system automatically assigns the problem address to one of the four NI Team inspectors, managed by a supervising inspector, based on who is responsible for the geographic quadrant where the property is located. Assigning inspectors by geographic area can ensure members of the City's NI Team are more familiar with the neighborhood conditions, help inspectors build relationships with residents, and help ensure inspectors have balanced workloads (although workload is influenced more by types of cases than counts of cases). This model works well for now, though may need to be evaluated if the City significantly expands its team. The City is seeking to hire at least one more inspector.

The database does not elevate the more serious violations first, however inspectors report doing this type of triage on their own. Inspectors can also access information about actions taken by other City departments pertaining to specific cases, though this requires them to do proactive searching of multiple databases (e.g., fire or police databases, Macon County Circuit Court files).

Inspectors investigate and record result on a tablet

Inspectors report that they are usually able to respond to any complaints within one or two days. The inspector investigates the complaint and, using a tablet, records what they observe into the code enforcement database, including taking pictures—a critical tool for efficient code enforcement programs. Inspectors can also see code violation information and water account information for up to ten years on the property being inspected directly from their device.

Inspectors report they often interact with property owners and neighbors during these inspections, and that they value the chance to engage in this kind of interaction. Sometimes these interactions result in the inspector offering the owner more time to comply. However, this is not required and often workload dictates where there is the proper amount of time to get this done.

If a violation is found, notice ordering the owner to correct the violation is usually mailed within 24-48 hours

When inspectors return to the office, they research the party listed as the last taxpayer of record, cross check that with the City's water utility records, and mail notice of the violation to the owner. Many of these notices are mailed the same day they are observed.

Inspectors estimate that roughly half of the code enforcement cases they address are properties where there is some accumulation of trash, debris, abandoned vehicles, or high grass and weeds. The other half are violations on properties where the issue is that the property is in violation of the City property maintenance code (it has adopted the International Property Maintenance Code or the IPMC) and is often vacant, needs structural repairs, or is unfit for human habitation.

Reinspection occurs after 30 days (less for certain nuisances and other cases) and if no compliance the case is referred to Legal

The inspector reinspects the property shortly after the expiration of timeframe provided in the City's notice. If the owner has not complied, or if the inspector has agreed to give additional time, the NI Team completes a referral for legal complaint and attaches to it an ownership report completed by the NI Team's title analyst. This referral is physically dropped in a shared box and picked up by Legal every day. Legal reviews the complaint, ownership records, inspection report, violations observed, evidence, and decides how to proceed. Once Legal determines it has the necessary information, they will draft a complaint, check the title work, and decide to file a case before the City's administrative hearing officer or in the Macon County Circuit Court.

Cases that end up before the administrative hearing officer are usually more minor, where it is a first-time offender, or that involve high weeds and grass. Legal directs most code violations to administrative hearings first. Circuit court cases are generally more serious nuisance cases that are required to be corrected in seventy-two hours, more serious housing cases, or cases involving a property that is unfit for human habitation and/or in need of demolition. Administrative hearings cases where the owner has failed to comply and where the City is seeking to enforce the judgment are enforced at the circuit court as well. The cases on which Legal works are not updated in the code enforcement database, but in Legal's own case management system, Incode. The two systems are not compatible, and information is not automatically shared between the two.

The Toolkit

DCD and Legal staff report that their priority in every case is to get compliance using the legal tools authorized by Illinois law and the Decatur City Code (DCC) outlined in Figure 4.¹²

 **Figure 4: Code Enforcement Tools**

Type of Violation	Tools Used to Address Violation Type
High weeds or grass: ¹³ Cannot be greater than ten inches	<ul style="list-style-type: none"> City publishes notice in local newspaper, mows properties in violation, seeks costs and fees as a lien (for vacant properties) City sends notice, seeks an order in administrative hearings to mow, and then mow and seek costs as a lien (for occupied properties)
Nuisance: ¹⁴ Majority are trash and debris, storage of machinery	<ul style="list-style-type: none"> City sends notice to owner to fix within a certain period (e.g., four days), refers the matter to administrative hearings or circuit court Administrative hearings or court approve order to abate, City abates, seeks order approving costs, and seeks unpaid costs and/or a fine through contempt proceeding in court or a lien
Seventy-two hour Nuisance: ¹⁵ Same as nuisance, the violations are more serious	<ul style="list-style-type: none"> City sends notice to owner to fix in three days If not fixed, an automatic work order is generated for Public Works to complete the work and the matter is referred to Legal to file matter in circuit court City seeks court order to abate; City abates, seeks order approving costs, and seeks unpaid costs and/or a fine through contempt proceeding in court or a lien
Housing: ¹⁶ Top violation counts include general property maintenance, roof and drainage issues, exterior wall problems	<ul style="list-style-type: none"> City sends notice requiring (in most cases) the owner comply in thirty days, or appeal to the construction/housing board of appeals in ten days (maybe 1-2 each month do so) If no compliance, less serious cases referred to administrative hearings, seek an order to correct, impose fines for noncompliance For more serious cases, or if no compliance with an administrative hearings order, the matter is referred to circuit court. Owners who refuse to comply or pay fines may be held in contempt and threatened with jail time
Unfit for Human Habitation (UHH): ¹⁷ For vacant, unsafe properties, generally demolition candidates.	<ul style="list-style-type: none"> After initial notice, requires Council approval, circuit court approval, court approval of costs and applicable fines, contract out for demo Unpaid costs added as a lien against the property
Secure: ¹⁸ Vacant property that needs to be boarded up	<ul style="list-style-type: none"> Notice is sent and the City may board up if no compliance Court order not needed Unpaid costs added as a lien against the property

¹² This chart only includes those tools most commonly used by the City as observed by Community Progress. Descriptions of the tool are intended to provide only a high-level summary of how the tool is currently used.

¹³ See Section 8 of Chapter 48 of the DCC, available at: <https://www.decaturlil.gov/wp-content/uploads/2015/10/code48.pdf>.

¹⁴ See, for example, 65 ILCS 5/11-20-7, 8, 12, 13, and 15. See also Chapter 49 of the DCC, available at: <https://www.decaturlil.gov/wp-content/uploads/2015/10/code49.pdf> and Chapter 48 of the DCC, available at: <https://www.decaturlil.gov/wp-content/uploads/2015/10/code48.pdf>.

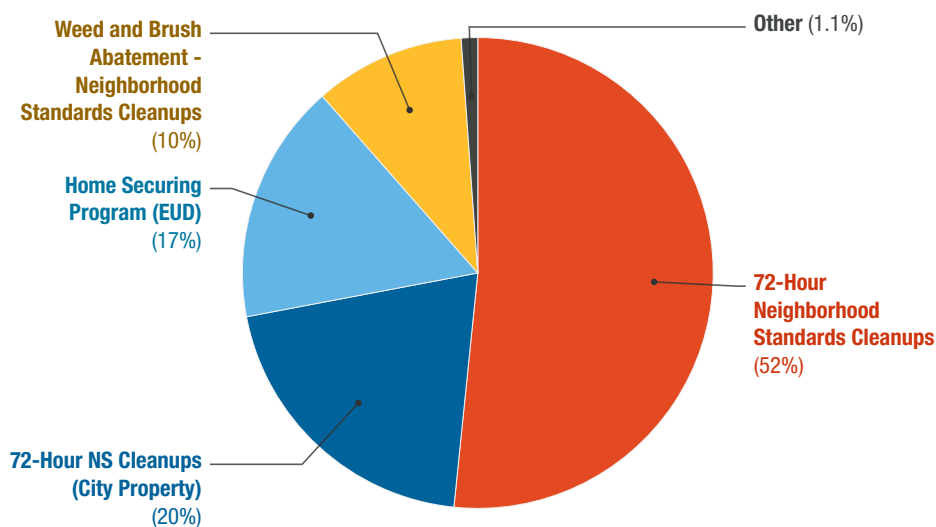
¹⁵ Id.

¹⁶ See, for example, the DCC Property Maintenance Code, available at: <https://www.decaturlil.gov/wp-content/uploads/2015/10/Chapter-70.pdf>.

¹⁷ See 65 ILCS 5/11-31-1.

¹⁸ See 65 ILCS 5/11-31-1.01.

► **Figure 5: Breakdown of Public Works Abatement Activities**



Legal has created a First-Time Offenders Program where City attorneys will waive fines for owners at an administrative hearing who have not been cited before and who come into compliance. There is no similar program for cases heard at circuit court. The City's public works department is responsible for completing any abatement work, including abatements authorized by an order from the administrative hearings officer or the circuit court. Figure 5 demonstrates how most of this abatement work is allocated.

The City files liens against properties where it has incurred costs mowing weeds, abating nuisances, boarding up the property, or demolishing the property. However, data Community Progress examined suggest that from 2017 to 2021, the City has collected only roughly 8% of the amount of all code enforcement-related liens it placed against problem properties.¹⁹ For most cities with weak housing market challenges the relative cost-recovery rate realized through this process is fairly low, given the types of properties (e.g., vacant, substandard) it is addressing. Absent the City taking more aggressive actions to foreclose or collect on the lien, most liens are only paid back if the property owner wants to sell the property or seeks financing secured by the property. Still, these activities represent a significant and important investment of public tax dollars and staff time to address health and safety concerns in neighborhoods. Collecting a significant percentage of those dollars is unrealistic no matter the enforcement approach, though the amount Decatur is collecting is likely lower than other peer cities, noting market realities likely play a significant role. Having these liens in place, however, gives the City leverage if it chooses to acquire and assemble larger tracts for redevelopment or other projects in the future.

There are additional tools the City is considering piloting, including a tool that allows local governments to foreclose on certified abandoned property, but to date the City has not done so. The City can also foreclose on certain City liens, including demolition liens and other liens against abandoned property, but it does not typically do so. The City has a key partner in the Central Illinois Land Bank Authority (CILBA), an entity designed to acquire, manage, and dispose of vacant property in line with community goals for the reuse of land. CILBA is working with the City to strategize how best to utilize the City's vacant land inventory, and to explore ways it can partner with the City to pilot the acquisition tools highlighted above.

¹⁹ Often, liens get paid over time and thus the collection numbers for 2017 (16% repaid) are higher than those in 2020 (6%) or 2021 (2%).

Framework and Supporting Observations

In this section, we outline how code enforcement should be equitable, efficient, and effective, offer a framework to introduce our recommendations, and detail observations that support that framework.²⁰

Efficiency and effectiveness are relatively simple to assess, but equity is more difficult to monitor and operationalize. Where owners don't have the resources to comply, it does little good to threaten high fines or criminal charges. It may do a great deal of harm by creating another barrier for the owner, who now may face greater difficulty getting a job with a criminal record. As noted in our report, "A More Strategic Approach to Housing and Building Code Enforcement in Toledo, Ohio," recent studies have shown how imposing fees, fines, and criminal penalties on poor people serves to increase poverty and decrease equity while rarely resulting in positive results for the municipality.²¹ It will take City leadership and a network of public and private partners to help monitor and invest in collaborative approaches that support equitable outcomes in Decatur.

When code enforcement is equitable, efficient, and effective and part of a coordinated approach, it can maximize limited public resources to address neighborhood stability. Strategic code enforcement is a powerful tool to wield for the benefit of Decatur's current residents, but must be employed with knowledge of the true challenges their neighborhoods face: poverty, weak markets, and decades of public and private disinvestment.

Embedding these guiding principles into all aspects of the City's approach to code enforcement will help the City adopt more strategic approaches that maximize the impact of the City's limited resources to address problem properties. Based on these principles, and key components for strategic code enforcement, Community Progress has identified a three-part framework to guide the City in its efforts to thoughtfully shift from a reactive, traditional approach to code enforcement to one that is equitable, efficient, and effective.

1. Create clear, compliance-focused policies for enforcement aligned with City and neighborhood priorities and informed by robust data collection practices and analysis.
2. Invest in and build capacity of community partners to support City efforts to address problem properties through education, outreach, and resource development.
3. Leverage strong home rule power, unique funding opportunities, and community partners to create programs to address specific problem property types.

