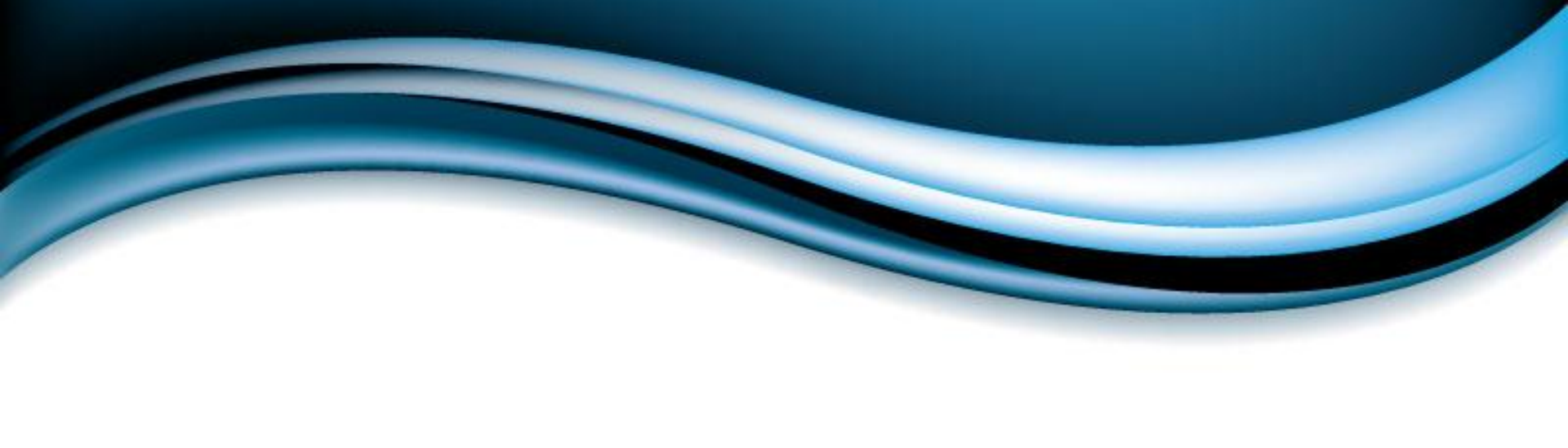


Substandard Structures

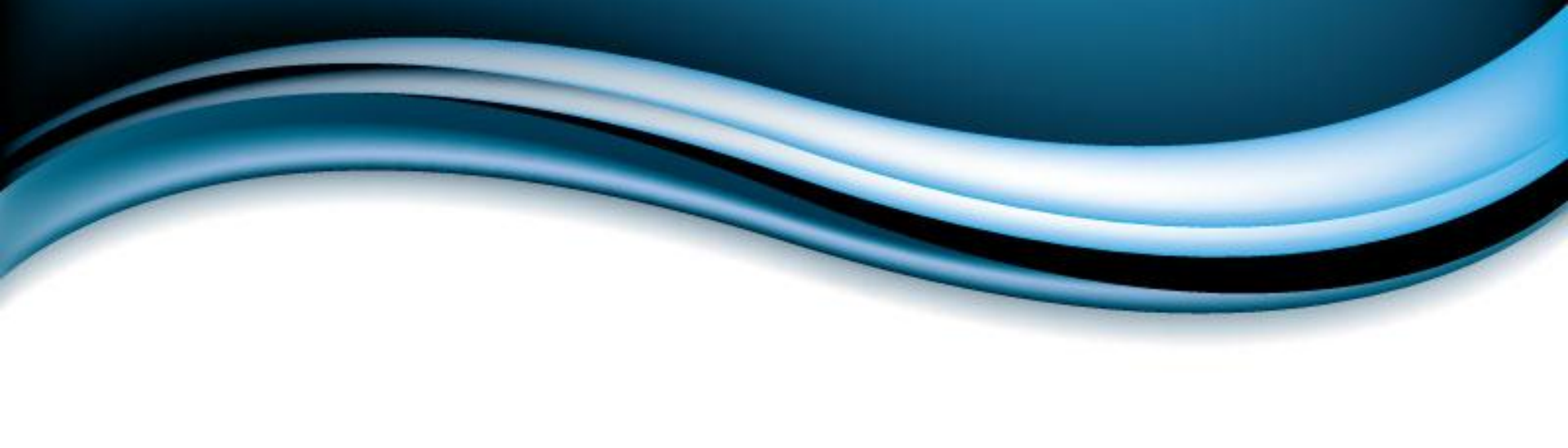
February 5, 2013



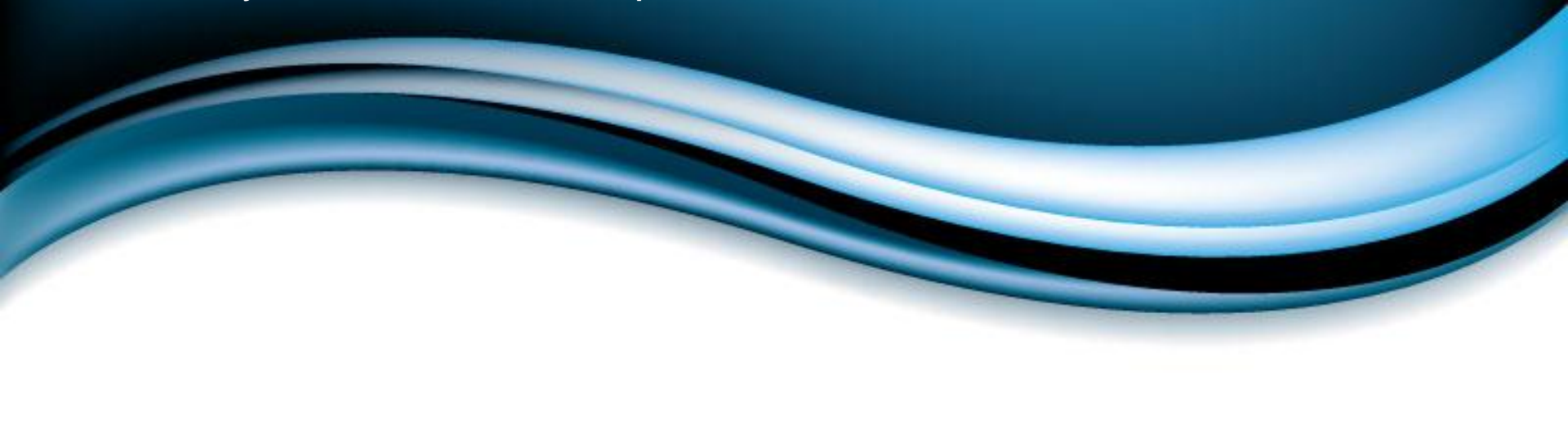
Goals and Objectives

- Provide quality, consistent code enforcement as an essential service to citizens in all areas of the City.
