National Center for HEALTHY HOUSING

How to Make Proactive Rental Inspection Effective

Have a proactive rental inspection program already in place?

Have a newly enacted ordinance that you are trying to implement?

Live in a community that isn't quite ready to adopt a PRI program?

Regardless of where your community is in the process of adopting a more proactive approach to housing inspection, now is a great time to think about all of the other components that go into creating an effective proactive rental inspection program. Traditional complaint-based systems promote disparities as vulnerable populations (e.g., undocumented residents, low-income residents) may be fearful of repercussions for reporting poor housing conditions. An effectively designed and well-implemented proactive rental inspection (PRI) program can increase equity and improve housing conditions. Communities spend a lot of energy in designing, passing, and implementing the core components of a PRI ordinance, but an effective system is one that looks beyond enforcement and supports residents and property owners in taking the steps they need to ensure safer home environments. Strong and effective enforcement mechanisms are also important, but a well-designed proactive rental inspection program will support more property owners in correcting violations without the need for enforcement action. Similarly, even in the absence of a PRI program, instituting these components can help lay the groundwork for an effective program later on and immediately improve outcomes for residents and property owners.

According to *Up to Code: Code Enforcement Strategies for Healthy Housing*, a code enforcement guide published by ChangeLab Solutions and partners (including NCHH) in 2015 from which some of the content in this document is adapted, there are eight components of an effective code enforcement program that go beyond PRI and enforcement[1]:

STRONG HOUSING CODE	**ADEQUATE FUNDING**	**TRAINED OFFICERS**	**COMMUNITY PARTNERS**
CROSS-AGENCY COLLABORATION	**COOPERATIVE COMPLIANCE**	**SUPPLEMENTARY PROGRAMS**	**EVALUATION**

[1] Note that there are 10 components including PRI and enforcement.

STRONG HOUSING CODE

Building codes often contain ambiguous phrases (e.g., safe, decent) that are subject to varied interpretation, and therefore uneven (and often inequitable) application. Additionally, housing codes often inadequately address health-related threats in the home, such as pests, moisture, ventilation, and chemicals like radon, lead, and pesticides.

Strategy in action: The communities of *Tukwila, WA*, and *Dallas, TX*, used the National Healthy Housing Standard to assess and strengthen their local housing code to be more protective of health.

Tools you can use: You can use an *online code comparison tool* to assess your local housing code and receive a customized report with model codes to incorporate to strengthen codes to be more protective of health.

ADEQUATE FUNDING

Good policy is not enough. Programs need adequate funding to be effectively implemented and while state and local law will govern what is possible in a specific community, PRI and rental inspection programs are often funded through a combination of general funds, Community Development Block Grant (CDBG) funds, fees for permits/licenses (e.g., occupancy certificates, renovation permits), and fines/penalties (e.g., for failure to correct violations).

Tools you can use: The U.S. Department of Housing and Urban Development defines eligible code enforcement activities that may be supported with CDBG funds: https://files.hudexchange.info/resources/documents/Notice-CPD-14-016-Use-of-CDBG-Funds-for-Code-Enforcement-Activities.pdf

TRAINED OFFICERS

It may seem obvious that officers should be trained in all applicable federal, state, and local laws, but effectively run programs also equip officers with training on best practices, soft skills to help them work cooperatively with landlords and tenants, and information on resources to help residents (e.g., loan repair programs, free lead-safe work practice classes, relocation or translation services). Programs should also consider training other staff that interact with property owners and tenants to help ensure a uniform and positive experience throughout the entire process.

Tools you can use: ChangeLab Solutions describes key elements of a comprehensive training program for code enforcement officers and staff: https://nchh.org/resource-library/changelab-solutions_up-to-code_code-enforcement-strategies-for-healthy-housing.pdf

COMMUNITY PARTNERS

Municipal leaders and agencies often have limited resources and/or may not be the most effective messenger for certain activities or services. Community organizations can educate residents (both landlords and tenants) about their rights, responsibilities, and the process, but they can also provide needed supplementary services (see Supplementary Programs below).

Strategy in action: The *Greensboro Housing Coalition* provides assistance to residents who live in homes with health and safety hazards through education, referrals, and landlord-tenant advocacy. This has included code enforcement education for residents in multiple languages and working directly with code officials and residents to identify properties in need of attention, minimize dislocation, and help solving complicated housing cases.