Community Progress developed this framework based on the following observations:

²⁰ For additional context on how we use the terms "equitable, efficient, and effective" code enforcement, as well as a more comprehensive analysis of code enforcement approaches, see "Revitalization in Michigan: A Guide to Transforming Vacant, Abandoned, and Deteriorated Properties through Code Enforcement": <https://www.communityprogress.net/blog/download-revitalization-michigan-guide>; and "Alternative Strategies for an Equitable, Efficient, and Effective Code Enforcement System in Mobile, Alabama": https://www.communityprogress.net/filebin/FINAL_Strategic_Options_for_Mobile_Alabama_Code_Enforcement_June_2016.pdf

²¹ Shayne Kavanagh, Financial Policies for Imposed Fees, Fines, and Asset Forfeitures (Government Finance Officers Association, August 2020), available at: https://gfoaorg.cdn.prismic.io/gfoaorg/2e311329-a26d-4d75-9330-7d59964820e6_FeesFinesAssetForfeitures_R3.pdf; Targeted Fines and Fees Against Low-Income Communities of Color: Civil Rights and Constitutional Implications (U.S. Commission on Civil Rights 2017), available at: https://www.usccr.gov/pubs/2017/Statutory_Enforcement_Report2017.pdf

 **Figure 6: Equitable, Efficient, Effective Code Enforcement**

Term	Elements
Equitable	<ul style="list-style-type: none"> • Recognizes that different property types, owners, and neighborhood markets may require different approaches • Provides necessary support and protection for property owners in more vulnerable positions to ensure further individual hardship is mitigated and property conditions are improved • Recognizes the historical, racist segregation of housing and resources that still guides development and the allocation of resources across neighborhoods today and examines the extent to which certain types of enforcement may exacerbate these historical inequities • Requires the voices of those residents most impacted by problem properties to be incorporated in the creation of policies designed to address such conditions
Efficient	<ul style="list-style-type: none"> • Achieves voluntary compliance by the owner in the shortest time possible • Liability imposed against the property as opposed to the person who owns the property, as the goal is compliance or productive use and not punishment • Enforcement forum that allows for cases to be timely handled as civil matters, preferably through either an administrative forum or a dedicated housing court
Effective	<ul style="list-style-type: none"> • Tailors strategies based on the likelihood of compliance • When compliance is likely, as determined by data, knowledge of local real estate market conditions, and circumstances of owner, then simple efforts to educate or notify the owner are often sufficient • When compliance is unlikely, and all equitable options have been exhausted or are not appropriate, effective enforcement may require full due process notice and seek to compel the transfer of the property to new, responsible ownership with insurable and marketable title (primarily vacant properties)

- Leadership clearly articulates enforcement policies that align with broader neighborhood revitalization and investment priorities
- Targeted allocation of limited resources to achieve maximal impact in line with clearly defined priorities
- Ability to diagnose the problem based on data and community input
- Proactive, data-driven interventions tailored to neighborhood market conditions
- A suite of programs, laws, and tools, flexible to accommodate and protect vulnerable property owners who want to comply
- Coordination across silos, aligned with other key systems of vacancy and abandonment
- Cross-sector partnerships, investing in the health and safety of people and places
- Enforcement officers with excellent interpersonal and problem-solving skills
- Expanded and sustained capacity
- Ability to define, measure, report success

Observations that support the need to create clear policies and improve data practices

Strategic code enforcement requires informed choices. It also requires guidance from leadership to prioritize where code enforcement can have the most impact with limited resources. After all, most code enforcement departments across the country cannot address all problem properties in their community.

The City's code enforcement team can better identify and achieve their preferred outcomes if Decatur's leadership helps establish clear priorities and policies for code enforcement that align with the City's priorities for neighborhood revitalization.

Based on our interviews, DCD and Legal staff have a great deal of discretion to use the enforcement tools available to them to pursue compliance in whatever way they think makes the most sense for a given situation. For example, NI Team inspectors have discretion to prioritize the order in which they respond to violations and to work with property owners to get compliance. Attorneys and staff in Legal decide which forum is most appropriate to prosecute the matter and have implemented programs to support vulnerable property owners. Each of these is a policy decision. While both DCD and Legal perform their respective roles well and use their discretion wisely, our recommendation is that DCD, Legal, and the City Manager's office work together to clearly define shared priorities for code enforcement, develop coordinated strategies and programs to achieve those goals, and identify the resources needed.

Improvements to existing data collection and analysis can help the City establish these priorities and policies. Better data can also help the City prioritize caseloads by identifying and prioritizing more serious problems and tracking enforcement outcomes to assess how particular tools can be most effectively used to address problems. At a minimum, the first step in diagnosing the problem is to assess whether the property is vacant, a renter-occupied home, or an owner-occupied home, which dictates the desired outcome and appropriate enforcement approach.

The City has access to data to inform these decisions, and decent systems for collecting it. However, there are a number of points at which the City could improve data collection and management, including operationalizing existing data. Here are some of our observations that led to this conclusion:

- Despite some excellent data from the Teska Associates reports, the scale of each problem property type that exists in Decatur was not clear, though more data was available related to vacant property. Being able to easily identify these numbers makes it easier to prioritize interventions and allocate resources.
- The NI Team can see past enforcement actions on their tablet, but it is unclear if they would know whether a circuit court case is ongoing or whether a previous judgment was unpaid. Other helpful information might include whether there were any fire or police calls, whether the property is current on property taxes, or if there are other unpaid public liens on the property. This information could be critical to deciding which course of action to take—and with whom to coordinate that action.
- Though the NI Team tracks individual case activity, it isn't clear if there is a standard operating procedure for how and when data points are entered that considers what *outcomes* the system should be tracking. When Community Progress asked specific questions about how many properties are inspected, how many cases are filed, how quickly cases are either resolved (e.g., compliance, abatement) or referred to Legal, and other broad questions related to outcomes, those questions were hard to answer. Community Progress developed the following table to assess NI Team activity over the past five years:

 **Figure 7: Code Enforcement Violations Observed 2017-21**

	2017	2018	2019	2020	2021
Housing Violations ²²	5,342	4,452	3,628	3,777	5,838
High Weeds	4,238	4,581	4,678	2,284	2,286
Nuisance Abatement	3,690	3,323	2,433	2,495	2,439
72 Hour Nuisance Abatement	1,001	1,257	920	997	1,338
Secure Vacant Building	176	170	155	175	298
No Garbage Service	161	162	149	116	117
UHH ²³	65	19	10	2	7
72 Hour Pest Removal	2	4	2	3	2
TOTALS	14,675	13,968	11,975	9,849	12,325

To illustrate, the “Housing” case numbers were high. After confirming with DCD and Legal staff, we realized the Housing case numbers, as well as some numbers for Nuisance Abatement and 72-Hour Nuisance Abatement cases, indicated the number of *violations observed*, not the number of actual cases. A single Housing case may include ten or more violations.²⁴

The code enforcement case management system is limited in how it communicates with other City databases, including Incode (information currently tracked in Figure 8²⁵). For example, once the case is referred to Incode, future activities pertaining to the outcome—which may include dismissal, whether a fine was entered, whether a fine was paid, and other information—are not automatically reported back to the code enforcement case management system. In fact, whether an administrative hearing fine was paid is tracked in the City’s Finance Department system (whose staff update the code enforcement database manually) and whether a court-issued fine was paid is tracked mostly by the Macon County Circuit.

²² Includes violations of the City’s property maintenance code.

²³ “UHH” stands for Unfit for Human Habitation cases. These cases are typically demolition cases, which go through a process where the City sends a letter demanding the owner demolish the property, the matter goes before City Council to approve the demolition and the cost, it is referred to Legal to secure a court order approving the demolition, and then once approved the City contracts with a demolition company to complete the work.

²⁴ Overall, DCD and Legal keep good records. And it could be that some of our questions about code enforcement activity could be answered with the right person who understood the system well. The challenge is in the ability to aggregate this data for analysis so that questions like the ones posed by Community Progress are quickly and easily answered.

²⁵ Note the table highlights a big dip in cases referred to Legal from 2017 to 2019, and the number of cases referred to circuit court in 2021 is 28% of what it was in 2017. Data from Figure 7 seems to suggest a corresponding dip in overall cases from 2017 to 2019, though we do not have an explanation for this. However, data from Figure 7 does nothing to explain the corresponding dip in circuit court cases filed, though perhaps some of that is the dip in UHH cases, which are generally properties that would qualify for demolition. The larger takeaway is that the data that is currently tracked doesn’t fully explain discrepancies like these, and there is a need for City staff to look at what is currently tracked, explain why these inconsistencies exist, and think through ways in which more robust data points can be tracked to better answer questions like this.

 **Figure 8: Code Enforcement Cases Referred to Legal 2017-21**

	2017	2018	2019	2020	2021
To Administrative Hearings via Incode	772	585	390	448	519
To Circuit Court	157	280	113	59	44
TOTALS	929	865	503	507	563

Ultimately, even with clear policy and improved data, the code enforcement team still needs capacity to carry out the work. While assigning NI Team inspectors geographically is generally a good practice given all inspectors have the same or similar level of expertise, the four inspectors must keep tabs on roughly 9,000 housing units each (36,000 units total), thousands of vacant lots, and hundreds of commercial properties. This means inspectors have little time to be more proactive or to build relationships. Moreover, should the City address some of the other observations identified in this report—increasing the ease and comfort level of residents to report violations, engaging in more proactive work, adopting programs to address rental housing concerns—given the scale of problem properties in Decatur, this limited capacity will become a much more serious issue. Notably, any increase in caseload will have a corresponding impact on staffing in Legal, public works, and other City departments, as well as in administrative hearings or circuit court.

By way of contrast, the city of Rochester, New York, widely recognized as a city that operates a robust and successful code enforcement and rental inspection program, has one inspector for roughly every 3,300 housing units (99,510 total housing units). Data comparing how other cities staff their code enforcement teams is not readily available, but Community Progress can state with confidence that, when compared to peer cities, the number of inspectors employed in Decatur is low given the scale of the problem.

Observations that support the need to improve community education, outreach, and resource development

Although it is critical to hold absentee and irresponsible owners accountable, the most equitable, efficient, and effective way to achieve the City's and code enforcement team's goals is to provide residents with sufficient knowledge and resources to bring and keep properties in compliance. "Efficiency" is measured in terms of achieving voluntary compliance in the shortest amount of time possible. Investing in equitable tools that provide owners—particularly the owners of occupied properties—with easily accessible information about expectations and how to comply with state and local laws may provide even greater efficiency by preventing violations in the first place. Preventing code violations will free up capacity to address more serious problems. Finally, where possible, the City should target limited resources to a priority subset of vulnerable property owners to help support maintenance and repairs.

Our conversations with City stakeholders and community members revealed there are very few concrete ways in which code enforcement proactively connects with community members or community-based organizations. That is not to say the City doesn't see the value in this. Rather, that there is little capacity or programming to support these intentional interactions. Moreover, there are few materials available through the website or elsewhere that help property owners, tenants, and other residents understand what is needed to comply, what the process for enforcement is, and how residents can get involved. NI Team members and Legal staff do an excellent job of

connecting with individuals during specific enforcement cases, but need more proactive, intentional opportunities to provide education, learn from residents what's needed, and partnerships to address issues with problem properties.

There are also few grant or low-interest loans available to property owners in Decatur, and given the economic and market realities, the need is significant. As previously noted, the United Way's 211 hotline is where the City directs most residents looking for similar resources, but City staff report these resources are very limited.

Observations that support the need to create new programs to address specific problem property types

Cities should have programs, laws, and strategies designed to address specific types of problems, and that are flexible to accommodate and protect vulnerable property owners who want to comply.

Because Decatur is a home rule municipality, the City can “exercise any power and perform any function unless it is exclusively prohibited by state law.”²⁶ Thus, the City has fairly broad authority to create programs or adopt laws and other tools to address problems.

Each type of problem property in Decatur requires different strategies tailored to address the specific problem with the property that is unique to that property type, owner type, and the local real estate market. The City has discussed several different strategies—including strategies to accelerate the acquisition of vacant properties in good condition—but to date, limited resources, lack of buy-in, or some other hesitancy has prevented them from moving forward. While the City must prioritize which programs to devote its limited resources and capacity to, the fact is the City is at a pivotal moment in time and should act now. It has limited-time financial resources from the federal government and broad Council and community support for neighborhood revitalization that can be utilized to pilot bold approaches.

However, vulnerable owners may get caught up in the enforcement process—especially in a city where poverty and weak housing markets are major issues. City leadership must provide its teams at DCD and Legal with additional resources and tools (e.g., educational materials, grants, low-interest loans) and safeguards so that owners who are willing and able to comply, perhaps with a little help, have a meaningful opportunity to avoid fines or criminal penalties.

Tools to address vacant property

In many communities, an ideal approach to *vacant* property can be described as “Fix it Up, Pay it Up, Give it Up.” This approach is premised on the idea that property owners have a responsibility to maintain their property in a way that does not have a negative impact on the health and safety of neighbors. If the owner fails to respond to requests to fix the property, then the local government should seek to correct the problem and bill the owner for the cost. If the owner fails to pay back the taxpayers for the cost of repairs, and if all equitable solutions and resources have been exhausted, then the owner risks losing the property through code lien or tax lien foreclosure. Note the enforcement focus of this approach is not on the owner, but on the property coming into compliance, which is always the overarching goal of an equitable, efficient, and effective approach to code enforcement. This “Fix it Up, Pay it Up, Give it Up” approach also *requires* state laws that elevate the priority of any public lien generated through this process, otherwise the leverage to compel payment or transfer is usually insufficient.

The City has some tools that can support such an approach, but state law dictates lien priority, and the tools available to the City are limited. Moreover, it is our understanding that the City has not piloted most of these tools. These include:

²⁶ For an overview of home rule authority in Illinois, see the Illinois Municipal League's website at: <https://www.iml.org/homerule#:~:text=Foreign%20Fire%20Tax-,Purpose%20of%20Home%20Rule,doing%20so%20by%20state%20law.>

- The City can clean up trash and debris, remove weeds, or secure a vacant and open property and then seek payment of the costs of that work as a priority lien against the property if and only if it is considered an “abandoned residential property.”²⁷ The City can foreclose on those liens and either get paid back its costs or compel a transfer of the property. The City can mow weeds or abate nuisances on properties that are not abandoned, but the resulting lien is not a priority lien.
- The City’s liens for demolition costs are priority liens and could be foreclosed on to either get paid back its costs or (more likely) to compel the transfer of vacant lots if the City wanted to acquire lots for greening, infill development, or other purposes.
- The City could use a special “abandonment” proceeding to take title to vacant properties;²⁸ this is explored further in Recommendation 3 of this report.