 - Protect people and property values through proactive rather than reactive actions.
 - Protect quality of life of those in surrounding established neighborhoods.
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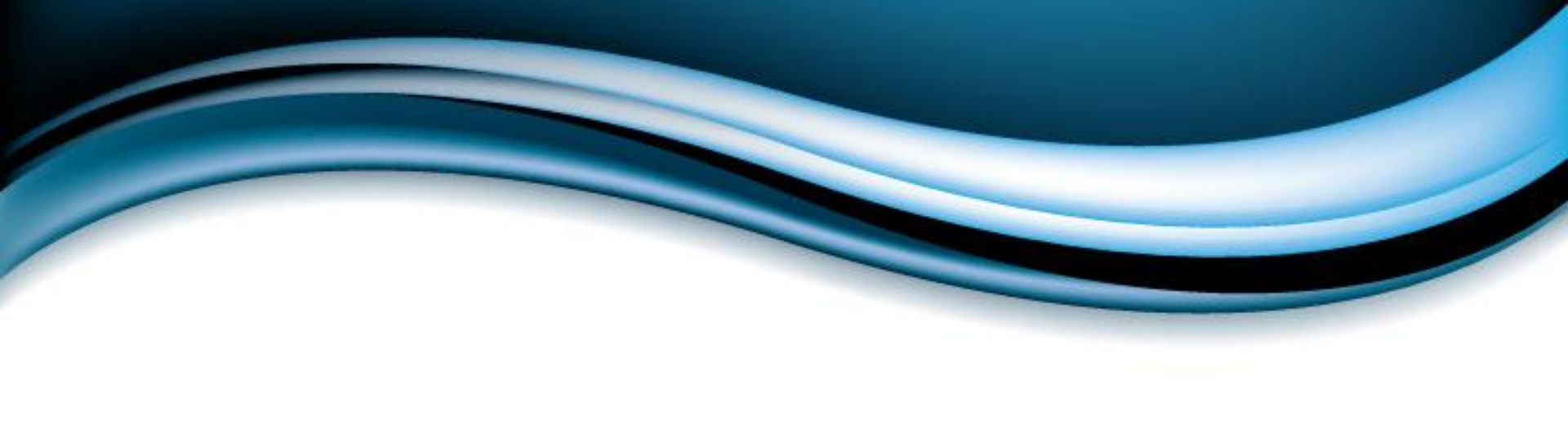
Common Misperceptions

- Staff “targets” properties based solely upon aesthetics.
