



Administrative Hearing Process

AUSTIN, TEXAS CODE OF ORDINANCES, CHAPTER 2-13. - ADMINISTRATIVE ADJUDICATION OF VIOLATIONS

WELCOME TO THE CITY OF AUSTIN, CODE DEPARTMENT

You are here today to attend an Administrative Hearing. We thank you for your participation and cooperation in the process of addressing this matter. This handout is meant to help you understand the Administrative Hearing Process.

WE OPERATE ON A FIRST COME, FIRST SERVED BASIS

You will be called into the Hearing room in the order in which you arrived today.

RULES

- ⇒ Please place all mobile devices on silent.
- ⇒ Do not interrupt while others are talking.
- ⇒ Listen for understanding; ask clarifying questions.
- ⇒ Speak to others with respect and courtesy - do not use profanity.
- ⇒ Food and drinks are not allowed in the hearing room.
- ⇒ No weapons, guns or knives, are permitted in the hearing room.

INSIDE THE HEARING ROOM

- ⇒ Each party in the hearing will sit at their own tables.
- ⇒ You are permitted to plug in a laptop/phone if you need those items to present your facts and evidence.
- ⇒ You are permitted to take notes throughout the process.

HEARING PROCESS

- ⇒ Sign-in sheet - sign your full name and provide a valid email address.
- ⇒ The Hearing Officer will open the hearing and read the citation number and property address.
- ⇒ Each party will identify themselves - State your full name and your relationship to the property, i.e. Property Owner, Attorney for the Property Owner, Representative for the Property Owner.
- ⇒ The Hearing Officer will swear everyone in - Raise your right hand and affirm you will tell the truth.
- ⇒ The Hearing Officer will give each party an opportunity to present their case.
- ⇒ The Hearing Officer will adjourn (close) the hearing.
- ⇒ The Hearing Officer will issue a decision.

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THE HEARING OFFICER

- ⇒ The Hearing Officer is not a City of Austin Employee.
- ⇒ The Hearing Officer is a neutral third party vendor hired by the City to hear and make rulings on Administrative Hearing cases.
- ⇒ The Hearing Officer is responsible for opening and adjourning the Administrative Hearing.
- ⇒ The Hearing Officer may ask clarifying questions of either party throughout the hearing.
- ⇒ The Hearing Officer will listen to and review all the facts and evidence presented before issuing a final order.
- ⇒ The Hearing Officer has seven (7) days from the date of the hearing to issue an order.
- ⇒ The Hearing Officer may assess a fine if you are found liable for a City of Austin code violation.

THE CITY WILL PRESENT THEIR FACTS AND EVIDENCE

- ⇒ The City of Austin, including the Code Inspector, will present the city's evidence and read relevant facts into the record.
- ⇒ The City will ask the Hearing Officer to admit the City's evidence.
- ⇒ The Hearing Officer may ask the Code Inspector questions and may request that the Code Inspector show photos and documents.
- ⇒ The Hearing Officer will give you an opportunity to ask the Code Inspector questions.

THE PROPERTY OWNER/REPRESENTATIVE WILL PRESENT THEIR FACTS AND EVIDENCE

- ⇒ This is your opportunity to explain your situation and present your facts and evidence.
- ⇒ You may show photos and explain the steps you have taken to address the Notice of Violation and the Administrative Hearing Citation issued by the Code Inspector.
- ⇒ The Hearing Officer will give the Code Inspector an opportunity to ask you questions when you are done with your presentation.

AFTER THE HEARING

- ⇒ The Austin Code Department will post, email or send you a copy of the Hearing Officer's order.
- ⇒ A violator found liable by a Hearing Officer may appeal the determination by:
 - (1) Filing a petition with the Clerk of the Municipal Court before the 31st day after the Hearing Officer's determination is filed with the City Clerk; and
 - (2) Paying a non-refundable filing fee.
- ⇒ If you are found liable an administrative fee will be applied to the Hearing Officer's order. This fee is established by the City of Austin fee schedule.