As is the case in many states, this type of approach is more effective when there are direct ties to the delinquent property tax enforcement process. In those states, municipal liens that reflect the municipality’s costs in abating the problem can be added to the property tax bill as special assessments, which will result either in the City getting paid back or, if not, in the property being sold and potentially transferred to a new owner. As Figure 8 demonstrates, there are challenges with the tax enforcement process in Decatur and in Macon County that make this practice impossible without a creative policy change (e.g., consideration of certain code liens as “special assessments”) or change to state law around delinquent property tax enforcement.²⁹

Owners of problem properties in Decatur can be difficult to find, especially owners of vacant properties or out-of-state landlords, though the City does a good job with the resources it has. As reported to Community Progress, many vacant property owners in Decatur are either out-of-state or LLCs. Thus, finding the owner and serving them personally, as most of the existing laws for filing actions in circuit court require, is a time-consuming and expensive process. Where notice is allowed by mail, instead of personal service, this should always be the preferred process

Tools to address substandard rental properties

The City has very few tools to specifically address substandard rental properties outside of their normal cache of traditional enforcement tools, and no way of proactively inspecting units to address potential health and safety violations before they get so bad that the folks living in the unit are compelled to leave. In fact, the City reports that it receives less than ten calls each month to inspect rental properties, despite credible reports that substandard rental properties are a significant problem. Like with vacant properties, many stakeholders also reported that landlords are often LLCs or individuals who live out of state. This makes tools which require personal jurisdiction (e.g., cases filed in circuit court) over these owners difficult.

Tools to address substandard owner-occupied properties

It is reasonable to assume that for most cases where an owner-occupant fails to comply and remedy a violation in a timely manner, the reason is a lack of financial resources or a lack of capacity (e.g., age or in need of physical

²⁷ See 65 ILCS 5/11-20-15.1. The City can designate residential property as abandoned and file a priority lien for its costs if the City maintains records that show following: “(1) the date when the property was first known or observed to be unoccupied by any lawful occupant or occupants, (2) a description of the actions taken by the municipality to contact the legal owner or owners of the property identified on the recorded mortgage, or, if known, any agent of the owner or owners, including the dates such actions were taken, and (3) a statement that no contacts were made with the legal owner or owners or their agents as a result of such actions, (ii) a dated certification by an authorized official of the municipality of the necessity and specific nature of the work to be performed, (iii) a copy of the agreement with the person or entity performing the work that includes the legal name of the person or entity, the rate or rates to be charged for performing the work, and an estimate of the total cost of the work to be performed, (iv) detailed invoices and payment vouchers for all payments made by the municipality for such work, and (v) a statement as to whether the work was engaged through a competitive bidding process, and if so, a copy of all proposals submitted by the bidders for such work.” Id.

²⁸ See 65 ILCS 5/11-31-1(d).

²⁹ For more detail about the delinquent tax enforcement process used in most counties in Illinois, see Community Progress report, Laying the Foundation: Developing an Improved Approach to Problem Properties in Rockford (2016), available at: <https://rockfordil.gov/wp-content/uploads/2016/11/Rockford-Final-TASP-Report.pdf>. Note there have been some changes to the law related to the enforcement of unpaid property taxes in Illinois since 2016, but the general process and overview remains largely the same.

The Delinquent Property Tax Enforcement System is a Key Barrier

Though not the focus of this report, the statutorily prescribed delinquent property tax enforcement system in Illinois is a key barrier to getting vacant properties back to productive use in an efficient and timely manner. Key reasons include:

- The sale of tax liens limits the extent to which the City can intervene.
- For tax certificates that are not sold at the tax sale, which according to Teska Associates' CILBA Housing Market Analysis and Feasibility Study is about 30 percent of all certificates offered, they eventually end up in the control and ownership of the Macon County Trustee, but the process takes a minimum of roughly four years.
- The City ultimately has little control over this process and must rely on the County to direct any such properties that end up in its control to the City.
- By the time the City can access homes, demolition is often the only viable option.
- City liens for abating nuisances or demolition are not added to the property tax bill, depriving local governments of a powerful tool to compel payment of these important costs.

assistance). Despite the First-Time Offender's Program, there is a need for more equitable "off-ramps" for vulnerable owner-occupants who want to comply, such as systematically ensuring the City provides or directs these vulnerable homeowners to tangible resources to address the problem and expanding the availability of such resources.

While the City will often report vulnerable owners to the United Way for help, City officials and staff acknowledged that these resources are extremely limited, or program requirements make accessing such resources difficult if not prohibitive.

Recommendation 1: Create Clear Policy and Improve Data Practices

This first series of recommendations highlights key areas where the City can lay a foundation to support a move from a reactive, output-driven code enforcement approach to one that is equitable, efficient, and effective.

Implementing this approach starts with the city council and city manager's office. As previously indicated, the council's number one priority is neighborhood revitalization. The city manager has articulated four broad strategies to support this priority: (1) demolish what cannot be saved; (2) rehab what can be saved in a sustainable manner; (3) enhance code enforcement activities; and (4) invest in catalytic projects. The City has earmarked more than 40% of the ARPA funds it received from the federal government to support these and related activities. This speaks to the commitment of leadership to invest in Decatur's neighborhoods and there is thus a great opportunity to build on the city manager's strategies to guide the development of code enforcement policies that support this priority.

Moreover, improving data collection, tracking, and analysis can help inform these policies and strategies, better discern the resources and capacity needed to achieve them, assess whether they are efficient and effective, and be able to pivot and develop new policies and strategies if needed. For example, the ability to collect, track, and analyze how many cases were initiated or filed in court (outputs), how many cases resulted in compliance and at what stage in the process (outcomes), and trends is critical to assessing the City's return on investment in these strategies.

The following recommendations for how the City can establish clear policy and improve data practices will help the City's approach to code enforcement become more equitable, efficient, and effective.

1.1 Establish clear priorities and strategies for code enforcement that align with the City's neighborhood revitalization framework

The city manager's four strategies for neighborhood revitalization provide a strong starting point and align closely with Community Progress' suggested framework. We suggest slightly modifying and building out the first three strategies and have indicated which parts of our framework (and the relevant recommendations) support it.

1. Preserve and elevate the quality of existing housing by investing in more equitable, efficient, and effective code encouragement and enforcement

- Create clear, compliance-focused policies for enforcement aligned with broader City and neighborhood priorities and informed by robust data collection practices and analysis. See recommendations 1.1 to 1.5 in this Section.
- Invest in and build capacity of community partners to support City efforts to address problem properties through education, outreach, and resource development. See recommendations 2.1 to 2.10 in Section IV.

- Leverage strong home rule power, unique funding opportunities, and community partners to create programs to regulate and elevate the quality of rental housing and support existing owner-occupants. See Recommendations 3.7 to 3.15 Section V.

2. Develop strategies and capacity to acquire and rehabilitate vacant properties

- Leverage strong home rule power, unique funding opportunities, and community partners to pilot tools to identify and acquire vacant properties using abandonment, City lien foreclosure, and other tools to acquire existing buildings or create opportunities for new infill development. See recommendations 3.3 to 3.6 in Section V.

3. Develop strategies and capacity to streamline demolition process

- Leverage strong home rule power, unique funding opportunities, and community partners to pilot tools to fast track the demolition process. See recommendation 3.2 in Section V.

The city manager's office should work closely with DCD, Legal, and code enforcement to identify what role code enforcement plays in the framework, identify priorities, and provide clear direction on how to deploy limited code enforcement resources. The City's consistent commitment and leadership on these issues will be critical to the framework's success.³⁰

Should the City wish to address multiple priorities, such as an ambitious demolition and vacant property acquisition program *and* a new mechanism to inspect and regulate substandard rental properties, it will therefore need to devote more resources to them. Finally, the City must not forget that it still must preserve sufficient capacity and resources to prioritize and respond quickly to problems posing imminent harm to tenants, owner-occupants, and neighbors.

1.2 Standardize data collection practices and assess the need to either improve existing or seek new software to better track performance and outcomes

The City's existing code enforcement case management database is an excellent foundation to build upon as the City considers whether to explore new case management software. The current system is good, and if the cost of a new system is prohibitive, then it might be worth exploring how to expand the current tool to accommodate some of the suggestions in this report. However, there are also certain limitations to this in-house system that make exploring a new system attractive, including the fact that the current system doesn't appear to communicate well with other existing City databases.³¹ A new system, especially one that the City may already own a license to, could address some of those deficiencies.

No matter what system is in place, here are a few features to keep in mind when tailoring it to address observations noted in this report:

(1) Adopt a standard operating protocol and routinely train.

The City may have an SOP for using the existing database, but this is not something Community Progress reviewed. A prospective new system must have a clear, easy-to-understand SOP for when and at what points users enter data. The City must also employ or contract with an administrator to conduct regular trainings and monitor and ensure users comply with the SOP. Other cities, like Rochester, New York, set aside roughly 90 minutes each month for inspectors to conduct peer-to-peer training for inspectors, often covering data collection

³⁰ For more about setting code enforcement priorities, see pp. 35-37 of Community Progress' report A More Strategic, Equitable Approach to Housing and Building Code Enforcement in Toledo, Ohio (2021), available at: <https://communityprogress.org/publications/a-more-strategic-equitable-approach-to-housing-and-building-code-enforcement-in-toledo-ohio/>.

³¹ For some idea of how code enforcement data can be coordinated even when tracked across multiple databases, see the city of New Orleans's website explaining their BlightSTAT methodology at: <https://www.nola.gov/performance-and-accountability/methodology/>.

Figure 9: Common Data Sets to Assess the Problem

Parcel Data	Market Data	Social Data
<ul style="list-style-type: none"> Delinquent property taxes Unpaid code or other public liens Frequency and volume of code violations Nuisance and police calls Utility/water shut-offs Occupancy status Property conditions Ownership Information 	<ul style="list-style-type: none"> Foreclosure rates Sales volume Sales prices Purchaser types (e.g. individual, LLC, etc.) Number of cash sales Assessment values Household income and trends Population and age Planned investments 	<ul style="list-style-type: none"> Regular resident input on top problem properties Neighborhood needs/goals for land and services Neighborhood racial and ethnic history Identity of community-based orgs and partners Neighborhood assets

practices. This approach could help inspectors who have a good handle on the system teach others who may be struggling.

(2) Connect to and be able to visualize parcel, market, and demographic data

Access to accurate, timely, and robust parcel datasets—and understanding how to interpret and use this data—is one of the most important factors in helping local governments prioritize. The City should identify what data it has and doesn't have and incorporate it into a new system. Examples of what types of data sets can be useful under each category can be seen in Figure 9.

Planning and GIS staff who have been responsible for articulating much of the City's neighborhood revitalization plan have cultivated access to many of the parcel and market data above.³² In addition, the GIS team has developed a tool to map many of these datasets down to both the parcel level and the block/neighborhood level. In the 2019 Parcel Condition Survey, due to be updated in 2022, survey takers assessed building conditions in about a third of the City, mostly in the urban core, and assigned each structure a score from 1 (healthy) to 4 (problematic). When combined with other parcel and market data points, this data can be incredibly useful in helping the City identify neighborhoods or blocks for focused enforcement and revitalization strategies.

Building on this effort, the City should use its code enforcement case management system to access this type of data about each property when making an enforcement decision. Here are some examples of how the data could be helpful:

- If the property is vacant and data shows it is tax delinquent or the water is shut off, the City could choose to divert the property for review for an abandonment foreclosure proceeding (noting this decision could be made now and doesn't require reform). Previous code enforcement activity could also help assess whether to refer the property for immediate abatement or for prosecution, noting prosecution may be less likely to address the immediate problem.
- If the property is an owner-occupied home, the violations are relatively minor, and the data shows it is in a stronger neighborhood housing market, the NI Team inspector could leave relevant materials detailing resources for owner-occupants at the door. The inspector can be reasonably certain that simple notice or, at worst, the threat of a fine and administrative hearing appearance will work.

³² The Teska reports referenced previously are also an excellent source of many of the market data sets highlighted in Figure 9.

- If the property has a General Homestead exemption, the City could determine whether it is likely the property is renter- or owner-occupied. If it is renter-occupied, and if the City has implemented new rental regulations, the City could check to see if the property is properly registered or when the last interior inspection was done, and leave relevant materials detailing resources available to tenants at the front door.
- Data could show any recent fire or police calls to ensure proper coordination of City efforts and to alert the NI Team inspector to any potential safety issues that may not be obvious upon initial inspection.

(3) Expand useful data points captured by the user

Data should be collected by the City that helps highlight the success of existing tools and to aggregate that data for ease of analysis. The new system should easily track, at least:

- Ownership information (e.g., last taxpayer of record)
- Property types as available from either the county assessor's office or from inspection so that the City can assess which specific types it is spending the most time on
- Rate of compliance for initial notices by property type
- Rate of compliance with all cases referred to Legal where the owner complies prior to a hearing at administrative hearings or circuit court
- Progress and outcomes from administrative hearings or circuit court
- Collection status of any fines, fees, abatement costs

(4) Consider whether the system could help inspectors triage cases

While inspectors currently report handling a manageable caseload, improvements to strategic code enforcement could significantly increase case volume. A new system could potentially sort violations and help inspectors prioritize which ones to respond to first. Other cities have used a "tiered" approach to help them prioritize response times for code violations. The city of Austin, Texas, for example, has adopted the Code-Tiered Enforcement Response Matrix (C-TERM).³³ If this is something the City of Decatur wants to implement, then it will need to be realistic about its capacity to meet those response times.

