Code Department Follow-up

Objective

This follow-up updates the status of the 2020 Repeat Offender Program audit recommendations and confirms the status of recommendations from two prior audits:

- Consistency of Austin Code Investigations and Resolutions Audit (April 2016)
- Performance Audit of the Code Compliance Function (March 2010)

We also answer, "Have changes made by the Austin Code Department resulted in better outcomes?"

Background

Our office's Austin Code audits made a total of 15 recommendations addressing issues in several areas:

- Records management
- Application of code enforcement
- Inspector education and certification
- Program changes to the Repeat Offender Program

What We Learned

We confirmed Austin Code implemented 14 of 15 previous recommendations. One recommendation is in progress. It appears Austin Code's changes have improved investigations, enforcement, and case management, although Austin Code has room for further improvement.

14 recommendations are complete & 1 is in progress

Our follow-up results show:

- Inspections are timelier, more consistent, and better documented than before
- Code issued Notices of Violation for City-owned properties and improved documentation
- Code integrated its case management with 311 and automated identification of eligible Repeat Offender Program properties
- All staff have required registrations
- Code increased enforcement and escalation of Repeat Offender Program cases
- Code continues to explore changes to Repeat Offender Program

Code increased inspections performed within the required timeframe

49% 2016 → 90% 2021
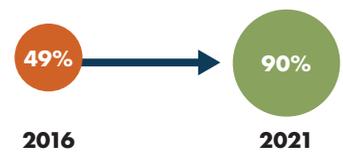
Austin Code issued Notices of Violation more often

53% 2016 → 58% 2021

Austin Code issued Notices of Violation for City properties

0 2016 → 345 2018-2021

Code Department Follow-up

Implementation Status of Issued Recommendations

Performance Audit of the Code Compliance Function (March 2010)		
1	Austin Code should develop and implement procedures for monitoring, along with procedures for corrective action, to ensure inspector compliance with policies and procedures for complaint and violation investigation and resolution.	Implemented
2	Austin Code should develop, implement, and monitor a training plan for inspectors to ensure inspectors receive adequate education and training both related to the City Code and to code enforcement practices.	Implemented
3	Austin Code should emphasize in the policies and procedures the importance of keeping accurate data, provide direction for proper records management, monitor conditions, and provide corrective action as needed.	Implemented
4	Austin Code should establish a uniform response for "parking in yard" complaints and communicate such response to CCD inspectors, the 311 Customer Service Center and the SWS Call Center.	Implemented
5	Austin Code should work to determine, with the Law Department, their authority to refer tenant complaints directly to the Housing Authority of the City of Austin without investigation.	Implemented
6	Austin Code should work with the Office of Communications and Technology Management (CTM) to find an integrated case management solution, with a single point of entry that has capacity to interface with 311.	Implemented
7	Austin Code should consider establishing a team to evaluate practices in other cities to determine what approaches will be beneficial in Austin.	Implemented

Consistency of Austin Code Investigations and Resolutions Audit (April 2016)		
1	The Austin Code Department Director should revise departmental policy to: • include standards for issuing compliance timelines for confirmed violations; and • detail how and at what point work without permit violations should be closed.	Implemented
2	The Austin Code Department Director should develop and implement a more rigorous case monitoring process.	Implemented
3	Austin Code should work with appropriate City stakeholders to implement a process that ensures potential violations on City-owned properties are effectively investigated, communicated in a timely manner to responsible departments, and resolved.	Implemented
4	As previously recommended, the Austin Code Department Director should work with the Communications and Technology Management Department to integrate the AMANDA and 311 systems, and ensure case prioritization tools are used to flag high-risk cases.	Implemented
5	Austin Code should take immediate action to ensure that all existing employees meet the minimum required qualifications of their position and implement a more stringent process to ensure that staff maintain the minimum required qualifications for their positions going forward.	Implemented

Code Department Follow-up

Implementation Status of Issued Recommendations Continued

Austin Code Department Repeat Offender Program (October 2020)		

1	In order to prompt Repeat Offender Program property owners to improve properties and address violations, the Director of the Austin Code Department should:
	
	    a. Develop a voluntary landlord incentive program; and
	
	    b. Increase enforcement and escalate cases, particularly by using the suspension process outlined in City ordinance.
		Implemented
		
		Austin Code has determined not to pursue 1a based on stakeholder feedback.

2	In order to ensure that properties are properly registered for the Repeat Offender Program, the Director of the Austin Code Department should work with the Communications and Technology Management (CTM) Department to streamline the processes used to identify properties that may be program-eligible.	Implemented

3	In order to improve Repeat Offender Program outcomes, the Director of the Austin Code Department should work with the City Law Department and City Council to revise the Repeat Offender Program ordinance. Revisions to the ordinance should include consideration of:
	
	    a. Redesigning Austin's Repeat Offender Program to require full rental registration across the City;
	
	    b. Renaming Austin's Repeat Offender Program;
	
	    c. Proposing an alternate fee schedule that accurately reflects the difference in workload and greater costs incurred to enforce the Repeat Offender Program ordinance at larger properties.
		In progress
		
		Code's proposed implementation date was October 2022.