



AUSTINCODE
DEPARTMENT

Repeat Offender Program

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Overview

- Repeat Offender History
- Ordinance Requirements
- Process
- Registration Requirements
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- Periodic Inspections
- Common Substandard Conditions & Disaster Situations





SOUTHEAST AUSTIN

kxan BALCONY COLLAPSES AFTER EVACUATION

5:00 87



Repeat Offender History

2013

- June 6 Rental Registration Resolution 49
- June 6 Repeat Offender Program Resolution 50
- Sept. 26 2013 | 50 adopted
- Oct. 7 2013 | Repeat Offender Ordinance goes into effect
 - 4 FTE approved by Council for Multi-Family Inspection Team
 - FTE hired and trained
 - ROP developed

2014

- Jan. 2014 ROP Fully Implemented
- Nov. 2014 Amended by Council
 - Remove habitability
 - 12 to 24 months
 - Added conditions

2015

- Jan. 2015 Changes are implemented by Austin Code



Photo 3 (BLDG 2): Building 2 Elevated Walkway



Photo 4 (BLDG 2): Existing Elevated Walkway



Photo 5 (BLDG 2): Existing Second Floor Framing Members



Photo 6 (BLDG 2): Top Plate Connection of Existing Steel Column



Ordinance Requirements

All single-family and multi-family rental properties that have received numerous health and safety complaints within **24 consecutive months** are required to register with the City of Austin Repeat Offender Program.



Single-Family Property

Property used for single family residential, single-family attached, and two-family residential (duplexes, garage apartments, townhomes, garden homes, etc.).



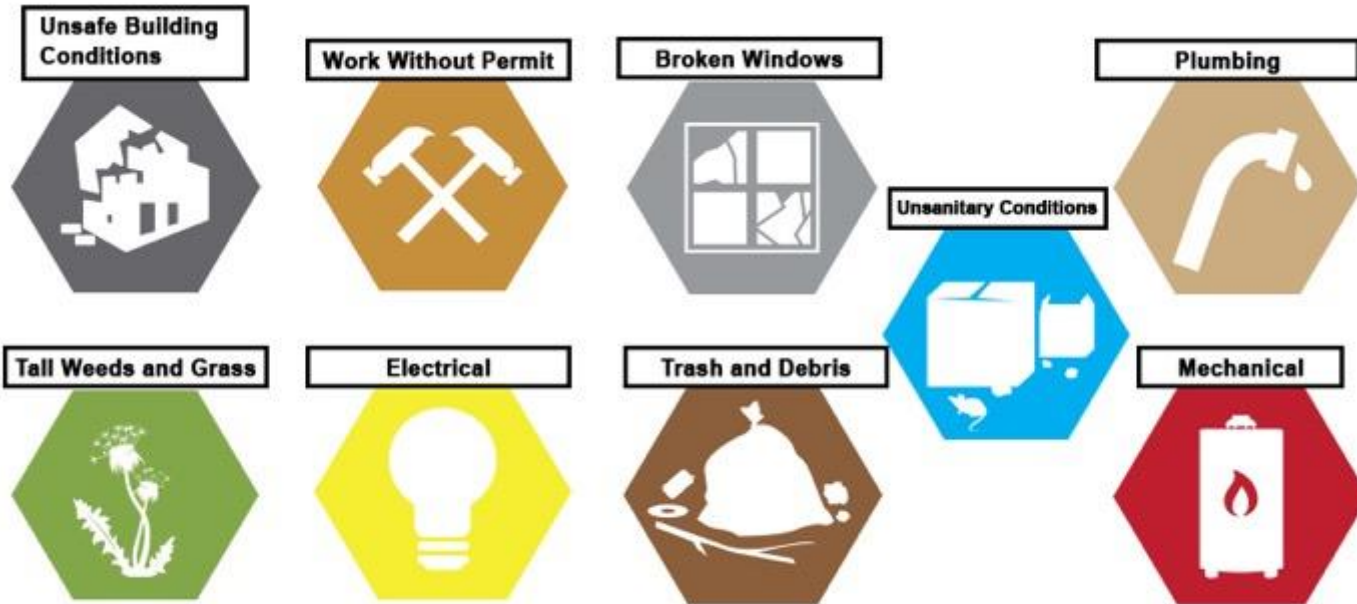
Multi-Family Property

Property used for three or more dwelling units, within one or more buildings (apartments, condos, etc.)



What types of conditions are considered a violation?

Rental properties with multiple code violations are required to register with the repeat offender program.