1.3 Using improved data practices and the GIS team's excellent mapping tool and property condition survey, the city manager's office should work with DCD and Legal to dictate the use of tools to achieve desired outcomes and accomplish established priorities.

It was difficult to assess the effectiveness of each tool the code enforcement team used given the challenges with data collection and tracking. As the City begins to improve how it collects data it will help determine which tool works best in which situation. It will also help highlight whether changes to the tools themselves, including amendments to state and local law, may be needed.

Exhibit 3
C-TERM Sets Standard Priority Levels and Response Times for Violations

Priority Level	Response Time	Examples of Type of Violations
1 - Imminent Danger/Life-Safety	1 hour	Natural disasters, emergency responses, etc.
2 - High-Risk Hazard/Time Sensitive	24 hours	Open or accessible dangerous buildings, potentially dangerous nuisances, etc.
3 - Land Use/ Structural	3 working days	Site plan violations, work without permit, etc.
4 - Property Maintenance/Use	4 working days	Setback violations, fencing, parking, storage, infestations, etc.
5 - Other Abatement	5 working days	High weeds, trash, illegal dumping, etc.

SOURCE: OCA review of ACD's Code-Tiered Enforcement Response Matrix, October 2020

³³ For more about this approach, see the city of Austin's Office of the City Auditor Special Report on Code Inspections from December 2020, available at: https://www.austintexas.gov/sites/default/files/files/Auditor/Audit_Reports/Code_Inspections_Special_Request_December_2020.pdf.

Once the City has a better handle on enforcement outcomes, the planning and GIS teams' exceptional data tool can also help target more proactive code enforcement interventions. To illustrate, the City shared with Community Progress their desire to intervene and acquire vacant properties before they deteriorate to the point of needing demolition. Community Progress asked the GIS team to build map layers that showed properties with active code violations and that were tax delinquent (giving the City potential leverage to acquire the property) that were vacant (indicated by the inactive water utility) and had a structure score of 2 or less (meaning they were in decent condition). We were able to produce this map, showing sixteen such properties:

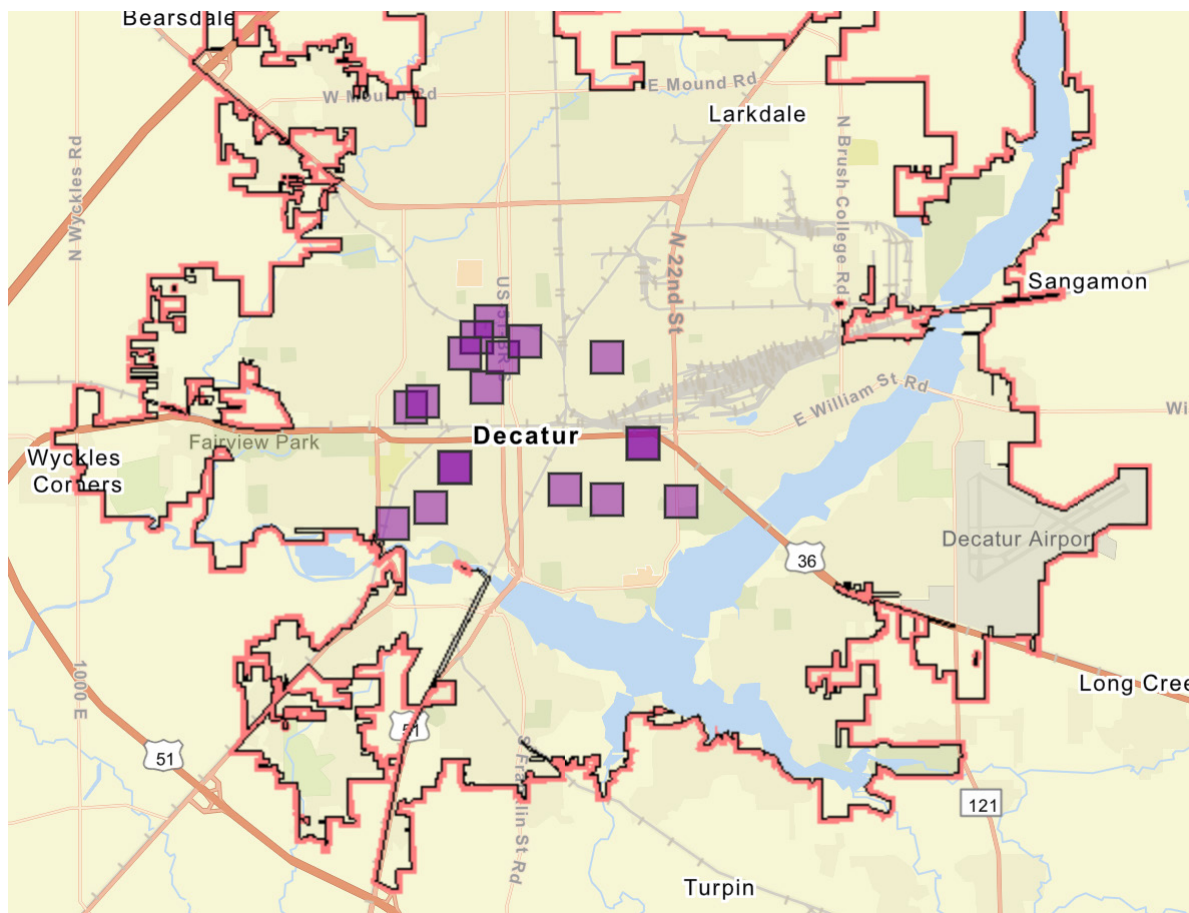
This gives the City sixteen properties to proactively inspect to determine whether they might be good candidates for acquisition through a proceeding in Illinois law that allows municipalities to foreclose on abandoned properties.³⁴

For more about how the City could use data like this to create tailored approaches to address specific property types, see pages 43-47 of Community Progress' Toledo report.³⁵

³⁴ See 65 ILCS 5/11-31-1(d). This is discussed further in Recommendation 3.

³⁵ See the report at: <https://communityprogress.org/publications/a-more-strategic-equitable-approach-to-housing-and-building-code-enforcement-in-toledo-ohio/>.

► Figure 10: Map of Tax Delinquent, Vacant Property with a Structure Score of 1 or 2



1.4 Build capacity

The size of the NI Team—four inspectors, one supervisor, one title analyst, and two to three administrative assistants (who also support the rest of DCD)—is small to address the roughly 70,000 residents and the scale of problem properties in Decatur. There doesn't appear to be a backlog of cases, but the data makes this hard to uncover. Inspectors report scouting for potential issues during downtime and seem to enjoy interacting with community members when they get the chance to do so.

However, there is a disconnect between the ability of so few inspectors to address problem properties at the scale they appear to exist in Decatur. The NI Team is doing its job commendably, but as the City expands proactive code enforcement efforts, seeks to build trust with the community, and adopts new programs, current staffing levels will be insufficient. There is no exact formula to determine the right number of code inspectors, as the need varies across cities depending on the scale of the problem, capacity of existing staff, and other factors. Based on the scale of the problem in Decatur and the potential for increased activity, it isn't out of the question that **the City will need at least twice the current NI Team staff to implement some of these practices.** Should the City implement a robust rental inspection and licensing program it may need more or may need to explore building capacity by looking at third-party inspection services.

Building capacity also means providing NI Team inspectors with the tools they need to do the job. In addition to annual International Code Compliance and other state trainings in Illinois, like those provided by the Illinois Association of Code Enforcement (IACE), inspectors should receive regular training in how to obtain public trust, improve customer service/interaction, understand implicit bias, and center racial equity. By improving how inspectors ask for compliance, some communities have observed increased owner accountability and have addressed problem properties more quickly and at lower cost. In early 2021, Syracuse, New York was exploring opportunities to change code enforcement culture and expand inspector training to include topics related to racial justice and implicit bias. Brooklyn Park, Minnesota established inspector training seven years ago that not only prioritized racial equity training, but also encouraged inspectors to decline enforcement when they felt race was a motivating factor in the complaint.³⁶

1.5 Define, measure, and report success on the website

As will be discussed in the next section, the City's website needs improvement to better connect with residents and property owners. Better data will also enable the City to promote code enforcement wins and progress on its website with a marketing lens, separate from the City Code Enforcement Database. This could include small wins, like helping direct a couple of homeowners to better resources, or big wins like finally demolishing a dangerous commercial building. The City is hiring a new communications staff member, who may help the City assess how to better define, measure, and report on these successes.

³⁶ In addition, as part of an initiative in New York called Cities for Responsible Investment and Strategic Enforcement (Cities RISE), the New York nonprofit Hester Street developed a report, *The Power & Proximity of Code Enforcement: a Tool for Equitable Neighborhoods* (June 2019), available at: https://hesterstreet.org/wp-content/uploads/2019/07/CR_-Phase-I_Equitable-Code-Enforcement-report_FINAL-JUNE-2019.pdf.

Recommendation 2: Build Community Partner Capacity

New leaders at DCD understand the importance of investing time and resources in building relationships and trust with residents who live in neighborhoods most impacted by problem properties.

Finding meaningful ways to connect with residents, clarifying what is needed to comply with property standards, creating opportunities to listen to their concerns, priorities, and hopes for the future, and then working to address those items is essential to building a culture of trust and compliance in Decatur. Simply put, fines and criminal penalties are far less effective when the underlying problems are poverty and weak housing markets. Empowering residents to understand requirements, creating and directing resources to support those who want to comply but can't, and leveraging skills and expertise of community partners are some of the most important steps Decatur can take. This investment is a proactive code enforcement strategy, as the intent is to prevent code violations in the first place.

2.1 Learn from community development partners in Peoria about code *encouragement*

Community Progress has worked with the city of Peoria, Illinois in recent months to share out their program that shifts from code *enforcement* to code *encouragement*. The program has several layers and prioritizes empowering residents with education and resources to allow them to comply with property standards without further intervention from the City. Peoria's approach involves ensuring code enforcement officers have necessary training (e.g., customer service training) to have the technical skills and social service acumen to better educate and connect with residents. Peoria has created educational materials and sessions, connects vulnerable owners to rehab and repair funding, sponsors clean-up days, engages patiently with community members, and partners with other City departments and local organizations to identify opportunities to leverage community expertise—for example, in building trades and community organizing. Decatur should prioritize spending time with their peers in Peoria to learn more about this approach.

2.2 Revise the website and provide educational resources

The City should consider multiple components of improving its online resources. There is little in the way of educational materials related to code enforcement available on the current website, which may be one reason community members we interviewed had little knowledge of code enforcement, expectations, or whether the City is doing anything to address problem properties. DCD staff reported that the City used to have some kind of pamphlet or other materials, but that information is no longer used and likely outdated.

DCD should build out a new website that includes at least the following:

- Materials that decipher existing Decatur City Code and Illinois law provisions owners must comply with.
- Materials and links to home repair grants and low-interest loans that might be available to vulnerable owner-occupants, or, in the right circumstances, responsible landlords. The City reports it occasionally provides a 211 number to owner-occupants, which connects to the United Way and potential rehab or repair resources, but that these dollars are scarce. Developing and greatly expanding such resources is a critical part of demonstrating the City is willing to invest in neighborhoods that have faced decades of disinvestment.
- Materials explaining the process of enforcement and linking to the City Code Enforcement Database so users can track code enforcement progress.

Austin, Texas has built a website that contains a great deal of easy-to-understand resources, FAQs, and other information that helps residents understand what they need to comply, the code enforcement process, and a range of tools to learn more.³⁷

2.3 Make the Decatur City Code more accessible

The DCC is available on the City's website,³⁸ but it is difficult to navigate the DCC and search for specific codes or key terms. Most cities similar in size to Decatur across the country—including the Illinois cities of Danville,³⁹ Peoria,⁴⁰ and Champaign⁴¹—use resources like the American Legal Publishing company or Municode to make their local codes more easily searchable and accessible. The City has included funds in its 2022 budget to accomplish this recommendation.

2.4 Build an online violation reporting system and capture helpful data points

Whatever data system the City adopts, it should prioritize allowing residents to report code violations online and widely publicize this feature through its website, on social media, and in other places. Many cities have adopted such a system, including the city of Toledo, Ohio, which uses software from a company called SeeClickFix.⁴²

In addition to basic information, the system could be an excellent way to capture additional data—for example, if residents can indicate whether a property is vacant or not. If the City is unable to pull the information automatically using its improved case management system, a field could be added for “Property Type.” A drop-down list could include:

- Single-family owner-occupied
- Single-family rental (if known)
- 2 to 4-unit rental
- 5+ unit rental
- Commercial
- Vacant lot

This type of reporting system and the new case management system could be designed to automatically push updates to the resident who reported the violation to track progress, if the resident chooses to enter their contact information.

³⁷ See the Austin Code Department's website at: <https://www.austintexas.gov/department/code/resources>.

³⁸ See the City's website at: <https://decaturil.gov/departments/city-administration/legal/>.

³⁹ See the city of Danville, Illinois, municipal code at: <https://codelibrary.amlegal.com/codes/danvilleil/latest/overview>.

⁴⁰ See the city of Peoria, Illinois, municipal code at: https://library.municode.com/il/peoria/codes/code_of_ordinances.

⁴¹ See the city of Champaign, Illinois, municipal code at: https://library.municode.com/il/champaign/codes/code_of_ordinances.

⁴² See the Engage Toledo online complaint form at: <https://toledo.oh.gov/engage-toledo/report-structure-concern#:~:text=To%20report%20a%20concern%2C%20please,936%2D2020%20or%20submit%20online>.

