

The City of Cleveland Code Enforcement Partnership

The City of Cleveland has formed a partnership with area community development corporations to systematically inspect vacant properties and citizen complaints. This collaboration has enhanced the reaction to citizen complaints, the management of vacant properties as well as increased demolitions.

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I. Introduction

In the past four years, the number of vacant properties in Cleveland, Ohio increased dramatically. Foreclosures in Cleveland quadrupled,¹ and this foreclosure flood led to further widespread abandonment and blight in a city already dealing with the problem from long-term economic loss. In early summer 2008, Cleveland identified 8,009 blighted, vacant residential structures that are public nuisances in our neighborhoods.

Cleveland's Building and Housing Department (Building and Housing) has fought hard against this blight by aggressively boarding, condemning, and demolishing nuisance properties. The Department assigns its inspectors mainly in six geographic districts with one additional unit—the Vacant Property Unit—that has citywide jurisdiction. This unit inspects some of the most distressed properties in the city. The geographic districts focus on a mix of maintenance violations and condemnations depending on the relative stability or distress of the parts of the city where the inspectors are working.

But the economic conditions that contributed to the increase in foreclosures and abandonment have also taken its toll on local governments' resources. Cleveland is no exception. During the same time that vacant, nuisance properties increased, Building and Housing reduced staff levels to stay within its budget.²

To maximize Building and Housing's ability to provide effective code enforcement for the whole city, we looked to partner with the 19 community development corporations (CDCs) in Cleveland that staff code enforcers. Often, these code enforcers would duplicate Building and Housing's work by surveying areas to identify structures that have code violations. In 2008, Building and Housing and the CDC community agreed to improve communication and coordinate efforts to reduce this duplication and achieve more visible results in Cleveland's neighborhoods. The Code Enforcement Partnership is the result of this agreement.

II. Cleveland Community Development Corporation Model

The Cleveland CDC industry is a nationally recognized model for community-based development. The industry relies heavily, and is supported significantly, by partnerships with national and local foundations and intermediaries, local corporations, the City of Cleveland, the State of Ohio, local universities, and financial institutions. From residential and commercial development, to community organizing, code enforcement, and progressive programming, the CDCs offer a multitude of services to the residents in the neighborhoods they serve. CDCs also market neighborhoods to attract new residents and businesses and create a sense of place and stability in the community. Many of our CDCs can trace their beginning to grassroots organizations that centered on bettering neighborhoods by dealing with tough issues such as crime, dilapidated housing, unemployment, beautification, job training, and education. It is because of this that many CDCs are seen by the residents they serve as effective neighborhood advocates that reflect the values and priorities of their neighborhoods.

19 of Cleveland's CDCs operate code enforcement programs as a supplement to the efforts of the City of Cleveland Department of Building and Housing. The CDC code enforcement programs vary, but the majority focus on achieving compliance with the City's building and housing codes. CDCs have a unique understanding of issues surrounding instances of code violations because of their intimate, daily involvement with residents and business owners in their community. Staff identifies vacant and abandoned homes as well as rental properties that are occupied but not maintained to minimum code standards. They also work with owner-occupants to help them understand their responsibilities for maintaining their houses and to assist them to make necessary repairs. CDCs generally refer homeowners to existing City of Cleveland Home Repair programs or organizations that offer low interest home repair loans/grants such as Cleveland Action to

Code Enforcement activity by a CDC is a CDBG eligible activity as part of the City of Cleveland CDC Grant Program.

CDCs elect (sometimes at the strong encouragement of their Councilperson) to employ code enforcement staff. CDC code enforcement staff work cooperatively with neighborhood residents and the City of Cleveland's Department of Building and Housing to survey the exterior of residential structures in targeted deteriorating or deteriorated areas to assure compliance with housing code standards and promote the stability of the residential neighborhood. As part of this program, CDCs carry out the following activities:

1. Follow up on all properties referred to the Department of Building and Housing to determine their status in the code enforcement process, including inspections, violations issued, status of violations, and Housing Court actions (including attendance at Housing Court, where necessary).
2. Encourage homeowners to voluntarily initiate repairs and provide assistance and/or information regarding available programs/resources to correct code violations. Homeowners refusing to voluntarily correct noted code violations shall be referred to the Department of Building and Housing.
3. Maintain a list of vacant houses and track changes in ownership, foreclosure proceedings, and other transfers.