 - The City “acquires” or takes ownership of properties through this process.
 - Property owners are displaced when properties are “tagged” substandard.
 - Staff does not allow owners adequate time to bring their properties into compliance.
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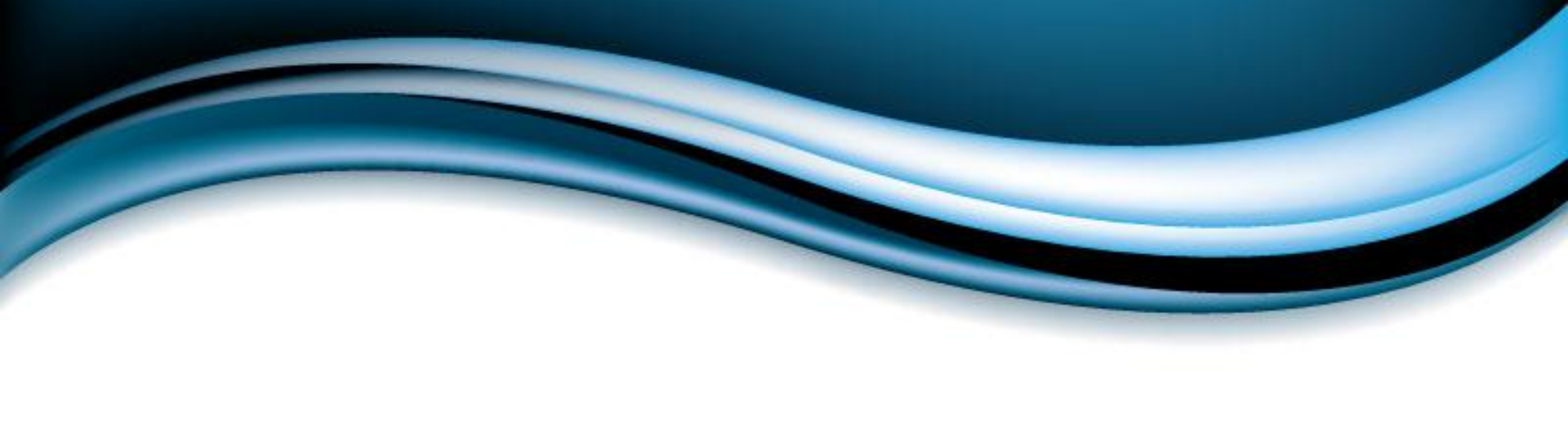
Identifying Substandard Structures

