
CODE ENFORCEMENT IN RURAL COMMUNITIES:

PRESSING ISSUES AND BEST PRACTICES

PRESENTED BY CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

DECEMBER 2018 CODE ENFORCEMENT SYMPOSIUM

PRESENTATION OVERVIEW– ISSUES IMPACTING COMMUNITIES

- Community blight
- Out-of-state speculators
- Bank-owned properties
- Predatory landlords
- Language Access
- Barriers to reporting
- Under-resourced departments
- Displacement

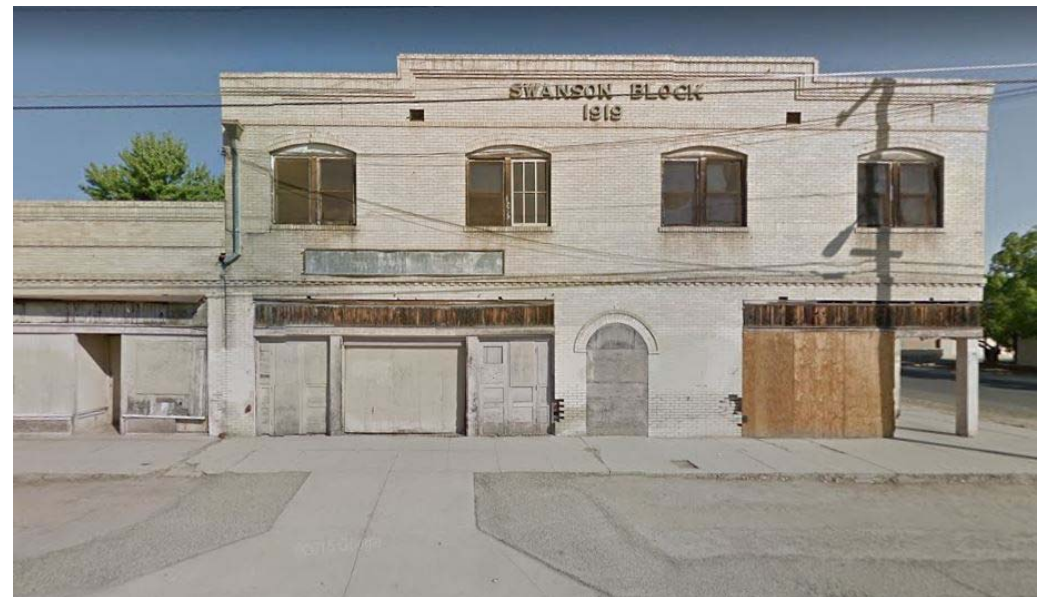
IMPACT OF BLIGHT IN RURAL COMMUNITIES

- What do we mean by blight?
- Reduces property values
 - Residents often owners not renters
- Health and safety hazard
 - Fires
 - Vermin
 - Encourages Illegal dumping/hazardous material
 - Impacted by limited rural access to HHW facilities/large item dump sites
- Discourages community investment/cascading effect



IMPACT OF BLIGHT IN RURAL COMMUNITIES

- Public and private nuisances—interference with property use/enjoyment
- More likely to impact rural/low-income/minority communities



ISSUE I: SPECULATORS

- Absentee property owners purchasing properties for investment
- Fail to maintain → hazardous conditions
- Difficult to enforce due to owner location
- Limited Liability Company structure skirts accountability
- Failure to pay taxes → attempt to offload property and abatement obligations



ISSUE 2: BANK-OWNED PROPERTIES

- Foreclosure crisis disproportionately impacted low-income communities and communities of color → systemic targeting for high risk loans
- Bank now owns foreclosed properties → less maintenance in low income, minority communities
- Enforcement against banks difficult
- Some Code Enforcement agencies do not keep lists of foreclosed/bank owned/abandoned properties



ISSUE 3: NON-COMPLIANT LANDLORDS

- Lack of affordable housing→ opportunities for predatory LL behavior
 - Tenants without alternative options
 - Subsidized housing options limited
 - Retaliation for reporting→ silence/fear
- Failure to maintain rentals with little consequences
- Public health and safety issues:
 - Mold
 - Vermin
 - Heating
 - Roofing
 - Unstable
- When forced to comply, LL conducts bare minimum or masking repairs
- Risk of displacement high if enforcement not careful

ISSUE 5: LANGUAGE ACCESS

- Rural communities have high LEP populations
- LEP → legal right to accessible services
- Federal and state law mandate access to municipal services for LEP populations
- Code Enforcement Depts without Language Access Plans, knowledge
- Lack of access/reporting options for LEP populations