¹ In 2005, there were 1,926 foreclosure filings in Cuyahoga County Common Pleas court. This jumped to 7,369 in 2006 and stayed steady at that level with 7,623 in 2007 and 7,079 in 2008.

² For 2005, Building and Housing budgeted 70 positions for building and housing inspectors. In 2009, the Department's budget was cut and was able to employ only 52 inspectors.

Support Housing, Neighborhood Housing Services of Greater Cleveland, Cleveland Restoration Society and Community Housing Solutions. The majority of these programs are supported by CDBG dollars that help to write down interest rates of the loans being offered. Further, some CDCs do operate their own revolving loan funds. These programs are generally supported through Councilmatic allocations.

III. Why the Partnership?

When studying the city of Cleveland's existing housing crisis, we began by reaching out to many of the people and organizations that have an interest in, or have been established to address, many of the particulars that Cleveland is currently faced with. As in any organization that has been built over time, an overlapping of functions, operations, and interests exist. The partnership between the City of Cleveland's Building and Housing Department and the city's CDCs recognize their specific functions that are both common and unique in order to pool resources and open up communication to benefit the citizens of Cleveland.

We recognize that in any organization the most essential way to go about solv-

ing problems is to first know what the problem is and whose role it is to address that issue. The Partnership (explained in more detail in Section IV) sets up a framework to share information so the partners can act strategically. As consumers and citizens, we are all familiar with being transferred from one department to the next, witnessing the chaos within a large organization, and constantly being shoved off to someone else – all the while frustration building and issues remaining unresolved.

The Partnership opens the lines of communication between the community and the city. It is not meant to make a large confusing process larger, but to set up a system that clearly defines everyone's roles. Inherent in this concept, is a comprehensive knowledge of the entire system, the overall goals, and how all the parts (and people) work together within it. In visual terms, picture a series of silos, all working on similar problems, not communicating their activities with one another. The Building and Housing Department was one such silo, with all its work and information flowing within that structure, unaware of the other people and organizations within the city who also work on

similar problems in another parallel silo. The Partnership intends to flatten-out this process, so that everyone working in these areas is visible and can communicate easily with everyone else, who has a similar and tangential role.

City of Cleveland Complaint Streamlining Focus Group

The first step to developing the Partnership was to look at the ways in which citizens communicate their needs and wants to the people who could help resolve the issues. LeanFirm began by analyzing the current complaint intake process looking at the complaints themselves – how and where they were received, recorded, acted on, and resolved. What is it about the current way we are doing things that makes every subsequent action so chaotic? In other words, why is it taking so long to address the issues the city is facing and how can information be made available so that citizens feel they are heard instead of shuffled around? LeanFirm then assembled the Streamlining Focus Group, which included Building and Housing Inspectors, complaint intake clerks, and administrative staff. LeanFirm facilitated the streamlining session to help identify areas of process improvement.

A Streamlining Focus Group trains employees on continuous improvement concepts and challenges employees to find creative solutions to problems without using additional capital.

A Streamlining Focus Group workshop examines a specific process and involves the people working within that process to improve it. Non-Value-Activities or NVAs are often accumulated over many years, after many different employees have altered a process to fit their own working systems. While not all of these changes are bad, many processes are simply repeated because of habit rather than need.

A Streamlining Focus Group workshop is lead by a consultant who trains a team of staff members from all levels within the organization. The workshop, which usually takes three days, is designed to help the team figure out ways of eliminating waste – whether by evaluating a process or reconfiguring a space. During the workshop, the **Focus Group** team takes action to make improvements immediately.