2.5 Develop simple, easy-to-access printed materials for all inspectors to share with residents and the public

Building on the online resources, a more comprehensive, colorful pamphlet in multiple languages that offers simple summaries of basic property maintenance or buildings standards and explains the enforcement process, is a valuable tool. Consider the easy-to-read approaches used in “Improve the Health, Safety, and Value of Your Community” produced by the Community Development Department of Fort Wayne, Indiana.⁴³ Inspectors should always carry copies of this pamphlet with them, and hand them out with all personal interactions with property owners or interested residents.

As recommended in 3.8 and 3.12 below, the City should also create flyers with tenant resources and compile a comprehensive list of all programs available to help owners bring their properties into compliance, which can be included with citations or shared directly with owners during inspections.

2.6 Consistently offer to attend and show up when invited to community meetings to discuss broader purpose and programs of code enforcement, to address key problems, and to encourage reporting.

Decatur is fortunate to have an organization like CONO.⁴⁴ This is an excellent place to connect with neighborhood and resident leaders who are most impacted by problem properties, care deeply about their community, and are eager to help. As one community leader who spoke with Community Progress noted, the City’s greatest resource is human capital—its residents. CONO could be an excellent ally in helping the City connect with individual associations and speaking at CONO meetings, but also in brainstorming more concrete ways the City could support its neighborhoods, like by attending and sponsoring monthly clean-up days⁴⁵ (and promising no code enforcement activity on those days!) or offering community tool sheds.⁴⁶ In addition, CONO would be an excellent partner to help support, inform, and participate in the City’s intended update of its 2019 Parcel Survey.

DCD should lead these efforts and must be willing to travel to where the meetings are being held or offer to host the meetings in locations where the participants feel comfortable. Building trust takes time, but it is important that the City keeps showing up. It is also important the City carries through—as best it can—on any promises to act in these meetings. Failure to do so will quickly erode any trust residents may have.

Meetings should be focused on providing education and updates about City activities or progress on big cases relevant to the folks attending. They should also focus on listening to resident concerns about specific properties or broader neighborhood challenges.

2.7 Create a Decatur Neighborhood Improvement Task Force

As the City builds relationships with resident leaders, it may make sense to create a larger, more formal team of community stakeholders to guide investments under the leadership of both the city manager’s office and DCD. In one to two years, the City could consider creating a Decatur Neighborhood Improvement Task Force focused on addressing problem properties. That task force could include key City DCD and Legal staff, fire and police personnel, CONO reps, nonprofits, developers, realtors, and others. The task force should be charged

⁴³ See the Fort Wayne website at: https://www.fwcommunitydevelopment.org/images/code_enforcement/docs/NeighborhoodCode-4x9trifold-2016.pdf.

⁴⁴ See more about CONO at: <https://www.doveinc.org/programs/community-services/cono>.

⁴⁵ See the city of Detroit, Michigan, Motor City Makeover at: <https://detroitmi.gov/departments/departments-neighborhoods/motor-city-make-over>.

⁴⁶ See the city of El Paso, Texas, Community Tool Shed program at: <https://www.elpasotexas.gov/assets/Documents/CoEP/Environmental-Services/Community-Tool-Shed-latest.pdf>.

with identifying opportunities for the City to collaborate with and invest in specific neighborhoods and to build existing resident and community-based organization capacity to partner on maintenance, development, and other projects. It should also take charge of advancing the recommendations in this section, paying particular attention to those in 2.8, 2.9, and 2.10. Finally, it should also help with monitoring, evaluating, and helping the City publicize progress.

The first meeting should focus on outlining clear goals for the task force and should include a presentation from the City's GIS team to talk about what kinds of investments and strategies might work in which neighborhoods. The task force should meet at least quarterly.

2.8 Work with the City's communications staff to develop strategies to market and promote ways for residents to report violations or concerns

The City is hiring new staff to support communications work. Many of the recommendations in this report will require a marketing strategy to build resident awareness. If the City creates an online code violation reporting system, residents will need to know about it and how it works. This new staff could also help promote code enforcement successes and progress. This can be as simple as using the City's website or social media to celebrate the recent demolition of a long-standing problem property, or to share how many nuisances the City cleaned up in the previous quarter.

2.9 Develop new, low-cost programs (e.g., <\$5,000) to offer simple maintenance resources to low-income residents

DCD should consider developing and supporting programs like the city of Battle Creek, Michigan's program that offers qualified residents free paint kits to paint their homes;⁴⁷ or finding ways to support programs created by local nonprofits and local funders, like the Porch Project in the city of Flint, Michigan, a program that helps residents repair and beautify their porches.⁴⁸ Other cities and neighborhoods, including neighborhoods in Philadelphia, Pennsylvania, and in Gary, Indiana, have established tool libraries where an owner can borrow gear for home repair and get advice on DIY projects.

2.10 Expand private home repair resources (e.g., >\$10,000) to supplement limited public resources

The city should convene a diverse group of leaders in philanthropy (including individual philanthropists), lending, business, health care, real estate, development, and nonprofits to identify new and expanded resources to help owners maintain their homes. The sessions would aim to find private partners interested in matching or working with the City to expand its investment of ARPA dollars with privately funded grants, loans, and volunteer workforces to help make repairs to the homes of low-income owners.

In other cities, nonprofit, business, and health system leaders are critical partners in helping homeowners and small landlords obtain grants, loans, or free assistance to make repairs. For example, in *A More Strategic, Equitable Approach to Housing and Building Code Enforcement in Toledo, Ohio* (2021) Community Progress cited the example of Philadelphia, where Habitat for Humanity makes repairs in approximately 500 homes each year and the vast majority of their funding is from private contributions.⁴⁹ The Children's Hospital of Philadelphia also finances home repairs for some patients where poor housing conditions contribute to repeated visits to the emergency room, and also finances training for contractors of color to expand the program.⁵⁰ In addition,

⁴⁷ See the city of Battle Creek's website at: <https://www.battlecreekmi.gov/686/Paint-Program>.

⁴⁸ See the Porch Project website at: <https://www.theporchproject.org/>.

⁴⁹ See, for example: <https://philadelphia.cbslocal.com/video/3973854-habitat-for-humanity-completes-500-home-repair-projects-in-philly/>.

⁵⁰ Children's Hospital of Philadelphia Expands CAPP+ Program, Partners With The Enterprise Center to Provide Resources, Training for Small

Philadelphia recently established a \$40 million low-interest loan program for homeowners after discovering that lenders were not providing small loans to owners of low-value homes.⁵¹

However, these programs should not just be targeted at owner-occupants. The economic and market realities in Decatur make private investment in, for example, rehabbing a vacant property in the City's urban core unlikely without a public subsidy. This City must carefully consider how to use new subsidies to support not just owner-occupants, but also responsible landlords and developers.

Contractors, CHOP News (December 5, 2019) <https://www.chop.edu/news/children-s-hospital-philadelphia-expands-capp-program-partners-enterprise-center-provide>.

⁵¹ See <https://phdcphila.org/residents/home-repair/restore-repair-renew/>.

Recommendation 3: Create New Programs to Address Specific Problem Property Types

Decatur faces serious challenges with vacant buildings, substandard rental properties, and substandard owner-occupied properties.⁵²

Each type of problem property, however, requires different strategies to address. Dedicating more resources to the City's current tools (e.g., administrative or court orders, fines, demolition) may result in some short-term improvement, but in the long term could result in entire blocks of housing being demolished, do little to improve rental housing quality, and cost vulnerable property owners their homes. New tools and programs can help the City avoid some of these unintended outcomes.

Recommendations to Address Vacant and Abandoned Properties

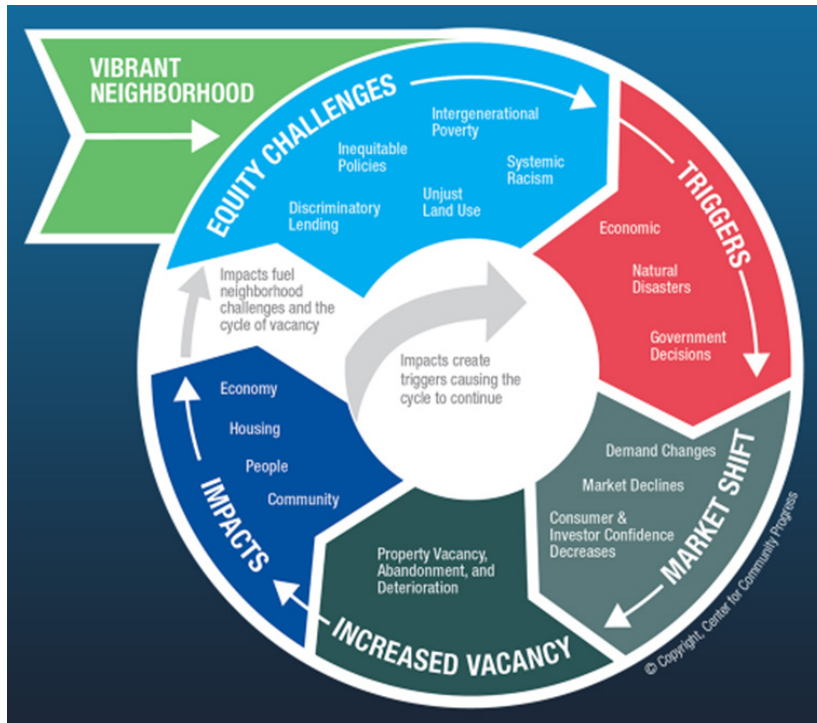
According to the data Community Progress reviewed and the conversations we had, vacant and abandoned properties impose the most harm in Decatur. It helps to understand the root causes of that vacancy and what factors cause, impact, and drive these issues (see Figure 11).

Strategies to address vacant properties and abandonment are intended to mitigate harm first, and then to get them back to productive use. This second aspect often requires aggressive tactics. Given limited historical resources to address vacant properties, the City has not used some of the more aggressive tools available in Illinois law (e.g., fast-track demolition) nor certain tools that could be adopted pursuant to Decatur's municipal home rule authority (e.g., rental registration and inspection program). However, given the scale of the problem and new funding and resources, the time is now to explore how well each of these tools can work.

The strategies in this section can also make existing neighborhood revitalization programs more effective. For example, the City's "Abandoned to Rehab" program acquires abandoned properties at a point where rehabilitation is practical, repairs them, and sells them to new homeowners (while absorbing a significant portion of the rehab costs). All the abandoned properties currently in this program, however, were not acquired using strategic and more cost-effective vacant property interventions but instead were simply acquired on the open market. This is in part because almost all properties available from the Macon County Trustee through the delinquent tax enforcement process are either vacant lots or in need of demolition. The tools in this section related to vacant and

⁵² Vacant lots without any structures were also a concern. We did not spend a great deal of time on strategies to address just vacant lots given the range of concerns related to vacant buildings, substandard rental properties, and substandard owner-occupied problems. The City is working closely with CILBA, the Macon County Trustee, and others to discuss the possibility of how to maximize vacant lot reuse. Programs including side lot sales to neighboring property owners, greening and stormwater retention strategies, and possible infill development have all been discussed. For additional ideas for vacant land stewardship, see Community Progress' Vacant Land Stewardship webpage, including the online resource bank of example vacant land projects from across the country: <https://communityprogress.org/resources/vacant-land/>.

► **Figure 11: The Cycle of Vacancy**



“Systemic vacancy is the community experience of widespread property vacancy caused by the combined actions of people, policies, and processes.”

abandoned properties are intended to provide alternative paths of acquisition and temporary holding that will allow the City to intervene earlier in the process to preserve property condition and, hopefully, in a more cost-effective way.

Ideally, the City would know from the point of inspection whether a property met established criteria to accelerate tools that would help the City acquire it for the Abandoned to Rehab program, or whether the property should be directed immediately down the path for demolition.

3.1 Identify vacant buildings and their owners

The City does not know all its vacant properties and struggles to find many owners when a problem arises. New and improved data collection and analysis should help.

A Vacant Property Registration Ordinance (VPRO) can be a useful tool to help assess and track who owns vacant property in Decatur, get information for how they can be contacted in case of emergency, impose additional maintenance requirements, and require the owner to maintain the requisite property or liability insurance in the event of fire or other damage to the property. Many VPROs include a component that requires financial institutions foreclosing on vacant property to register with the City and adhere to the same requirements. Most VPROs are

allowed under a municipality's general authority to regulate health and safety and do not require explicit state law authority. Communities in Illinois that have adopted VPROs include Rockford,⁵³ Aurora,⁵⁴ and nearly 100 others.⁵⁵

The first consideration of a VPRO should be what the goal of registration is. If the goal is simply to better understand how many vacant properties exist and get contact information in case there is a problem, then the program should charge no or limited fees for registration and likely not have separate insurance requirements. If the goal is to motivate owners of vacant property to act, then the program design we lay out below may be more helpful. In the case of the second goal, given the market challenges in Decatur the City should be exceptionally cautious about program design, lest it impose substantial costs on owners that compel them to walk away from the building instead of remediating issues.

The process of identifying vacant properties, notifying owners of the new requirement, and then monitoring, updating, and enforcing registration requires significant time. Municipalities with limited staff or resources often work with private companies like Safeguard Properties, MuniReg, or PROCHAMPS to help implement and run their VPRO.