- Predominately, Code staff initiates cases on vacant, non-owner occupied structures.
 - Structures may be residential or commercial.
 - Staff identifies properties that display exterior physical dilapidation, decay, and/or extreme lack of overall care. Failed foundations and sewer lines, sagging roofs, and exposed wiring are common indicators of substandard conditions.
 - Investigations initiated on open and accessible structures often result in properties being “tagged” as substandard.
 - Fire damaged structures are generally tagged to ensure that proper repairs are made prior to re-occupancy of the property. Frequently, fires occur in vacant structures due to the use of “comfort fires” by transients or unlawful occupants.
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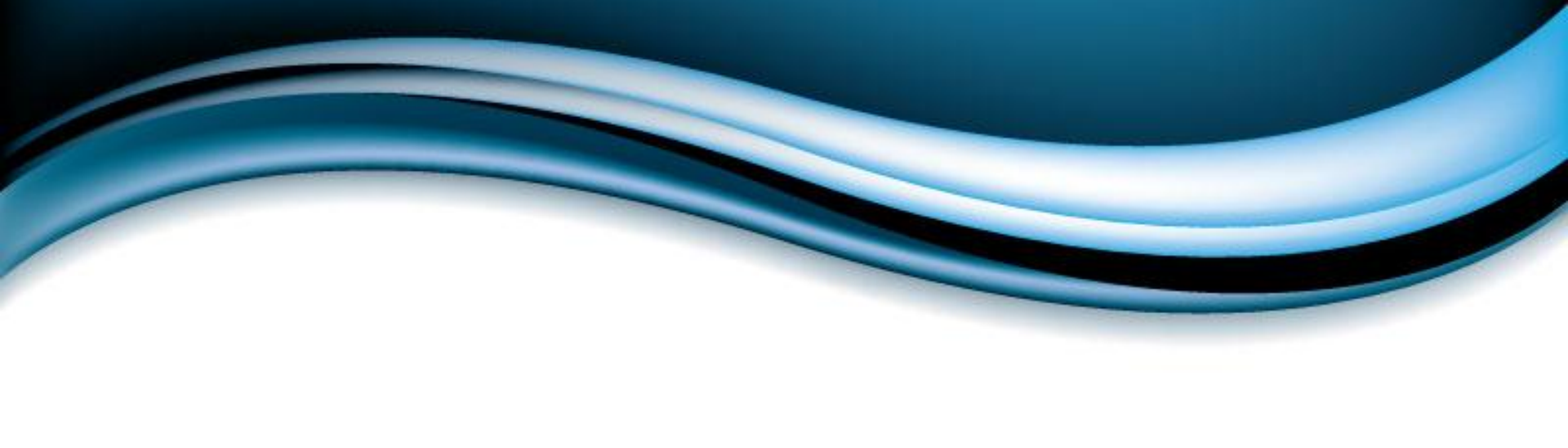
Initial Notification