Day 1 - The team is trained in simple productivity and quality tools used to implement change.

Day 2 - The team documents current processes and identifies process variation and NVAs.

Day 3 - The team brainstorms on how all the waste can be eliminated and tests improvements.

At the end of the workshop, the team presents its ideas to management for approval.

This team-based approach to problem solving creates tremendous buy-in throughout the organization. The **Streamlining Focus Group** workshop immediately and permanently eliminates NVAs and reduces business process variations.

The magic of the **Streamlining Focus Group** is involving the people that actually do the work, the ones who are most equipped to implement and sustain effective and efficient change.

New technology can be a huge asset in any organization, but we realized almost immediately that there was no point in bringing a new technology into a system that was fundamentally broken, chaotic, duplicative, and confusing.

Bill Gates may have said it best, “the first rule of any technology used in a business is that automation applied to an efficient operation will magnify the efficiency. The second is that automation applied to an inefficient operation will magnify the inefficiency.” Technology is often brought in too early, prior to analyzing the process to ensure that non-value added steps have been identified and eliminated. If this critical step is not done up front, an organization is in danger of buying technology that will simply automate chaos.

Citizens were not the only ones frustrated by the disorganization – so were a variety of people, at all levels, working for the city. Many felt frustrated and helpless when they did not have the adequate tools to begin resolving issues brought to them through a complaint:

- City staff could not provide the complainant a time frame or details about how the issue would be resolved.
- City staff did not know who else in the city was currently working on the same or similar issues
- City staff individually felt bogged-down by complaints and had too little information from the complainant to sort the problem or begin acting on it in any way.

People working at the city or at the CDCs were spinning their wheels on the same or similar complaints. Their own frustration matched the citizens. It seemed to be increasingly difficult to get anything accomplished and as time passed, problems increased and the pathway for solutions became more mysterious and convoluted. Diagram 1 is a diagram of the complaint process prior to Streamlining Focus Group. Based on these frustrations it is understandable that the people working daily at these problems kept demanding more money, more staff, and improved technologies. When really what was needed was a little clarity to define the needs of the community, and how the people working

there can best make those needs a reality. Building and Housing needed a system that was clear and comprehensive and one that could identify the issues that are an absolute priority and see to it that those issues are resolved first:

- Each person should know what their individual role is and how that fits into the whole organization.
- Issues are prioritized and made universal throughout Building and Housing.

We found the root of the problem was how the complaints were being categorized and subsequently managed. Complaints were

not being managed by the nature of the complaint, but rather who the complainant was. The focus group recommended categorizing the complaints by type of complaint and further to refer routine complaints to the CDCs. It became clear that the complaint should be categorized based on the severity of the issue rather than by who the complainant was. Making this one change – the method by which complaints were prioritized - eliminated much of the internal confusion and chaos.

Diagram 2 is the streamlined complaint process.