Elements of a VPRO that might be helpful in Decatur could include:

- At a minimum, the VPRO should require the registrant to secure and maintain the property, as required in other parts of the DCC, and conduct periodic inspections.
- All owners of properties with a vacant residential or commercial structure must register. If the owner is a corporation or out of state, a local property management company or contact should be listed. The contact information should be regularly updated to ensure owners reply within 24 hours to a request from the City. In addition, registration should clarify key building characteristics (e.g., units, floors, etc.).
- If the City thinks the market can support it, there should be an annual fee that is sufficient to incentivize owners to reuse the property as opposed to keeping it on the registry. Some VPROs, like in Wilmington, Delaware, escalate registration fees the longer a property remains vacant. Without proper carve outs for vulnerable owners, however, this fee structure could be dangerous. It may also make sense to create a separate fee structure for vacant commercial properties, multi-family residential properties (e.g., four or more units), and vacant single family or two-to-three-unit residential properties.
- For vacant commercial or industrial properties, consider convening local insurance partners to assess whether the VPRO should require the owner to maintain minimum fire or liability insurance. Given market realities in Decatur, it may not be feasible to require similar insurance on residential properties.⁵⁶
- A good VPRO should also detail a timeline and process for developing a plan for maintaining, rehabilitating, or demolishing the building.

Whatever the City eventually adopts, it will need to integrate the data into existing databases. The City should also note that getting compliance is not easy and should constantly monitor the impact of a VPRO. In underperforming housing markets, success may look like getting 50% of vacant properties registered, and it may incentivize some owners who are barely able to afford to hold on to the property to simply walk away.

⁵³ See the Rockford program at: <https://rockfordil.gov/city-departments/community-and-economic-development/vacant-and-foreclosing-property-registry/>.

⁵⁴ See the Aurora program at: <https://www.aurora-il.org/1206/Vacant-Foreclosed-Property-Registration#:~:text=Per%20the%20ordinance%2C%20any%20structure,for%20the%20first%2024%20months.>

⁵⁵ For a very helpful description of how to put together a VBRO and how other Illinois communities have done this, see the Business and Professional People for the Public Interest (BPI) and the Metropolitan Mayors Caucus' report, Vacant Building Ordinances, Strategies for Confronting Vacant Building Challenges (2016), available at: <https://www.bpichicago.org/wp-content/uploads/2021/10/Vacant-Building-Ordinances.6-1-16.pdf>.

⁵⁶ Consider also whether the entire VPRO could apply just to commercial property.

3.2 Pilot fast-track demolitions to determine whether it is a useful tool

City staff and residents noted how long it takes to demolish property. Based on our interviews, it seems likely this process often takes many years simply because of limited resources and capacity to carry out the demolition order. Provided there are new resources and additional capacity, the City should pilot the fast-track demolition tool available in Illinois law.⁵⁷ This tool allows a municipality to expedite the demolition and removal of residential and commercial “buildings that are a continuing hazard to the community in which they are located” and that are less than three stories in height.⁵⁸ Properties must also be “beyond reasonable repair.”⁵⁹ However, there is no use in piloting this tool if the City doesn’t have the resources to carry through with the demolition within 120 days of notifying the owner.⁶⁰

3.3 Use abandonment process and code lien foreclosure to strategically acquire and preserve existing housing

The special abandonment proceeding is a powerful tool to acquire vacant properties that the City has not yet utilized, though the Central Illinois Land Bank Authority (CILBA) and its counsel (Denzin Soltanzadeh, LLC) have provided implementation guidance.⁶¹ This tool could help the City strategically acquire a limited subset of vacant properties in a cost-effective manner prior to the point when the home would need demolition; and it could send a powerful signal to existing owners of vacant property that the City has and is willing to take action on deteriorated properties. The first thing the City should do is to use improved data to identify properties eligible for this abandonment tool, which may include using data points from the 2019 Parcel Survey, utility or water activity, and property tax payments. The legal standard for property to qualify is:

- The property must have been either been tax delinquent for two or more years or the water bills for the property have been outstanding for two or more years; AND
- the property is not legally occupied; AND
- the property condition impairs public health, safety, or welfare as defined in the abandonment petition.⁶²

One of the most discussed concerns over the course of this engagement was the City’s inability to acquire vacant structures prior to the point of demolition to preserve them for housing options. This tool is critically important provided there is an inventory of qualified buildings worth preserving. The City recognizes the need for quality housing is dire, and that there are few, if any, private actors willing to take on these types of projects in the existing market. It is therefore essential that the public subsidize some of this work.

The City should also consider piloting code or demolition lien foreclosure to acquire vacant properties where the City has an outstanding lien reflecting costs incurred for abating a nuisance, securing the property, mowing high grass, or demolishing the property.⁶³ These tools can be used for vacant structures and lots alike, which may be

⁵⁷ See 65 ILCS 5/11-31-1(e).

⁵⁸ Id.

⁵⁹ See, for example, *Village of Lake Villa v. Stokovich et al.*, 211 Ill.2d 106 (2004), holding in part that the fast track demolition statute was constitutional, but that the specific property in the case had not been proven to be beyond reasonable repair.

⁶⁰ Some home rule cities in Illinois have adopted an “Unsafe or Dangerous Building Ordinance,” which gives the local government additional guidelines and tools, including requirements for how long such properties may stay boarded up, for how it might want to address vacant, open properties. An ordinance like this could potentially outline a process for how or in what situations the City could use the fast track demolition tool. See, for example, the city of Peoria’s Unsafe and Dangerous Buildings ordinance, Article IX of the Peoria Code of Ordinances, available at: https://library.municode.com/il/peoria/codes/code_of_ordinances?nodeId=CO_CH5BUBURE_ARTIXUNDABU.

⁶¹ See 65 ILCS 5/11-31-1(d). Based on work with other communities, lawyers from Denzin Soltanzadeh, LLC, report that after working with city law departments and courts across the state on these cases, the abandonment petition and transfer of title to the property can be completed in as little as 6 to 9 months and result in clear title vesting with the City.

⁶² The tool can also be used on vacant lots.

⁶³ Attorneys at Ancel Glink, a Chicago-based law firm, prepared an excellent checklist in partnership with BPI and the Metropolitan Mayor’s Caucus for what municipalities need to do to lien property to recover municipal expenses in 2015. This list is available at: <https://mayorscaucus.org/wp-content/uploads/2016/06/APPENDIX-3-Vacant-Building-Ordinances-FINAL.pdf>. While the law has changed some since that time, most

helpful for acquiring properties for infill development. The justification for using code or demolition lien foreclosure is similar to using the abandonment proceeding—either the City gets paid back for its costs, or it can compel the transfer of the property.

The City could publicly announce that it is moving forward with acquiring certain abandoned properties using these tools as part of its broader neighborhood revitalization strategy. If the City adopts a VPRO, it could incentivize property owners to comply by announcing that those property owners of vacant property that register within the first year the VPRO is enacted will not be subject to abandonment proceedings so long as the property is registered and maintained in accordance with appropriate standards. Registered property owners could also be eligible to compete for limited grants and loans, when made available.

3.4 Pilot receivership tool for vacant property

If the abandonment tool or code or demolition lien foreclosure are not options, the City could file an action in circuit court alleging violations of the fire or housing codes and ask the court to appoint a receiver for a limited subset of vacant properties in good condition. Receivership is not a silver bullet and should be used in limited circumstances when either (a) there is a private party that is capable of responsibly maintaining and repairing the property *and* there is sufficient value in the property such that the owner will pay the receiver back or the receiver can force a transfer of the property to recoup their costs; OR (b) the City or its partner are willing to be the receiver, front the costs of maintenance and repair, and acquire the property if the owner fails to pay back. This process could be lengthy but may allow the receiver to get into the property and make needed repairs to prevent further decline faster than other tools. There is risk involved, but it may make sense for the right property.

3.5 Work with Macon County Treasurer to explore how the City might intervene in the tax sale

Tax delinquency is one of the most common indicators of a problem property. The delinquent tax enforcement process is also a critical tool to either recover unpaid taxes that may be used, in part, to address problem properties, or to compel transfer of vacant property to a new, responsible owner. The City is generally responsible for addressing problem properties, but control over the enforcement of unpaid property taxes is statutorily prescribed to Macon County in the Illinois Property Tax Code.⁶⁴

Given the relationship between tax delinquency and problem properties, and the fact that Macon County controls the tax enforcement process while the City deals with the problem property, it is critical that Macon County and the City have a good working relationship. The two entities should regularly meet and work together to identify opportunities for the City, either on its own or working with CILBA, to strategically intervene in the tax enforcement process with the goal of more effectively and efficiently putting problem properties to productive use in a way that increases the likelihood that the property will generate future property tax revenue or contributes to the long-term growth of the tax base.

Some ideas the City and Macon County could explore include:

- The City and CILBA should work with the Macon County treasurer to explore how it might participate in the annual tax sale to gain control over vacant, tax delinquent properties in the urban core in good condition. Illinois cities can bid at the annual tax sale.⁶⁵ The owner may redeem the property, but in the event they do not, the City or CILBA—as opposed to a private investor primarily interested in making back their investment

aspects of this list are still applicable.

⁶⁴ See 35 ILCS 200/1-1 et seq. As a reminder, when properties are tax delinquent in Macon County, the county treasurer offers to sell the tax debt associated with the property to private investors—what is bought is called a “tax certificate.” When properties are not sold to investors at the annual tax certificate sale, the certificates are transferred to the Macon County trustee, which has an agreement with Macon County to collect redemptions and, when the appropriate redemption period has expired, to foreclose on the property and seek to sell the property on behalf of the county.

⁶⁵ 35 ILCS 200/21-210.

quickly—may be in a better position to acquire the property, invest appropriate resources in fixing it up, and get it into the hands of a responsible homeowner interested in investing in the neighborhood thereby ensuring the home has a positive impact on neighboring properties and pays their property taxes over the long term.

- The City and CILBA should work with the Macon County treasurer and the Macon County trustee to review the list of tax certificates recently acquired by the trustee (or properties recently acquired by the trustee by petitioning the court for the deed) and develop a process by which the City or CILBA could identify properties that align with the City or CILBA's strategic developments or catalytic projects and allow the City to acquire those certificates or properties for a fair or slightly reduced price that reflects the City's or CILBA's future investment in the property to increase the likelihood of a sustainable, positive neighborhood outcome.

3.6 Explore changes to state law to accelerate acquisition of vacant property

Community Progress is working with a coalition of Illinois communities on identifying key changes to state laws related to delinquent property tax enforcement and code lien enforcement. We are exploring policies through these conversations including, (a) looking at whether changes to state law requiring personal service of code enforcement actions in circuit court are needed, and (b) changes that may help municipalities accelerate the acquisition of vacant properties, including whether and how unpaid code liens could be collected and enforced along with delinquent property taxes. The latter tactic is used in many jurisdictions across the country, and so long as strong guardrails are in place to ensure vulnerable owners have an “equitable off ramp,” it is one of the most effective ways to urge property owners to pay back the local government's costs or to compel the transfer of property to a new owner. We urge Decatur to continue to participate in these conversations.

Recommendations to Address Substandard Renter-Occupied Properties

Community Progress focuses on strategies to address vacant and abandoned properties given these properties typically impose the most harm on a community. This is no different in Decatur. However, our partners across the country continue to elevate the importance of addressing substandard rental housing, particularly those partners that operate in neighborhoods at the low end of the market, as a problem on par with vacant properties. Substandard rental properties impact the health and safety of the families who live there. In many communities, rentals with irresponsible landlords are so substandard that they *should be vacant* given the immediate risk to tenants' health and safety. Community Progress has invested significant time in understanding the tools available to address these types of properties and we believe the most impactful municipal approach to address them is to ensure the business of renting properties is properly licensed and that units are regularly inspected. We believe this type of program, though it requires significant resources and commitment, can elevate the quality and safety of the entire rental housing stock in a community and the health of the renters who live there.

Many community members reported that the most common complaints Decatur residents bring to their attention are about substandard rental properties. While the City estimates they only receive about ten of these complaints per month, the general consensus is that violations exist, they just aren't reported. This may be because tenants don't have confidence in the City's ability to respond, but perhaps more likely it is because they fear that reporting the issue could result in retaliatory action from the landlord. Any attempt to enhance rental enforcement must therefore ensure proper safeguards and resources for vulnerable tenants.

That said, it appears the City has the political will and a broad base of support to adopt a comprehensive approach to elevate the quality of rental housing in Decatur. **Realtors, community service agencies, neighborhood leaders, senior police and fire personnel, and NI Team inspectors all specifically mentioned the need for some type of rental inspection program to protect the health and safety of tenants and hold bad landlords accountable.** This is no small lift, and it requires the City's long-term commitment, significant resources, and parallel investments in tenant resources and protections as well as resources and support for good landlords.

Based on our interpretation of the current environment, we recommend Decatur work closely with tenants and landlords and their partners to design a new rental registration, inspection, and licensing program that includes (a) developing the appropriate ordinance; (b) creating tenant resources and protections; and (c) establishing incentives for good landlords who comply.

3.7 Draft a comprehensive rental registration, inspection, and licensing ordinance

First, the City must plan for how and when it will have the capacity to enforce the ordinance. While this does not mean the City cannot draft and seek passage of the ordinance starting now, it does mean the ordinance should establish at what points the various requirements for registration and initial inspections will go into effect. For example, it would be unwise for the City to mandate registration by January 1, 2023, because the City will likely not have the data or personnel infrastructure in place.