- Initial notification is by “tagging” the structure with a yellow notice placed on front and rear of structure.
 - In some instances this action results in contact from an interested party.
 - City utility records, internal databases, phone directories, internet searches, contact with neighbors, and all other available methods are used to locate contact information for property owners or other responsible parties to discuss the subject property.
 - Staff makes every possible attempt to discuss the condition of the property with the owners or their agents.
 - Staff guides owners toward entities such as faith-based organizations or community sponsored programs that may be able to assist the owners in the repair or, if necessary, the demolition of the structure.
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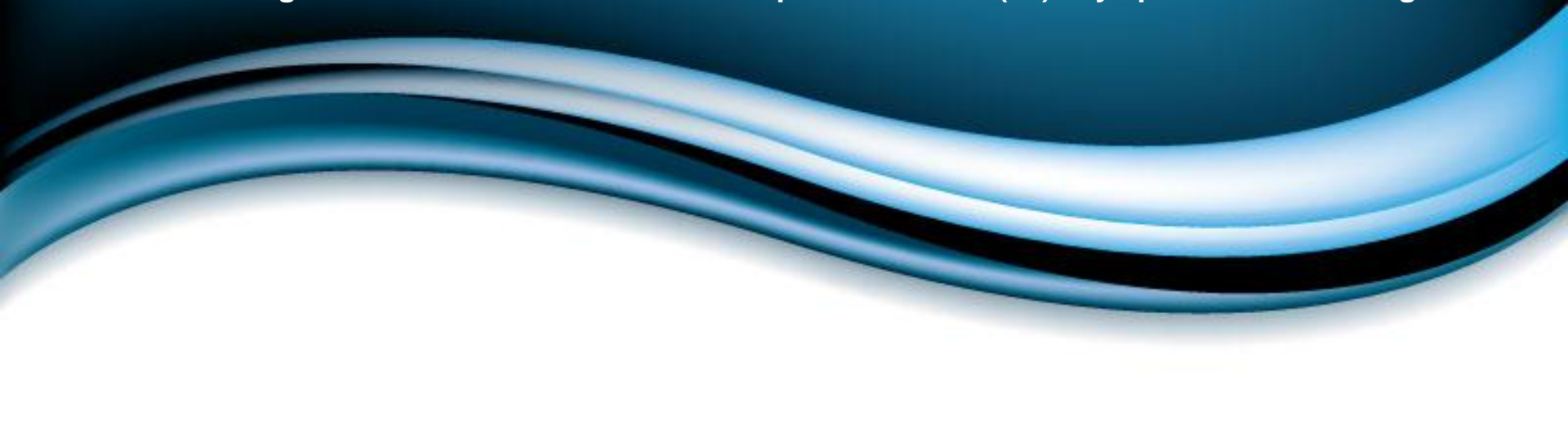
Inspection Process

- Access to inspect the property is requested by Code staff. The owner, heir, manager, or other responsible party may allow inspection.
 - A tenant who has concerns about the property will often request an inspection prior to vacating.
 - If no contact can be found, or if a responsible party will not allow inspection, staff will secure an inspection warrant.
 - A building inspector conducts an inspection and completes a report, including photographs, which identifies the condition of all structural and mechanical components of the tagged house.
 - If it is determined that the structure does not qualify as substandard, but does have issues that need to be addressed prior to being reoccupied, the owner is given a punch list and the property “untagged”.
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Administrative Action

