Topeka: Changing the Culture of Property Maintenance

Mid-Project Report
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Goals of Property Maintenance

• Safety of people
• Protection of structures
• Maintenance of an attractive environment
• Maintain or increase property values
Status of Project

• Interviewed over 30 city leaders and staff
• Analyzed city and court data from 2015-2021
• Listened to community and non-profit partners
• Discussed preliminary findings
• Brainstormed recommendations with leaders and staff
Huge Benefits When Improve Property Condition

• Reduces crime, in particular gun-related violence
• Improves health of residents
• Raises surrounding property values by up to 30% just by greening a vacant lot
• Increases tax revenue for city and school district
More Good Property Maintenance Impacts

- Improve health
- Preserve the city’s iconic housing stock
- Stop abandonment
- Become a more resilient city
- Create neighborhood jobs
- Allow seniors to age in place
- Revitalize neighborhoods
- Slow the decline of home ownership
- Improve school performance
- Lower healthcare costs
- Prevent displacement
Effective, Equitable, Cost-Efficient Code Enforcement
Goal for enforcement strategies is to cause owner to comply with least amount of intervention/resources.

I’m going to ignore you.

...but I could really use a little help!

How much time do I have to comply?
Took Decades Of Disinvestment to Get Here

Home Ownership Loan Corp Topeka 1930’s Redlining Map

City of Topeka Neighborhood Health Maps (2020)
Code Enforcement Should Be Efficient

- Educate owners of standards to be met
- Target willful neglect of properties
- Focus on health and safety
- Coordinate with police, fire & partners
- Collect and track data regularly
- Use courts to hold owners accountable
Code Enforcement Must Be Equitable

- Recognize different types of owners and properties
- Ensure no one must live in unhealthy, unsafe conditions
- Involve meaningful community partnerships
- Assist vulnerable owners who can not afford repairs
- Prevent displacement
- Limit use of criminal fines or penalties
Topeka is doing many things right

• Focus on compliance not punishment
• Abate quickly and efficiently where owner won’t act
• Complete 18,000 inspections per year
• Use SeeClickFix for resident complaints
• Use MyGov to track status of cases
• Have both civil and criminal court enforcement with knowledgeable judges
• Offer home repair for poor owners with violations
Key Data Findings
How many houses have code violations? (2015-2021)

- 21,612 properties with code enforcement cases
- 100 of these properties have more than 15 cases
Who owns the houses with violations? (2015-2021)

- 15,713 owners have cases
- 28% of owners with cases are LLC’s – 9 out of 10 owners with the most cases are LLC’s
- Top 30 owners are responsible for 10% of cases
Code Enforcement Inspections

• City performs 18,000 inspections annually - average of 3 inspections per case
• Average time between complaint and inspection is 3 calendar days
• Average time between complaint and voluntary compliance is 43 days
What is “voluntary compliance”? 

- 83% of cases closed for voluntary compliance
- Voluntary compliance definition is very broad - includes when the owner corrects or the case is sent to court
- Cases are also closed where there is a new owner or inaccurate address
What type of violations are properties cited for? (2015 – 2021)

- Sanitation: 33%
- Housing Violation: 21%
- Weeds: 30%
- Vehicle: 10%
- Unsafe Structure: 3%
- Graffiti: 1%
- Condemnation: 2%

*Vacant Registry not included*

- 78% of cases are department initiated. Other 22% are initiated by complaints from the public, City Council or other departments
- 77% of inspections are exterior only
Abatements – address violation with public money (2015-2021)

• City conducted 8000 abatements - mowing and removal of trash make up majority
• City spent $2.2 million on abatements - $1.4 million (64%) were repaid by owners
• 17% of properties received more than one abatement (e.g. owner of 21 properties received 105 sanitation abatements)
Municipal Court – Criminal Enforcement (2015-2021)

- 50% of time arraignment for housing violations results in continuance – owner may receive up to six 60-day continuances
- Only 2 owners brought to trial and found guilty of a criminal misdemeanor
- 4% of owners fail to appear and bench warrants are issued
Administrative Hearing – Civil Enforcement (2015-2021)

• Used for unsafe structures and appeals by owners who contest the violation
• Hear @ 90 cases with @ 178 hearings per year
• 57% of hearings are for unsafe structure
• Where demolition ordered: 63% homes demolished by city, 27% demolished by owner and 9% are rehabilitated
Key Observations About Property Maintenance

• Property Maintenance is a priority for city leaders
• Can not quantify challenge due to limited data
• Enforcement is a slow process that eats up substantial city resources
• Exterior condition is defacto city priority because tenants unlikely to complain due to fear of retaliation
• Treat all owners the same - Municipal Court Judge estimates 85% of owners who come before court are too old or too poor to repair violations
Preliminary Recommendations For Discussion

- Adopt 3 alternative code enforcement paths
  1. Financial and medical hardship
  2. Standard
  3. Large owners/chronic violators

- Provide protections to vulnerable tenants living in hazardous conditions

- Shorten enforcement timeframes – fewer continuances and reinspections
Preliminary Recommendations For Discussion

- Use public dollars for abatements strategically
- Broadly distribute user-friendly educational materials for owners and tenants
- Expand partnerships with county and NGO’s
- Encourage private investors to reactivate vacant properties
Questions