



City of San Antonio

Agenda Memorandum

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Agenda Item Number: 2

Agenda Date: February 23, 2023

In Control: Planning and Community Development Committee

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Briefing and possible action on the Proactive Apartment Inspections Task Force and development to proactively inspect multi-family residential properties for compliance with minimum health and safety housing standards.

SUMMARY:

Two cases involving apartment complexes last summer, where significant property maintenance violations negatively impacted the health and safety of residents, highlighted the need to review options to address proactive inspections at multi-family residential properties and possibly create a “Bad Actor” Apartment Registration Program. Development Services Department (DSD) presented three options to begin addressing proactive inspections of apartment communities at the Planning and Community Development Committee (PCDC) on August 25, 2022 and were asked to further brief the Committee at the September meeting. On September 22, 2022, PCDC recommended DSD move forward with the creation of a stakeholder group to discuss and develop potential code changes and the creation of a “Bad Actor” Apartment Registration Program. DSD

provided an update to PCDC in December 2022 and recommended DSD provide a follow up in February 2023.

BACKGROUND INFORMATION:

Apartment complexes present a unique and challenging situation when owners fail to meet the City's minimum property maintenance standards and safety codes because of the negative impacts to health and quality of life to multiple tenants and families. Last summer, there were two separate apartment complexes with significant property maintenance code violations: Colinas at Medical formerly known as Seven Oaks (Council District 7) and Wurzbach Manor (Council District 8). DSD's Code Enforcement team responded to the calls for service and issued notices as well as citations to bring the properties into compliance. Despite these efforts, the health and safety of residents were negatively impacted, and proactive inspections were requested, moving forward, to mitigate the presence of similar conditions at other apartment complexes.

In October 2022, DSD created a proactive apartment inspection stakeholder group of 10 members with two alternates. The stakeholder group was intended to be balanced with five renters or renter advocates and five industry professionals. Since October 2022, DSD has hosted 11 public meetings with the stakeholder group and allowed for public comments at each meeting.

DSD received two unique proposals from the stakeholder group which have set the framework of discussion for defining a "bad actor". In December 2022, DSD hosted two public comment meetings, in person and virtual, to allow the public to provide additional comments and feedback on the proposed proactive apartment inspection program. In addition, the SASpeakUp portal allowed for the community to also provide comment.

Over the last few months, the stakeholder group has reviewed and discussed the following:

- Code enforcement processes and procedures
- Code terminology (notices vs. citations)
- Most common violations using 18 months of apartment data
- Need for tenant, manager, owner education on the code process
- Annual maintenance permits – presentation by DSD staff
- Health and life safety violations and other items pertinent to the program

ISSUE:

The Development Services Department's Code Enforcement team responds reactively to calls related to apartment property maintenance violations and added two dedicated officers to proactively inspect apartments beginning in FY 2023. The recommended draft ordinance based on the stakeholder group suggestions will require apartment complexes with five units or more that receive three or four citations within a consecutive six month period to register for 6, 9, 12, 18 or 24 months. Properties enrolled in the Apartment Registration Program will be subject to registration fees and monthly inspections to ensure compliance with City Codes. The proactive

inspections are expected to increase the quality of life for tenants who reside at these apartment complexes.

FISCAL IMPACT:

To effectively manage and proactively inspect properties enrolled in the Apartment Registration Program, DSD will need an additional four full-time positions, one Code Enforcement Supervisor, two Code Enforcement Officers, and one Senior Management Analyst in FY 2024 to assist the two dedicated Code Enforcement Officers assigned to conduct proactive apartment inspections. The initial fiscal impact in FY 2024 is expected to be \$383,102 with a recurring cost estimate of no less than \$299,425 beginning in FY 2025.

ALTERNATIVES:

This item is for briefing purposes only

RECOMMENDATION:

Staff recommends that the proposed draft ordinance based on stakeholder group's suggestions be presented to City Council for consideration and approval.