- If the structure does qualify as substandard, the inspection report is finalized and then reviewed and approved by the Chief or Assistant Building Official.
 - Following the completion of the inspection report, and verification of substandard findings, Code staff begins the deed search process to determine who must be notified. All owners, lien holders, mortgage companies, and in case of deceased owners, all known heirs are contacted. This may result in up to (20) notifications being sent on one property.
 - If the property is located within the Historical District the Historic Preservation Officer is required to issue a Certificate of Appropriateness for the demolition of the structure
 - An Administrative Order (A/O), which includes a copy of the property inspection report, is completed and signed by the Chief Building Official. The A/O generally allows 30 – 60 days for the owners of the property to secure a building permit and complete all necessary work OR demolish the structure prior to the Building and Standards Commission (BSC) hearing.
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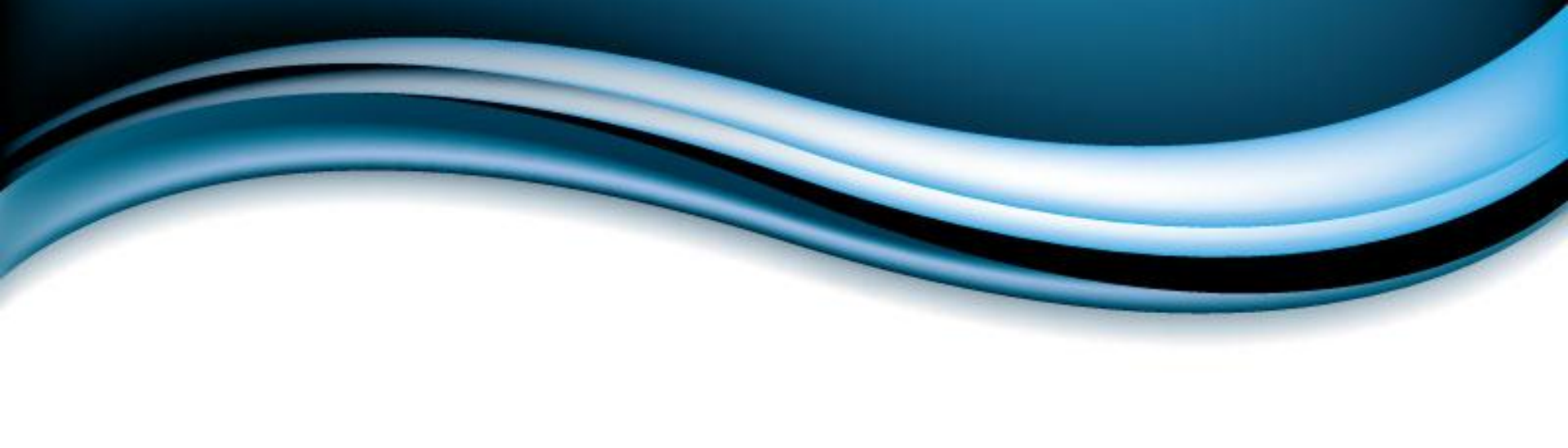
Administrative Action Cont.

- If an owner is working diligently at making required improvements to the structure staff will extend the Administrative Order and all work to be completed.
 - The A/O is recorded in Collin County Deed Records and is sent to all interested parties by both regular and certified mail.
 - Once the A/O has expired the property is placed on the next BSC meeting agenda. It may be up to (60) days or more following the expiration of the A/O before being heard by BSC.
 - Hearing notices are sent to all interested parties at least (30) days prior to the hearing.
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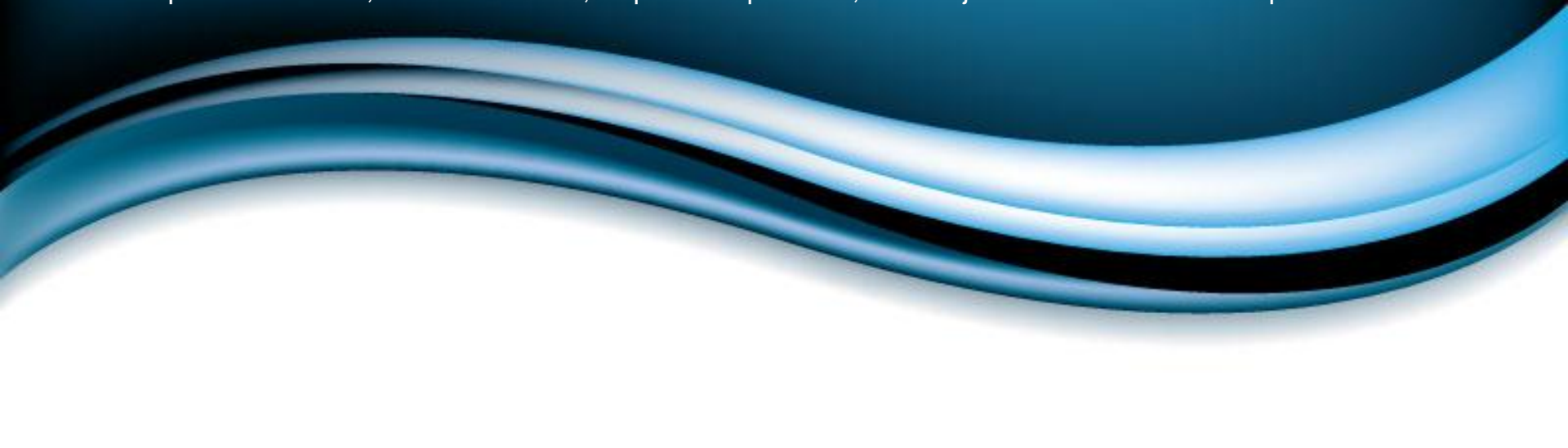
BSC Hearing Process