Having the right data infrastructure is especially important. The City must have a system for finding rental property owners, sending notice, tracking responses, conducting registration, monitoring compliance, and to better understand if any other factors are impacting the owner's ability to provide a livable space (e.g., code enforcement violations, fire calls, significant debts to the City).

Here are other key components Decatur should consider as it develops a new rental property inspection ordinance:

(1) Define who registers

All landlords should register, and the City should give them an initial grace period to do so at no cost. The City should rely on improved data collection to identify all properties that are likely rentals (e.g., all residential properties that do not have a homestead exemption or where the taxpayer's address is different than the property address) and send notice of the program directly to those owners or to the "Owner of the Property."

The City should decide if it wants the ordinance to apply throughout the City and to all properties, or if wants to target a subset of rental properties (e.g., homes built before 1978 and more likely to have lead paint that could endanger children living in them), or if it wants to establish rental districts. Detroit, Michigan adopted a rental program and established a rollout schedule for registration and inspection by council district over a five-year period, with the districts with the largest number of problem properties required to register and be subject to inspections first.

(2) Decide if inspections are required and when

Illinois law allows the City to conduct interior inspections if the tenant grants permission to enter the home. If that permission is not granted, the City can seek an administrative warrant to inspect the interior. Many cities with rental inspection programs require the City to inspect units at yearly intervals (e.g., every three years) or when a property is transferred to a new owner. Typically, the City's code enforcement team conducts these inspections, though some cities, like Baltimore, Maryland, where the state has a robust licensing program from home inspectors, require property owners to have an inspection conducted by third-party inspectors. The City may also connect with the Decatur Housing Authority to discuss their strategy to inspect the units in their inventory or that participate in their Section 8 Housing Choice Voucher program.

The City should assess how to address initial inspections. A phased-in schedule is wise. For example, Toledo, Ohio passed a new rental registration and inspection program (primarily focused on identifying hazards from lead-based paint) in 2019.⁶⁶ Implementation was delayed by the pandemic, but the new plan called for the inspection program to be rolled out in ten phases in select census tracts (starting with those census tracts most at risk,

⁶⁶ See the Toledo Municipal Code, Chapter 1760, available at: https://codelibrary.amlegal.com/codes/toledo/latest/toledo_oh/0-0-0-156153.

defined by an aging housing stock and high percentage of rental units) starting in 2022 and to be completed by the end of 2026.

(3) Determine what the inspection covers

Many property owners complain that inspectors are inconsistent or are too nitpicky with the violations they point out for correction. Consider limiting interior inspections to a short list of basic health and safety violations. This will allow the City to build trust with landlords amid limited inspection resources. For example, Baltimore inspects twelve basic safety standards defined by a working group of city staff and property owners. Limiting inspections to habitability conditions such as heat, hot water, and stabilized lead paint ensures consistent, predictable inspections and sets the stage for more proactive inspections as it builds trust that the City's primary goal is to protect tenant health and safety and not to impose arbitrary and burdensome restrictions on landlords.

(4) Consider requiring a license

Running a rental property is running a small business, and most businesses require a license to operate in Illinois and in Decatur. A rental license is useful in many ways—to indicate to tenants that the property meets minimum habitability standards and to qualify landlords for certain incentives (e.g., low-interest loans or free education). Because a license, and therefore the ability to generate income from the property, can be revoked it is also a powerful incentive for landlords to comply. With the right data, this license could also be based on performance criteria. For example, property that complies with registration and doesn't have any code violations is eligible for one registration rate, while property with code violations may be subject to more frequent inspections and higher registration costs.

These are very high-level considerations and there are many nuances that the City must take into account when drafting such an ordinance,⁶⁷ but also many available resources,⁶⁸ and Community Progress is happy to continue to partner with the City to develop this tool. Moreover, several Illinois cities have adopted rental inspection ordinances and rental inspection program materials, including Elgin⁶⁹ and Rock Island.⁷⁰

3.8 Engage tenants and social service organizations to design the enforcement approach and develop key tenant resources

As the City designs its inspection program and enforcement approach and develops resources for tenants it should engage several stakeholders, including: tenants, local tenant advocacy organizations, government and social service agencies that serve low-income tenants (such as the Decatur Housing Authority), local legal aid providers, and other members of the local continuum of care. Proactive rental inspection programs have the potential to improve conditions, especially for low-income tenants, but can also result in tenant displacement if landlords fail to bring properties into compliance.

When designing the program, the City must take into account these considerations and the perspectives of those who will be most impacted. To reduce the potential for displacement, the City could consider only conducting inspections between tenants or allowing tenants to remain in place so long as progress is being made on repairs. The City should create a fund to assist tenants who are forced to move because of their landlord's non-

⁶⁷ One such nuance is whether the ordinance will include what are often referred to as "crime-free" provisions, which, depending on how they are drafted, have been used to displace tenants for criminal or other activity that they may not be directly responsible for.

⁶⁸ Other resources include: Community Progress' Drafting Rental Regulation Ordinances in Illinois Communities (2015), available at: https://mayorscaucus.org/wp-content/uploads/2015/10/rental-license-ordinance-guide_FINAL-FOR-WEBSITE.pdf; The Metropolitan Planning Council's web publication "Up to Code" available at: <https://www.metroplanning.org/uptocode/default.aspx>; Changelab Solutions' "Proactive Rental Inspections Program Guide" (2018), available at: https://www.changelabsolutions.org/sites/default/files/Proactive-Rental-Inspection-Programs_Guide_FINAL_20140204.pdf; and Alan Mallach's previously cited State Policy Report for Problem Properties, pp. 17-20, available at: <https://communityprogress.org/wp-content/uploads/2022/02/State-Policy-Property-Regulation.pdf>.

⁶⁹ See the Elgin website at: <https://www.cityofelgin.org/317/Rental-License>.

⁷⁰ See the Rock Island website at: <https://www.rigov.org/712/Residential-Rental-Licensing-Program>.

compliance. This could be created now using the City's existing CDBG dollars and using ARPA dollars to fill the gaps created by reallocating the CDBG funding. The City could also create a housing navigator or specialist position to help tenants access available resources and locate new housing. The city of Minneapolis, Minnesota, for example, created a new full-time Rental Housing Liaison position in 2018.⁷¹ As described in recommendation 3.13 below, this specialist position could also assist low-income homeowners facing code enforcement actions.

The City should also create resources to help tenants understand the new program and their existing rights. The City could borrow from existing resources, including the City's Landlord Tenant Handbook⁷² and the University of Illinois Office of Student Affairs resources,⁷³ and should also work with tenants, tenant advocates, and social service providers to ensure these resources are helpful and accessible. The City could mail these resources to occupants of all registered rental properties as well as distribute them to tenants with housing subsidies in partnership with the agencies or nonprofits managing these subsidies. Minneapolis has an extensive list of resources for renters on its website.⁷⁴

Finally, the City could consider providing funding to existing tenant advocates to prevent evictions, including possible retaliatory evictions that could be filed if the tenant allows the City access to the rental unit. The United States Treasury Department has identified cities that are using ARPA funds to support housing and similar services, including how the city of Indianapolis, Indiana "will use \$1.15 million for tenant advocates in housing courts to prevent evictions. Advocates will connect tenants to the rental assistance program, negotiate with landlords, provide legal advice, or refer the tenant for full legal representation as appropriate. The city estimates that 30,000 tenants are vulnerable to eviction due to COVID-19."⁷⁵

3.9 Organize landlord focus groups to help design the enforcement approach and develop key resources and incentives

Landlords provide an essential product and service, and most of them are responsible, good landlords. The City should identify and meet with these responsible landlords as part of a focus group to inform them of the creation of the new program, and help the City create a realistic initial list of educational materials and incentives for being good landlords, and simple, easy criteria to identify them. The City should explain how "bad landlords" bring the system down, and why the City wants to get inside rental units solely to address those problems to weed them out. Some cities have good programs for helping landlords, including Brooklyn Center and Brooklyn Park, Minnesota (which both provide regular forums for landlords to share information and concerns),⁷⁶ and the Salt Lake City Good Landlord Training Program.⁷⁷

As part of this engagement, Community Progress spoke with a group of realtors and others who represent property investors, and brainstormed incentives that might be attractive to responsible landlords:

- Landlord recognition award
- Good Job! Placards
- Discount with supplies
- Small repair loans or assistance

⁷¹ See more about the Rental Housing Liaison position and other tenant resources on the city of Minneapolis' website: <https://www2.minneapolismn.gov/resident-services/property-housing/renters/renter-resources/>.

⁷² See the City's Handbook at: https://decaturil.gov/wp-content/uploads/2015/10/Landlord_Tenant_Handbook.pdf.

⁷³ See the U of I website at: <https://occl.illinois.edu/rights-and-responsibilities/rights/>.

⁷⁴ See the Minneapolis website at: <https://www2.minneapolismn.gov/resident-services/property-housing/renters/renter-resources/>.

⁷⁵ See the United States Treasury Department's website at: <https://home.treasury.gov/system/files/136/SLFRF-Housing-Investments-Factsheet.pdf>.

⁷⁶ See the Brooklyn Center website at: <https://www.ci.brooklyn-center.mn.us/government/departments/community-development/rental-program>. See the Brooklyn Park website at: <https://www.brooklynpark.org/housing/renting/#landlords-and-property-managers-resources>.

⁷⁷ See the Salt Lake City website at: <https://www.thegoodlandlord.net/home/>.

- Expedited permitting for good landlords
- Landlord academy
- Developing a landlord Code of Ethics
- Official designation as good landlord to attract good tenants, like a license

3.10 Develop tools to kick off enforcement

There are many things the City should do to prepare to enforce the new ordinance, which may include:

- Work with Legal to put in place a system with the circuit court to establish a quick process for asking for administrative warrants should tenants refuse entry to the City's inspectors.
- At end of the registration grace period, the City should identify the top two-to-three bad landlords and conduct "portfolio-wide" inspections of their properties. If violations aren't corrected, the City could consider identifying a partner to serve as receiver to manage the property, collect rent, and bring it up to code. This would allow existing tenants to stay in their homes and rent could be used fix violations and ensure the space is livable. Alternatively, if this is not a viable option, the City could seek to vacate the properties (use equitable relocation), and potentially use receivership to take control of those properties. The City should identify and target owners with more than five properties that have multiple code violations. Targeting larger rental owners is a cost-effective approach to lifting up the quality of the rental housing stock. Where an owner is found who has serious code violations at a property, this should also trigger an inspection of that owner's other rental properties to see if similar conditions exist. By investigating an owner's entire portfolio of properties, other cities have been able to cost effectively improve the condition of multiple units.

Recommendations to Address Substandard Owner-occupied Properties

Owner-occupied properties are likely to be in poor condition not because of the owner's indifference or ill intent but because of the owner's lack of knowledge of what the code requires, lack of physical capacity or skills to make repairs, or lack of money to pay others to make repairs. As a result, when addressing problem owner-occupied properties, cities must adopt policies focusing on connecting homeowners to the resources needed to make repairs, rather than punishment. As Alan Mallach explains in his recent report on state policy and problem property regulation, when inspectors discover problems in owner-occupied homes, the role of code enforcement should become "more a matter of finding help for the owners, by providing the owners with emergency assistance, connecting them to social service agencies, or helping them obtain financial assistance to make needed repairs, rather than enforcing local regulations."⁷⁸

The City already has several good policies and informal practices aimed at helping owner-occupants, which include referring owner-occupants to the City's and community organizations' home repair resources, giving owner-occupants time to make repairs, and waiving fines when first-time offenders make timely repairs. Our recommendations seek to strengthen these existing policies and practice to ensure owner-occupants have what they need to comply, while ensuring the City retains the tools to obtain compliance effectively and efficiently from other property owners.

3.11 Create a system to identify owner-occupied properties

The City should develop a system for identifying owner-occupied properties that are cited for code violations. This would allow the City to ensure these owners receive the appropriate resources and allow the City to track

⁷⁸ See State Policy and Problem Property Regulation (2021), available at: <https://communityprogress.org/wp-content/uploads/2022/02/State-Policy-Property-Regulation.pdf>.

outcomes for these owners and evaluate the success of the recommendations below. Owner-occupied properties could be identified from inspectors' conversations with the owner or by examining the property records and noting whether there is a principal residence exemption on file or whether the name and address of the property owner matches that of the taxpayer. The City should then develop a method for flagging a case as owner-occupied in City case management systems.

3.12 Create a property repair resource list

The City should compile a comprehensive list of all programs available to help owners bring their properties into compliance. This list should include local government, nonprofit, and other community-based programs, including sources of financial assistance, volunteer labor, and free or low-cost materials. The City should post the list on its website, print copies, and develop short handouts summarizing resources available for remediating common violations.

The City should ask staff, community-based organizations, and neighborhood associations to review this list and identify what needed resources are missing, and then work with these stakeholders to try to fill these gaps.

3.13 Create a housing specialist position

To address the needs of low-income homeowners, many cities and local courts have created housing specialist positions to help connect owners to the resources needed to repair and maintain their homes. Examples include the Cleveland Municipal Court's Housing Specialists⁷⁹ and the Chelsea, Massachusetts' Social Service Referral Program.⁸⁰ A recent study of Chelsea's program found that it improved homeowners' quality of life and increased code inspectors' effectiveness and job satisfaction.

Decatur should create a position modeled on the above programs that prioritizes assisting low-income homeowners but, if resources allow, could also help low-income landlords and tenants facing displacement. This individual could be employed by the City, a nonprofit organization, or the circuit court. In our experience, cities and courts often hire individuals with social work backgrounds to fill these roles.