Diagram 1

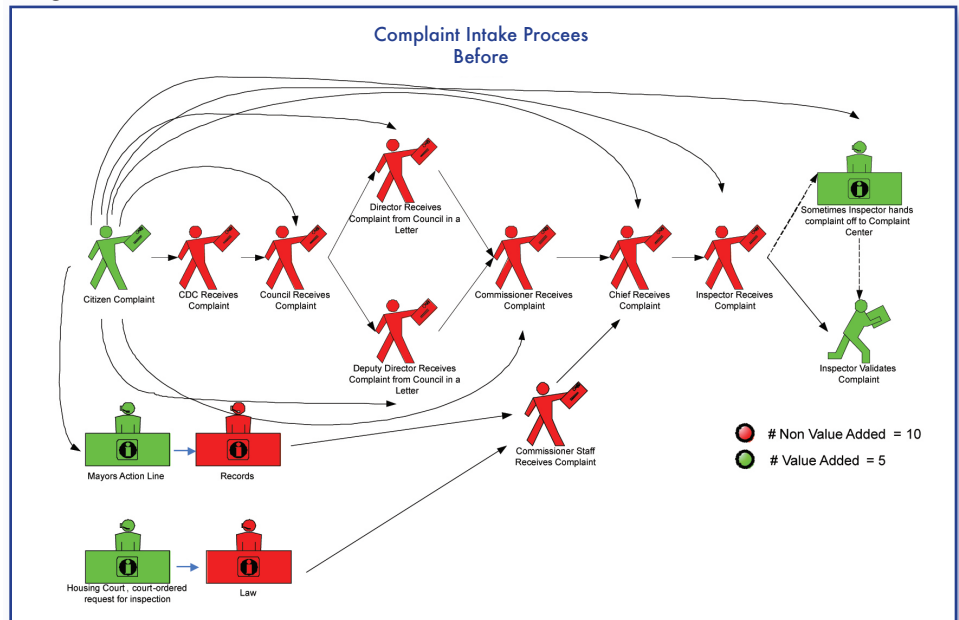
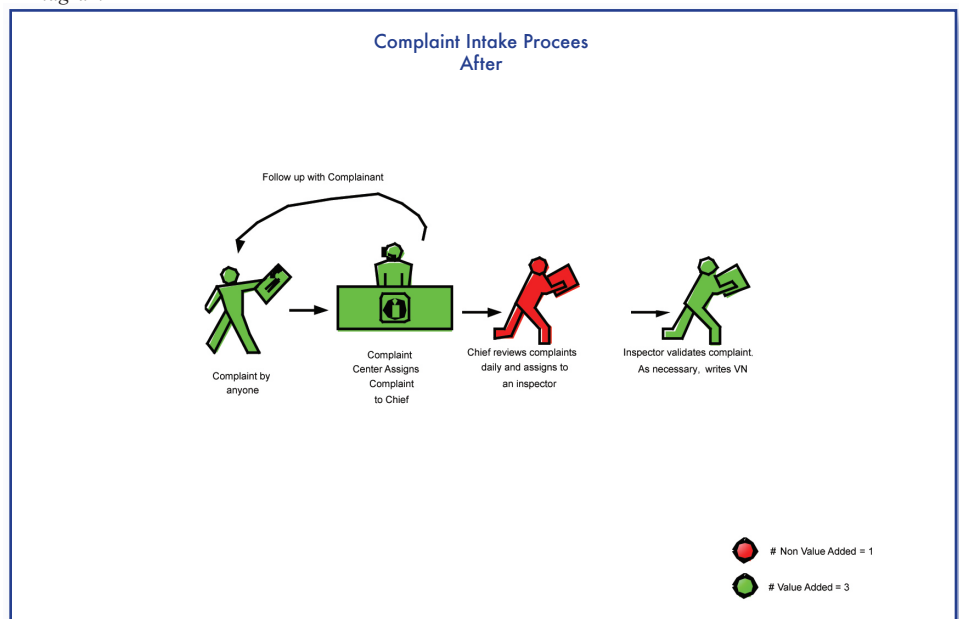


Diagram 2



IV. Code Enforcement Partnership

The goal of the partnerships was to develop a mechanism in which the CDCs and the City could work cooperatively to improve the speed and quality of the Department of Building and Housing services. The first step in developing the Partnership was to identify a CDC and Building and Housing district to pilot the program and assist in developing a model agreement and operating procedures for the Partnership. Ultimately the City determined that the pilot would be launched in Ward 18, an area served by Midwest Housnig Partnership (MHP.) MHP has a long track record of commendable housing code enforcement efforts. Further, the area is represented by Councilman Jay Westbrook who has long advocated for improvement to code enforcement efforts Citywide. 2nd District Chief Inspector Kevin Franklin, assigned to the area, eagerly took on the challenge of bringing the Department of Building & Housing to this partnership effort.

An agreement was drafted with input from the City's Chief Building Inspector (the Chief) and the Midwest Housing Partnership, a CDC in Cleveland's Ward 18. Together the CDC and the city determined there were four primary areas where collaboration and clear guidelines would advance outcomes in the community: conducting field surveys, identifying abandoned properties, managing complaints, and preparing for housing court appearances.