ISSUE 6: BARRIERS TO REPORTING BLIGHT

- Jurisdictions may unintentionally create barriers to residents reporting blight or violations of habitability laws
- Language access barriers
- Technology barriers
- Retaliation/Identification concerns



ISSUE 7: UNDER-RESOURCED DEPARTMENTS

- High blight areas and rural areas often lack resources and core staff
- Lack of resources = less funds for inspections, abatement
- Many violators will not comply willingly (out of state, bank-owned, egregious LLs)
- Rural areas require additional staff for inspection → lots of land to cover
- Too much burden on residents to build cases:
 - Ex: Resident reporting vacant lot with vagrants living in cars, burning trash, using and selling drugs was told to enter property and take photographs to submit to CE, without photographs no case would be opened
 - Ex: Residents asked to provide APNs or exact addresses, not cross streets because no inspector would be sent

ISSUE 8: DISPLACEMENT RISK

- Abatement can cause displacement if MHP and substandard housing shut down
- Displacement punishes innocent residents, violates rights
- Lack of affordable housing exacerbates problems
- Real health and safety risk especially for vulnerable residents: elderly, children, disabled, medical issues



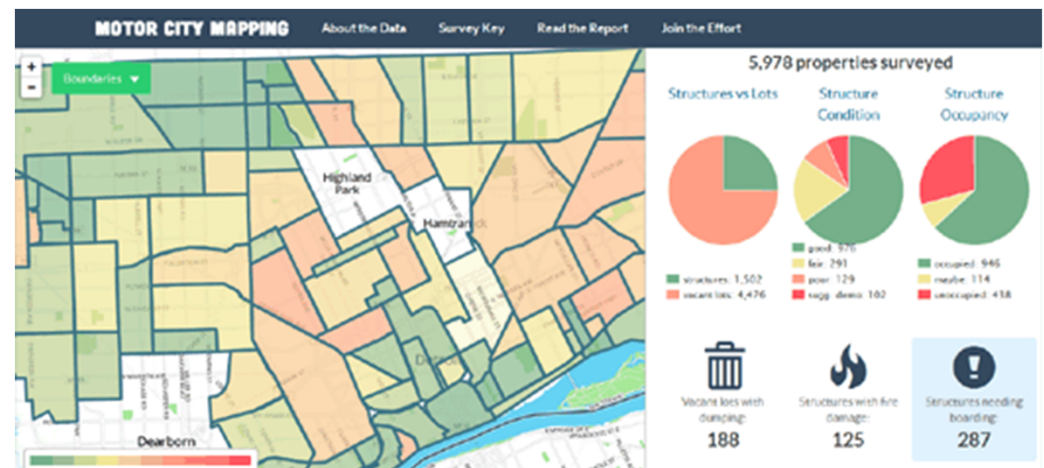


**CODE ENFORCEMENT BEST
PRACTICES TO ADDRESS BLIGHT AND
SUBSTANDARD HOUSING IN RURAL
COMMUNITIES**



BEST PRACTICE I: BLIGHT MAPPING AND TRACKING

- Blight mapping= identify areas that are blighted or at risk of blight
- Community-based programs successful
 - Apps make it easy, anonymous to assist
- Keep list of vacant houses, bank owned properties, properties in foreclosure, tax sale properties
- Targeted enforcement to address systemic issues



BEST PRACTICE 2: REPORTING SYSTEM THAT TRACKS COMPLAINTS

- Accela and other software options
 - Be aware not all residents have smart phones
- Track complaints beginning to end
- Assign tasks to relevant departments
- Identify and track multiple complaints per location to identify/prioritize repeat issues and prevent blight
- Record keeping helpful for abatement actions, PRA requests



BEST PRACTICE 3: IMPROVE LANGUAGE ACCESS

- Develop Language Access Plan in coordination with experienced consultants or CBOs
- Prioritize and incentivize multi-lingual staff hires
- Utilize Language Line or similar services
- Public-facing documents translated into primary languages (5% or more of population)
 - Esp. abatement letters, citations, NOV
- Reporting available in multiple languages; phone and writing
- Pool resources with other departments to assist with cost



BEST PRACTICE 4: ENFORCEMENT WITHOUT DISPLACEMENT

- Code enforcement must not lead to displacement of tenants
- Work to maintain tenancies and ensure ongoing unit affordability
- Collaboration with CBOs, housing and homeless advocates, HCD
- Enforcement agencies and receiverships must understand and respect tenant's rights
- Seek resources that can assist in displacement protection



QUESTIONS-COMMENTS-CONTACT

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