ROP Criteria

A rental registration is required for multi-family and single-family rental properties (not occupied by the owner) if they have received the following within 24 consecutive months at the same property:

2

or more separate notices of violation are issued for the same property within a consecutive 24-month period and the owner of the property fails to correct the violations within the time frame required by the code official.

5

or more separate notices of violation issued on separate days for the same property within a 24 period regardless of whether the violation was corrected or not.

2

or more citations are issued for the same property within a 24 consecutive months.



Process

IDENTIFY

- Code staff **identifies** and refers property to the ROP committee as a candidate for the Repeat Offender Program.

REVIEW

- The ROP committee **reviews** the property and determines whether the property meets the ordinance requirements.

REGISTER

- If eligible, the property is submitted to the Code Licensing and Registration Team. The property owner is required to **register** within 14 days or appeal to the Director of the Code Department.
- Properties are automatically registered after 14 days
- \$330 application fee for each property

NOTIFY

- The public is **notified** of registered properties via online reporting tools and distribution methods such as: the Austin Code website, media, quarter reports and social media.

INSPECT

- The ROP team conducts periodic **inspections** of all registered properties.



Registration Requirements

The property owner has **14 days** to from the date of registration notice receipt to return completed rental registration application documents and pay the registration fee to ACD Finance.

A property owner who is required to register may **appeal** the ROP registration requirement to the Code Official. The appeal must be submitted in writing within ten (10) days from the date the notice of registration is mailed.

The property remains registered for a minimum of **two (2)** consecutive years, and shall remain registered until the conditions of ROP 2-5-2 have not occurred for two (2) consecutive years.



Registration Requirements

If rental property completes a registration period and then becomes subject to this chapter again, the registration period will be for a minimum of **five years** and must remain registered.

Each year the registrant shall **pay annually a fee** to maintain the rental registration.

Display of registration in a public area of an on-site management office or other similar public area of the property is required



Registrant shall post and maintain signs in **English and Spanish**, on the premises of the property that include the **emergency phone number** described in Texas Property Code Section 92.020 (Emergency Phone Number) and information regarding on how to report code violations to the City.

Signs required shall be a minimum of **12 inches by 24 inches**. Sign facings shall be **water proof**. The signs shall have a **white background** with letters and numbers in contrasting color.

Registrant must post **one sign per 50 units**. Signs must be posted outside and in the common areas of the property. If more then one sign is required under this section, the signs may not be placed in the same area of the property.



A registrant who does not reside within the Austin Metro Area must identify an individual or individuals that can respond to emergency conditions. Individual is required to respond within two hours after being notified by a tenant or a City employee of an emergency during any 24-hour period.

Any changes related to the local contacts, a registrant must update the code official in writing within three business days and provide the new local contact's information.

If the rental property changes ownership, the new owner must, within 30 days of the change, submit a new registration application and pays a new registration fee. If the rental property is made compliant within a 90 day period after the property is sold, the requirement to register is no longer applicable.



Periodic Inspections

- May occur once a year
- Code official will select the occupied dwelling units.
- Provide tenants at least 2 days notice of inspections.
- Inspection on all exterior properties
- All building exteriors (exterior and common areas)
- All vacant dwelling units
- At least 10% of all occupied dwelling units (consent from tenant is required for inspection)



Periodic Inspections

During the periodic inspection, the inspector will document all violations on the inspection checklist, each interior and exterior inspection performed will have its own checklist.

A Notice of violation will be sent to all violations from the periodic inspection and a 30 day compliance timeframe will be issued. Inspector will follow-up within 5 days of the expiration of the notice to determine if violations remain.

Extensions may only be granted after reviewing the case with the Assistant Division Manager and a compliance plan is provided from the owner of the property.





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1516 BURTON DR (aka 1601 Royal Crest Dr)[OL]