Conducting Field Surveys

As outlined in the agreement, the CDC will survey the Ward and identify structures requiring inspection, beginning in the "Concentrated Inspection Areas" which are strategic boundaries defined by the City.

The survey is to focus on and prioritize structures with multiple violations that fall into one of these categories:

- abandoned properties;
- investment properties;
- senior-citizen, owner-occupied properties; and
- non senior-citizen, owner- occupied properties.

Identifying Abandoned Properties

The CDC will maintain the inventory of abandoned residential structures within their Ward, classifying them either as "salvageable" or "for demolition." The CDC will further categorize the structures as stable, at risk, or recommending condemnation:

- Stable properties should require little intervention from the City. If an inspection is required, the CDC will follow the procedure to request an inspection.
- At Risk properties may require a board-up to remain secure. The CDC will contact the Building and Housing Complaint Center for all board-up requests.
- Recommending Condemnation properties will be photographed. The CDC will contact the Building and Housing Complaint Center for all Recommending Condemnation requests. The CDC will attach the photo to a Community Development Referral Form and forward to the Chief.

To keep the neighborhood CDC knowledgeable about the demolition status of a building, Building and Housing will email a report listing condemned properties pending demolition to the CDCs. The CDCs will review the pending demolition, and when appropriate contact the owner. If the CDC has interest in the property, the CDC will contact the City. The City will make a note in the Demolition Database and post a note in the Demolition File.

Managing Complaints

All complaints received at City Council or CDC offices will be referred to the Building and Housing complaint intake center. The complaint intake center will enter the complaint into the software system. The City will forward all exterior "Routine" complaints to the CDC. The CDC will pre-screen the complaints for accuracy and validity. If the owner is not a lender, the CDC will send a pre-drafted letter to the owner and attempt to contact the owner to review City programs. If an agreement with the owner to abate the nuisance cannot be made within 30 days from the date the owner is contacted, and an inspection is required, the CDC will follow the procedure to request an inspection (described below.) Graffiti complaints will be referred to the CDC.

The CDC will attempt to get the consent form signed. If an inspection is required, the CDC will follow the procedure to request an inspection.

Below is a list of the "Priority" complaints, which will be routed directly by the complaint intake center to the appropriate district city code enforcer for inspection. These complaints will not be forwarded to the CDC.

"PRIORITY" COMPLAINT TYPE

Open, vacant, vandalized structure.
Senior Citizen Occupied
Fire Damage
Illegal Operation
No Permit
Electrical
Elevator
Collapsing Structure
Smoke Detectors
No heat
Interior-Mechanical Systems
No water

Procedure to request an Inspection in the Concentrated Inspection Area

CDCs can request inspections using a standardized paper form provided by Building and Housing, although they are working towards giving the CDC the ability to request complaints on-line. As described above, if the nuisance cannot be abated within 30 days, the CDC will complete the form, identify the owner, describe the complaint, and describe the actions taken by the CDC to resolve the complaint. If the corrective action cannot be achieved, and the complaint has been referred from the City, the CDC will email the form and the letter to the owner and to the Chief. The Chief will forward the form to the Complaint Intake Center to generate a complaint in Accela. The Chief Inspector will assign the appropriate inspector to conduct a violation inspection within 5 days. The Inspector will conduct the initial inspection within 30 days. The Inspector will conduct a re-inspection within 30 days from the latest compliance date. At the Update Meetings (see description below), the CDC and Chief will review the progress of open violation notices.

If adequate progress is made, violation notices may be closed for substantial compliance. If social assistance is needed, property owners may be referred to the appropriate agency and violation notices may remain open. If no progress is made to abate the nuisance, and the owner does not require social assistance, the Inspector will forward the case for prosecution within 5 days from the re-inspection date.