3.14 Provide owner-occupants with information and resources throughout the code enforcement process

A recent study summarizing experiments in New Orleans, Louisville, and Chattanooga found that sending preemptive postcards to properties with previous violations, pre-inspection courtesy letters, and providing plain-language citations along with lists of resources to help with repairs significantly increased compliance and reduced the cities' costs to obtain compliance.⁸¹

Drawing on the findings from this study, in the late spring each year, the City should send postcards to all property owners who had code violations the previous year that are likely to repeat (e.g., high grass and weeds, trash and debris). This postcard should include key resources for remediation (e.g., how to establish trash service).

When the City receives a complaint about a property, before inspecting, the City should send the owner an automated courtesy letter informing them of the complaint and asking them to correct the problem before the inspection. In addition to the study above, based on our experience, code enforcement departments in San

⁷⁹ See the Cleveland Municipal Court website at: <https://clevelandmunicipalcourt.org/housingcourt-specialists/>.

⁸⁰ Katharine Robb, Ashley Marcouz, Jorrit de Jong, and Yamile Nesrala, "More than the Sum of the Parts: Integrating Housing Inspections and Social Services to Improve Community Health," Bloomberg Harvard City Leadership Initiative, February 2, 2022, <https://www.cityleadership.harvard.edu/research-and-resources/more-than-the-sum-of-the-parts-integrating-housing-inspections-and-social-services-to-improve-community-health#documents>.

⁸¹ Linos, E., Quan, L.T. and Kirkman, E. (2020), Nudging Early Reduces Administrative Burden: Three Field Experiments to Improve Code Enforcement. *J. Pol. Anal. Manage.*, 39: 243-265. <https://doi.org/10.1002/pam.22178>.

Antonio, Texas and Toledo, Ohio send pre-inspection courtesy letters and report impressive compliance rates as a result.

3.15 Provide equitable off-ramps for homeowners in the legal enforcement process

The City should try—to the extent possible—to avoid circuit court actions against owner-occupants and instead should focus on connecting the owner with the help and resources they need to make repairs. If a case is filed against an owner-occupant, perhaps because the property was not identified as owner-occupied or the owner has not responded to the steps above, the City should still try to connect owner-occupants with resources and provide time for the owner to correct the conditions, rather than seeking penalties and fees—regardless of whether they are a first-time offender.

If the property is identified as owner-occupied after an administrative or circuit court case has been filed and the owner is interested in working with the housing specialist, the City should agree to stay the case to give the owner time to work with the housing specialists. The housing specialists should ask the owner for permission to report back on their progress to the City and judge. In circuit court, this process could be modeled on or borrow from the court's recently created eviction diversion program.

If resources allow, the housing specialists could be present at the first administrative or circuit court hearing to make the initial connection with the homeowner in court. Once the conditions have been repaired, the City should dismiss the enforcement case. If the homeowner is not interested in working with the housing specialist, the City can proceed with its enforcement action.

If there are no resources available to assist the owner, the City should consider seeking a court order to abate the condition and obtain a lien against the property for the costs. If the owner meets certain conditions moving forward, the City could consider releasing the lien.

Appendix A:

Stakeholders Consulted

Name	Title	Organization
Amy Waks	Assistant Corporation Counsel	Legal Department, City of Decatur
Kate Wrigley	Assistant Corporation Counsel	Legal Department, City of Decatur
Kim Eubanks	Legal Assistant	Legal Department, City of Decatur
Kim Casner	Legal Assistant	Legal Department, City of Decatur
Jill Crawford	Legal Assistant	Legal Department, City of Decatur
Scot Wrighton	City Manager	City of Decatur
Wendy Morthland	Corporation Counsel	City of Decatur
Jon Kindseth	Deputy City Manager	City of Decatur
Jeff Abbott	Chief	Fire Department, City of Decatur
Jim Ohl	Deputy Chief	Fire Department, City of Decatur
Edward Hurst	Deputy Chief	Police Department, City of Decatur
Cheryl Laskowski	Senior System Analyst	Department of Information and Technology, City of Decatur
David Greenwell	Building Official	Building Inspections Division, Economic & Community Development Department, City of Decatur
Brian Hunt	GIS Specialist	Planning & Development Division, Economic & Community Development Department, City of Decatur
Cordaryl Patrick	Director	Economic & Community Development Department, City of Decatur
Greg Crowe	Assistant Director	Planning & Development Division, Community Development Department, City of Decatur
Seth Stark	GIS Administrator	Planning & Development Division, Economic & Community Development Department, City of Decatur

Name	Title	Organization
Richelle Dunbar	Assistant Director	Neighborhood Revitalization Division, Economic & Community Development Department, City of Decatur
Deanna Buck	Administrative Assistant	Community Development Department, City of Decatur
Ellen Hearn	Executive Director	Block by Block
Gail Evans	Community Advocate	N/A
Jason Pealer	President	Greenwood Area Neighborhood Association
Susan Avery	Co-Chair	Beautify Decatur
Jill Davis	Co-Chair	Beautify Decatur
Verzell Taylor	Member/Resident	Neighborhood United Association
Lisa Garner Smith	President	Neighborhood United Association
Vivian Goodman	Executive Director	Decatur Community Partnership
Rev. Jason Butterick	President	Clokey Park Neighborhood Association
Sue Barnhart	President	GM Square Neighborhood
Alan Duesterhaus	President	Coalition of Neighborhood Organizations
Devon Joyner	Executive Director	OKO Community Center
Pastor Marvin Joyner	Vice President	Southside Improvement Association
Jeremy Morris	Executive Board	Southside Improvement Association
Tom Brinkoetter	Designated Managing Broker/ Owner	Brinkoetter Realtors
Abby Golladay	Realtor/Broker Associate	Vieweg Real Estate
Tim Vieweg	Designated Managing Broker/ Owner	Vieweg Real Estate
Megan Jesse	Managing Broker	Glenda Williamson Realty
Chris Harrison	Real Estate Broker	Main Place Real Estate
Michael Sexton	Broker/Agent	Brinkoetter Realtors
Mike Snearly	Manager	Neighborhood Inspections Division, Economic & Community Development Department, City of Decatur
Maire Foxx	Neighborhood Services Officer	Neighborhood Inspections Division, Economic & Community Development Department, City of Decatur
Danny Hoult	Neighborhood Services Officer	Neighborhood Inspections Division, Economic & Community Development Department, City of Decatur
Alex Coffman	Neighborhood Services Officer	Neighborhood Inspections Division, Economic & Community Development Department, City of Decatur
Kylie Reynolds	Title Research Analyst	Neighborhood Inspections Division, Economic & Community Development Department, City of Decatur
Terry Howley	Former Mayor/Resident	
Steve Mahrt	Partner	Ancel Glink

Appendix B:

Possible Implementation Timeline

The following tables are intended as a tool to help the City think through when various recommendations could be implemented. There are two tables.

1. The first table identifies those recommendations where the City could begin implementation without any additional approval needed from city council.
2. The second table identifies those recommendations where the City may need additional approval from city council or a change in state law.

Within each table, recommendations are grouped into three categories:

SHORT-TERM, which we believe are recommendations that can be implemented in the next 18 months—or those where implementation could at least begin but may take longer to complete (e.g., drafting a new rental ordinance).

MEDIUM-TERM, which we believe are recommendations that can be implemented in the next 18 to 35 months.

LONG-TERM, which we believe are recommendations which may take 36 months or more to implement. We have also indicated who should be the City's lead on implementation and indicated who key partners for implementation will likely be.

Most of the recommendations in the report are administrative and are found in the first table. In addition, most of those recommendations fall under the category of "Short-Term." This is because many of the recommendations related to setting clear policies, improving data practices, and investing in building community relationships are ones that the City can and should—and in many cases already have—prioritize given they are basic building blocks of a more equitable, effective, and efficient code enforcement approach.

These tables are simply one suggestion for how the City can prioritize and implement the recommendations in this report. Ultimately, the decision on whether and when to implement these recommendations is up to the City and its legal and other counsel.

Short-Term Recommendations

#	Administrative Recommendations	City Lead(s)	Key City and Community Partners
Recommendation 1: Create Clear Policies and Improve Data Practices			
1.1	Establish clear priorities and strategies for code enforcement that align with the City's neighborhood revitalization framework	City Manager's Office	N/A
1.2	Standardize data collection practices and assess the need to either improve existing or seek new software to better track performance and outcomes	DCD, City Manager's Office	IT
Recommendation 2: Build Capacity of Community Partners			
2.1	Learn from community development partners in Peoria about code encouragement	DCD	Peoria
2.2	Revise the website and provide educational resources	DCD	IT
2.3	Make the Decatur City Code more accessible	City Manager's Office, Legal, IT	N/A
2.4	Build an online violation reporting system	DCD, IT	N/A
2.5	Develop simple, easy to access, printed materials for all inspectors to share on inspections, at community meetings, and elsewhere	DCD	N/A
2.6	Consistently offer to attend and show up when invited to community meetings to discuss broader purpose and programs of code enforcement, to address key problems, and to encourage reporting	DCD	City Manager's Office, residents, police, fire, CONO, Realtors
2.8	Work with City's communications staff to develop strategies to market and promote ways for residents to report violations or concerns	DCD	City Manager's Office
Recommendation 3: Create New Programs to Address Specific Problem Property Types			
3.2	Pilot fast-track demolitions to determine whether it is a useful tool	DCD, Legal	N/A
3.3	Use abandonment process and code lien foreclosure to strategically acquire and preserve existing housing	DCD, Legal	CILBA, developers
3.8	Engage tenants and social service organizations to design the rental property enforcement approach and develop key tenant resources	DCD	Tenant representatives and advocates, social services organizations, Decatur Housing Authority, Human Relations Commission, legal aid, financial institutions
3.9	Organize landlord focus groups to help design the rental property enforcement approach and develop key resources and incentives	DCD	Landlords, contractors, financial institutions
3.11	Create a system to identify owner-occupied properties	DCD	IT, Legal
3.12	Create a property repair resource list	DCD	United Way, nonprofits, financial institutions
3.14	Provide owner-occupants with information and resources throughout the code enforcement process	DCD, Legal	N/A
3.15	Provide equitable off-ramps for homeowners in the legal enforcement process	Legal	DCD

Administrative Actions

Medium-Term Recommendations

#	Administrative Recommendations	City Lead(s)	Key City and Community Partners
Recommendation 1: Create Clear Policies and Improve Data Practices			
1.4	Build capacity	DCD, City Manager's Office	N/A
1.5	Define, measure, and report success on the website	DCD, Legal	N/A
Recommendation 2: Build Capacity of Community Partners			
2.7	Create a Decatur Neighborhood Improvement Task Force	DCD	Legal, fire, police, CONO, nonprofits, developers, Realtors, others
2.9	Develop new, low-cost programs (e.g., < \$10,000) to offer simple maintenance resources to low-income residents*	DCD	CONO, nonprofits, contractors, foundations, philanthropy, financial institutions
2.10	Expand private home repair resources (e.g., > \$10,000) to supplement limited public resources*	DCD	CONO, nonprofits, contractors, foundations, philanthropy, financial institutions
Recommendation 3: Create New Programs to Address Specific Problem Property Types			
3.4	Pilot receivership tool for vacant property	DCD, Legal	Developers, contractors, nonprofits
3.5	Work with Macon County Treasurer to explore how the City might intervene in the tax sale	DCD	Macon County Treasurer, Macon County Trustee, Macon County Clerk, CILBA

Administrative Actions

Long-Term Recommendations

#	Administrative Recommendations	City Lead(s)	Key City and Community Partners
Recommendation 3: Create New Programs to Address Specific Problem Property Types			
3.10	Develop tools to kick off enforcement, including developing a process to seek administrative search warrants and identifying bad landlord actors	DCD, Legal	Macon County Circuit Court
3.13	Create a housing specialist position	DCD, Legal	Macon County Circuit Court

* Formal approval may be needed if the grant or low-interest loan program is funded by the City.

May Require Legislative Approval

Short-Term Recommendations

#	Recommendations Requiring Possible Legislative Action	City Lead(s)	Key City and Community Partners
Recommendation 3: Create New Programs to Address Specific Problem Property Types			
3.1	Identify vacant buildings and their owners, assess need for Vacant Building Registration Ordinance	DCD	IT, Legal, insurance companies
3.7	Draft and pass a comprehensive rental registration, inspection, and licensing ordinance	DCD, Legal, City Manager's Office	CONO, legal aid, landlords

May Require Legislative Approval

Medium-Term Recommendations

#	Recommendations Requiring Possible Legislative Action	City Lead(s)	Key City and Community Partners
Recommendation 2: Build Capacity of Community Partners			
2.9	Develop new, low-cost programs (e.g., < \$10,000) to offer simple maintenance resources to low-income residents*	DCD	CONO, nonprofits, contractors, foundations, philanthropy, financial institutions
2.10	Expand private home repair resources (e.g., > \$10,000) to supplement limited public resources*	DCD	CONO, nonprofits, contractors, foundations, philanthropy, financial institutions

May Require Legislative Approval

Long-Term Recommendations

#	Recommendations Requiring Possible Legislative Action	City Lead(s)	Key City and Community Partners
Recommendation 3: Create New Programs to Address Specific Problem Property Types			
3.6	Explore changes to state law to accelerate acquisition of vacant property	DCD, Legal	Other Illinois Municipalities

* Formal approval may be needed if the grant or low-interest loan program is funded by the City.

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