List View

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Folder Number	Ref. #	In Date ^	Issued	Status	Folder Name	Folder Description	Issue User	Expiry Date	Final Date	
2014 031137 000 00 OL		Mar 28, 2014	Aug 16, 2016	Active	1516 BURTON DR (aka 1601		Marion Wynn		Sep 07, 2016	Lodgi
2014 031294 000 00 OL		Mar 28, 2014	Feb 27, 2017	Active	7200 DUVAL ST		Marion Wynn			Lodgi
2014 032498 000 00 OL		Apr 01, 2014	May 16, 2014	Active	7201 (aka 7131 & 7303) WOOD		ELLIOTTM			Lodgi
2014 049579 000 00 OL		May 13, 2014	Aug 16, 2016	Active	1901 (aka 1903, 1905, 1907,		Marion Wynn			Lodgi
2014 057017 000 00 OL		Jun 02, 2014	Apr 10, 2015	Active	1512 WHELESS LN		ELLIOTMA			Lodgi
2014 106161 000 00 OL		Oct 02, 2014	Feb 24, 2017	Active	9601 MIDDLE FISKVILLE RD		Marion Wynn			Lodgi
2014 118060 000 00 OL		Nov 01, 2014	Feb 24, 2017	Active	5112 S 1ST ST		Marion Wynn			Lodgi
2014 118061 000 00 OL		Nov 01, 2014	Feb 02, 2016	Active	2201 WILLOW CREEK DR		Marion Wynn			Lodgi
2014 118067 000 00 OL		Nov 01, 2014	Apr 10, 2015	Active	1500 ROYAL CREST DR		ELLIOTMA			Lodgi
2014 118065 000 00 OL		Nov 01, 2014	Apr 15, 2016	Active	1300 SOUTHPORT DR		OSWALTS			Lodgi
2014 118066 000 00 OL		Nov 01, 2014	Oct 09, 2015	Active	1630 RUTLAND DR (property		Marion Wynn		Jan 23, 2017	Lodgi
2014 118062 000 00 OL		Nov 01, 2014	Apr 10, 2015	Active	6905 WENTWORTH DR		ELLIOTMA			Lodgi
2014 121076 000 00 OL		Nov 10, 2014	Apr 10, 2015	Active	1124 RUTLAND DR		ELLIOTMA			Lodgi
2014 124061 000 00 OL		Nov 18, 2014	Feb 24, 2017	Active	1201 ARTHUR STILES RD		Marion Wynn			Lodgi
2014 124042 000 00 OL		Nov 18, 2014	Feb 24, 2017	Active	6504 HICKMAN AVE		Marion Wynn			Lodgi
2015 019369 000 00 OL		Feb 19, 2015	Feb 18, 2016	Active	6103 MANOR RD		ELLIOTMA			Lodgi
2015 084395 000 00 OL		Jul 13, 2015	Jan 29, 2016	Active	4501 E RIVERSIDE DR (aka		Marion Wynn			Lodgi
2015 101975 000 00 OL		Aug 21, 2015	Oct 29, 2015	Active	2400 WICKERSHAM LN		Marion Wynn			Lodgi
2015 105634 000 00 OL		Sep 01, 2015	Oct 28, 2015	Active	5609 COUGAR DR		Marion Wynn			Lodgi
2015 112945 000 00 OL		Sep 18, 2015	Oct 28, 2015	Active	7418 CAMERON RD	ROP	Marion Wynn			Lodgi
2015 112945 000 00 OL		Sep 18, 2015	Oct 28, 2015	Active	7418 CAMERON RD	ROP	Marion Wynn			Lodgi

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Identifying Common Code Violations

10 Most Commonly Reported Substandard Living Condition Violations and Reference to the Appropriate Sections in the International Property Maintenance Code (IPMC)





10 Common Substandard Conditions

- 1) No Hot Water
- 2) A/C Not Cooling
- 3) Heater Not Heating
- 4) Non-Functional or Missing Smoke Alarm
- 5) Bedbug/Roach/Rodent Infestation
- 6) Damaged Interior Wall
- 7) Trip Hazards
- 8) Damaged Windows
- 9) Ceiling Leak
- 10) Electrical Outlet(s) Not Working
- 11) ***Disaster Situations***



Suspension and Revocation

Suspension - § 4-14-50

The code official may suspend rental registration for a rental property if the code official determines:

- (1) the property is declared substandard or dangerous by the Building and Standards Commission, the code official, or a court of competent jurisdiction;
- (2) the registrant fails to timely comply with a notice of violation;
- (3) the registrant fails to comply with a requirement of this Chapter;
- (4) the registrant fails to comply with other City permitting requirements; or
- (5) the registrant fails to pay its annual registration fee.

Revocation - § 4-14-51

The code official may immediately revoke a registration that has been suspended pursuant to [Section 4-14-50](#) (*Suspension*) if the code official determines that the registrant is:

- (1) a condition that is dangerous or impairs habitability exists at the rental property during the suspension period; and
- (2) the registrant fails to take remedial action to correct the condition.

Even if the registration has not been suspended, the code official may immediately revoke a registration issued under this chapter if an order to vacate the rental property is issued by the Building and Standards Commission or a court of competent jurisdiction.

THANK YOU

Any questions?