Update Meetings

The Chief will meet every other week with the CDC (or as determined by both parties) to review progress of complaints, violation notices and prosecutions. Tracking reports are developed by the City and will be used to help facilitate the meeting. Meeting agenda topics include:

- A review of CDC field surveys.
- A review and progress report of referred inspections.
- A review of violation notices that are open and will be referred to the Housing Court.

Preparing for Housing Court

The CDC will coordinate with the Inspector to prepare status reports prior to court appearances. The CDC will include in the court status report their attempts to obtain compliance through the Partnership program.

Partnership Implementation

The Code Enforcement Partnership was implemented in three phases throughout 2008. Phase I began early in the year with the program being piloted in the Ward 18 area of the City served by Midwest Housing Partnership (MHP). Lessons learned about communication flow, information sharing, and roles and responsibilities proved the model of the Partnership to be effective during the pilot trial period. In spring 2008, Phase II of the Code Enforcement Partnership was initiated in the remainder of the 2nd District of the City (also under Chief Franklin's supervision). Introduction to the Code Enforcement Partnership concept was made in a large group meeting with all 2nd District CDCs attending. Follow-up, one-on-one meetings were held with participating CDCs, Building & Housing Chief Franklin, and area-assigned Housing Inspectors.

In summer 2008, all remaining CDCs throughout the City receiving CDBG funding to support code enforcement activities were introduced to the Code Enforcement Partnership. Again, an informational meeting was held for all CDCs and follow-up one-on-one meetings were convened whereby CDCs, the Chief Inspector, and area Housing Inspectors discussed Partnership concepts and application to the area they service.

V. Conclusion

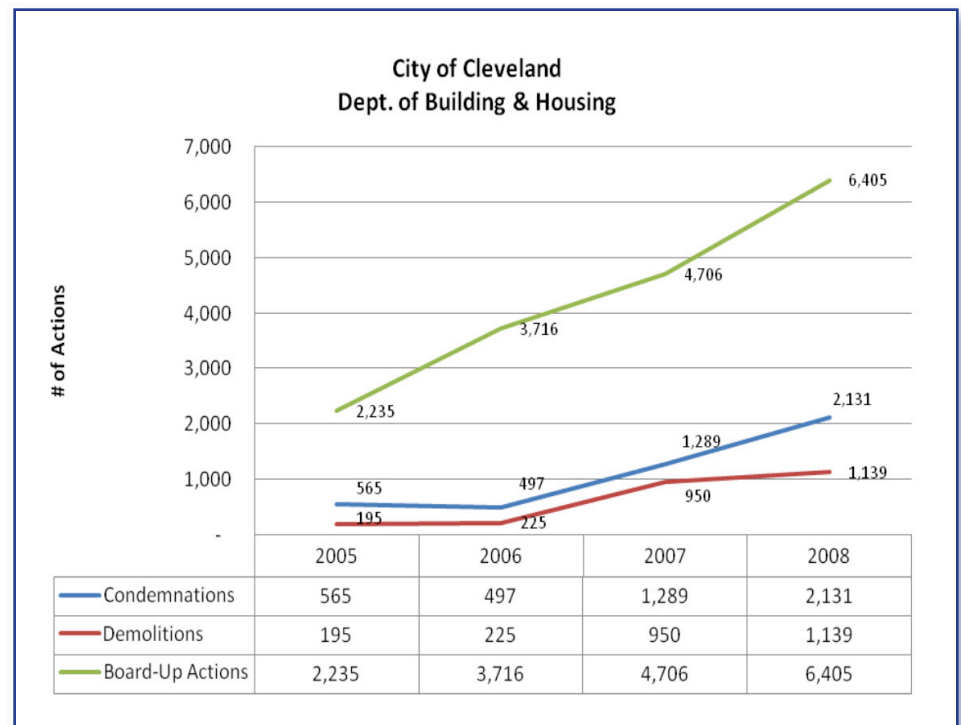
The Code Enforcement Partnership offers a framework for an effective program that strives toward code compliance which assists in neighborhood revitalization. The basic principals of this framework are shared responsibility, strategic enforcement, and consistent communication by and between the partners involved. This Partnership utilizes the mutual strengths of each partner – the City and CDC – to achieve a constructive impact within our neighborhoods. The CDCs have the ability and expertise to reach out and assist indigent residents with appropriate

housing assistance; while, owners with economic means who are neglecting our neighborhoods are identified and brought into compliance with standards. The City has the enforcement tools and the assistance resources and the CDC's have the grounding within the community that is essential to direct and guide these tools and resources.