- Building and Standards Commission is made up of (7) members appointed by the City Council.
 - The Commission may either accept staff's recommendations/findings regarding the property and/or make new findings based upon testimony received from owners or other parties during the public hearing.
 - Most often, the Commission accepts staff's findings and will issue an Order that allows the property owner (30) days to obtain necessary permits to repair the structure and a total of (90) days to complete the work OR (30) days to secure a permit and have the structure demolished.
 - The Commission may allow longer periods of time (up to 120 days) to complete work if the owner indicates that the extra time is necessary. Additional time extensions are given as long as significant progress is being shown.
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BSC Hearing Process Cont.

- The Order issued by BSC is recorded in Collin County Deed records within (10) days after the meeting date.
 - Staff continues to stay in communication with the property owner and records dates to track compliance with the Order.
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Staff Assistance

- From the time the property is tagged staff works with property owners in any way possible to make this process as painless as possible. Staff's desire would be to resolve these cases without intervention by BSC.
 - Staff deals with many layers of interested parties; owners, banks, heirs, potential new buyers, and contractors.
 - In many instances the owners do not have the funds or desire to improve the condition of the structures. Owners often look to sell the property once it is identified as substandard and the City becomes involved. New buyers often ask to extend compliance dates further. Staff often obliges if it appears that compliance will be forthcoming.
 - Staff stays in constant contact with owners and responsible parties recording significant milestones such as permit issuance, work start dates, required inspections, and major setbacks toward compliance.
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Staff Assistance Cont.

- Often there are extenuating circumstances such as estate probate, failing health that have contributed to the conditions that are observed and prevented customary care of the property.
- If reasonable and substantial efforts to comply are being made by the property owner staff will work to extend deadlines.

Enforcement

- Consideration is made for situations beyond the owner's control such as weather, labor issues and other problems which prevent work from being completed on schedule with the BSC Order.
 - Every opportunity to comply is afforded the property owner before the City takes action to enforce the Order.
 - If reasonable and substantial progress is being made staff will support an extension of deadlines.
 - In many instances financial burdens, foreclosure proceedings, and pending property tax suits ultimately make it impossible for some owners to comply. In these instances no time extensions will make any difference.
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Enforcement Cont.

- Residents of surrounding properties constantly express concerns that their own properties and lives are being negatively impacted in three ways:
 - Visually: by having to look at a dilapidated, uncared for property on a daily basis.
 - Financially: by experiencing a drop in property value or inability to sell their home due to the substandard structure.
 - Safety: due to the attractive nuisance that the substandard structure presents.
 - Ultimately, if allowed to remain, unoccupied substandard properties continue to have wide-spread negative impacts not only on the immediate neighborhood but on the community as a whole.
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In Conclusion...

Code Enforcement action on substandard structures:

- Protects values of adjacent properties.
 - Reduces neighborhood blight and crime.
 - Enhances livability of surrounding areas.

 - Property owners are afforded significant amounts of time to bring property into compliance prior to, and following the issuance of a formal Order by the Building and Standards Commission.

 - Staff works diligently to assist owners in any way possible throughout the entire process.
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