Strategy in action: In Buffalo, NY, a coalition of partners, the Buffalo and Erie County Lead Safe Task Force, unveiled the *Get Ahead of Lead Campaign* to educate property owners and tenants on resources available to make properties lead-safe as well as the responsibilities of landlords to protect tenants from lead exposure. Notably, the campaign was developed with input from the target audiences.

CROSS-AGENCY COLLABORATION

Cross-sector or cross-agency relationships can also help to increase capacity when resources are constrained and have the added benefit of creating a more seamless process for residents. In many cities, depending on the housing code violation, responsibilities may be spread across multiple agencies, making the process confusing for tenants and leading to duplication of effort, or even worse, nobody taking responsibility. Coordination within and across agencies can minimize these challenges and improve the capacity of a rental inspection program.

Strategy in action: Staff of the Erie County (NY) Department of Health's Healthy Neighborhoods Program and Lead Poisoning Prevention Program are trained and deputized code enforcement officers, which enables health department staff to formally cite for violations of the Erie County Sanitary Code while conducting home assessments. Deputizing health and/or housing agencies to enforce each other's code provisions assures a unified perspective toward housing-based lead poisoning primary prevention, increases the capacity for code enforcement, and streamlines the experience for residents and property owners by reducing the need for handoffs to other city agencies/programs.

Adopting a cooperative compliance model means transforming the traditional *us vs. them* (*city vs. landlord* or *renter vs. landlord*) dynamic in code enforcement transactions and equipping your code enforcement team with tools to work with and support property owners throughout the process…from why it's important, to how it can be fixed and getting connected to resources to help property owners do the right thing. The code enforcement officer is armed with cooperative tools – information, education, and resources – along with traditional enforcement sanctions. Cooperative compliance allows property owners and officers to work together to improve housing conditions and promote health. Many communities struggle with enforcement. A cooperative compliance approach can reduce the number of properties that require follow-up enforcement action.

COOPERATIVE COMPLIANCE

Strategy in action: The *Alameda County Healthy Homes Department* uses a collaborative approach to work with residents and property owners, including providing residents with access to free classes on lead-safe work practices and financial assistance to make needed repairs.

SUPPLEMENTARY PROGRAMS

Supplementary programs, whether run by a city agency or a community partner, are essential to the effective functioning of a PRI or other inspection program. These can include educational programs to help residents and landlords understand their responsibilities and any assistance that may be available, resources to subsidize or pay for repairs (e.g., low- or no-interest loan programs), relocation assistance, translation services, and more. As noted above, a more robust system that makes it easier for renters and property owners to understand their obligations and access resources to help them meet those responsibilities, will mean that fewer properties will require enforcement action.

Strategy in action: In Los Angeles, CA, the *Rent Escrow Account Program (REAP)* incentivizes owners to return properties to habitable conditions by giving tenants in eligible units a reduction in rent. Tenants also have the option of paying their reduced rents into an escrow account that can be used by owners or tenants to make repairs, pay utilities, or relocate to a new apartment.

Tools you can use: You can read about examples of low- or no-interest loan programs here: https://nchh.org/resources/resident-and-homeowner/home-repair-loan-programs/. Another resource, *Up to Code: Code Enforcement Strategies for Healthy Housing*, contains several examples of supplementary programs that other communities have established to support their code enforcement activities.

EVALUATION

Code enforcement programs should collect and analyze data regularly to better understand their strengths and weaknesses. Evaluation can help monitor functioning, identify areas for improvement, help to justify resources, and provide accountability. Communities may also consider tracking key performance metrics by census tract or neighborhood to ensure equitable access and that the system is working well for all residents.

Strategy in action: Kansas City, MO, *publishes their housing code data online*. The online data includes a dashboard summarizing performance across a variety of metrics, the ability to search for specific cases or properties, and to export data for analysis offline.

Tools you can use: The *House Facts Data Standard* is a uniform format for reporting government data on the operation, safety, and performance of residential buildings. The city of Kansas City, MO, publishes their housing code data online in this format.

For additional resources on proactive rental inspection programs and technical assistance tools related to other valuable local policy change opportunities, please visit ....

https://nchh.org/tools-and-data/technical-assistance/lead-legal-strategies-partnership/local-policy-tool-box/

Technical Assistance Tool

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