This impact provides early warning of abandonment, aid in the prevention of distress, identify residents who are eligible for needed assistance and utilize the essential tools of inspection, citation, and prosecution when warranted.

With current budget cuts and diminishing funds to hire staff, cities must identify ways to work collaboratively with the community who share the same goal.

With the assistance of CDCs, the city of Cleveland has seen a significant increase in its ability to board up, condemn, and demolish nuisances. From 2005 to 2008 condemnations have increased by 277%, demolitions by 484%, and board-up actions by 187%.³



³ "Board-Up Actions" include more than just board-ups. Some of these actions are repeat boardings at the same structure. It also includes opening and closing structures during an inspection

About the Authors

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Mark Frater is President of the LeanFirm (www.leanfirm.com), a specialized consulting firm helping government organizations significantly improve productivity, quality and morale. He has managed process improvement projects for a variety of city, county and federal government clients throughout the United States. His efforts to eliminate non-value added activities has resulted in millions of dollars in cost-reductions, dramatically improved customer services, and improved employee communication and job satisfaction. Mark graduated from Cleveland State University with a BS in Industrial Engineering and a Master's Degree in Business Administration. He and his family live in the Collinwood neighborhood of Cleveland.

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Since 1982, the Cleveland Neighborhood Development Coalition has served as the collective voice of the CDCs in Cleveland. Its mission is to assist members by proactively engaging in advocacy and public policy that benefit Cleveland's community and economic development industry, providing strategic opportunities for broad and meaningful peer interaction, and developing customized training programs with exposure to the best practices in the field. Colleen Gilson has been involved in the field of Community Development for 14 years. She began her career with the Detroit Shoreway Community Development Organization moving to the Tremont West Development Corporation (TWDC) in the late 90's. During her tenure at both organizations, she held several different positions culminating with her 4 year period as Executive Director of TWDC. Presently, she serves as the Executive Director of the Cleveland Neighborhood Development Coalition (CNDC). CNDC provides benefits and services to members through the coordination of programs, communication of critical information, development of public policy, advocacy campaigns and customized training in response to members' needs. CNDC's membership is comprised of Cleveland area CDCs and supporting and corporate members, including local financial and educational institutions, private sector businesses and agencies whose missions parallel CNDC's objectives. Ms. Gilson is a life-long resident of the City of Cleveland and of the Westpark neighborhood. She holds a B.A. in Political Science from Hillsdale College and various professional certifications. Ms. Gilson serves on the Board of Directors of Cleveland Community Development Corporation; Cleveland Action to Support Housing; Neighborhood Housing of Greater Cleveland; Kamms Corners Development Corporation; Westpark-Fairview YMCA; Fairview Hospital Community Advisory Board and Cuyahoga Housing, Inc. In 2006, Ms. Gilson was honored as one of Crain's Cleveland Business Forty Under 40.

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Ronald J.H. O'Leary is the Assistant Director for the City of Cleveland's Department of Building and Housing. He has been in that position since 2006. He also served the City of Cleveland in the Law Department for seven years as the Chief Assistant Director of Law for Code Enforcement and as an Assistant Prosecutor. Outside working for the City of Cleveland, O'Leary was a judge with the Cleveland Municipal Court and an attorney in private practice. He graduated from Miami University with a B.A and M.A. and from Case Western Reserve University with a J.D. He lives in Cleveland in the Ohio City neighborhood with his wife, Jennifer and their daughters, Sophie and Cecelia.