

**Performance Audit
Neighborhood Preservation Division**

September 2012

**City Auditor's Office
City of Kansas City, Missouri**

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KANSAS CITY
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Office of the City Auditor

21st Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

(816) 513-3300
Fax: (816) 513-3305

September 12, 2012

Honorable Mayor and Members of the City Council:

This performance audit of nuisance and property code enforcement was initiated by the city auditor pursuant to Article II, Section 216 of the city charter. The audit focuses on the efficiency and effectiveness of the Neighborhood Preservation Division's identification, documentation, and resolution of nuisance and property code violations.

The Neighborhood Preservation Division (NPD) addresses thousands of code violations annually with its staff of code enforcement officers. Each code violation case has the potential to result in multiple inspections and requires officers to manage large amounts of documentation and follow division policies and city code while doing it.

NPD could improve the identification of code enforcement violations by clarifying its policies on the use of discretion when citing violations. Code enforcement officers do not cite some obvious code violations while inspecting a property. If code enforcement officers do not address obvious violations the first time, neighborhood neglect continues and NPD runs the risk of receiving additional complaints about the property and having to open a new case and re-inspect the property.

NPD's case documentation is sometimes missing, inadequate, and inaccurate. Some inspection photographs are missing from case files, while some photographs inadequately document abated violations. NPD's case management database also contains some data entry errors. Missing, inadequate, or inaccurate documentation could compromise the city's case should violations result in a court or an administrative citation hearing. Flawed data could also affect its usefulness to management and the public.

Some code enforcement officers are not properly resolving code violations. Officers have closed violations despite evidence that the violations are not abated. Management needs to ensure that violations are properly abated to avoid wasting the division's previous efforts and to provide adequate service and information to the public. In addition, the division only completed about half the number of case audits outlined in its policy, which affects the division's ability to ensure quality case management.

NPD's performance indicators of average time to achieve voluntary and non-voluntary compliance of property and nuisance code violations are flawed. The data flaws are a result of system and user error.

Another of NPD's performance measures, median time to first inspection, has been trending down; however, eliminating cases initiated by code enforcement officers from the calculation would make the measure more precise and allow NPD to compare its performance to other jurisdictions reporting performance to the International City/County Management Association (ICMA). NPD could compare its performance to ICMA benchmarks in order to provide context to its performance and help identify performance gaps.

Despite implementing a new case management system and the use of laptops in the field by enforcement officers, NPD continues to face technology challenges. NPD is unable to store inspection photographs with other electronic case documentation, which is inefficient and could result in more errors. NPD also lacks the integration of its case management system with other city systems, which causes duplication of effort.

Increasing the use of the city's administrative citation could improve NPD's efficiency and effectiveness in abating code violations. Increasing the use of administrative citations rather than using the court summons could reduce the time and costs associated with court and increase the violators' motivation to resolve code violations.

Based on the findings of our audit, we make recommendations intended to improve the efficiency and effectiveness of code enforcement officers' identification of code violations; improve the accuracy and completeness of case documentation; increase citizen's compliance with nuisance and property code; improve the accuracy of division performance measures and make them compatible with other municipalities for benchmarking purposes; and clarify division policies.

In addition to our review of NPD's quality of code enforcement and its measures of performance, we also reviewed literature about nuisance and property code enforcement and identified proactive programs other municipalities have used to improve the efficiency and effectiveness of code enforcement. Those ideas are included in Appendix A of the report for the department's further discussion and consideration.

We shared a draft report with the director of neighborhoods and housing services on August 8, 2012. The director's response is appended. We would like to thank the Neighborhood Preservation Division for their cooperation in providing documentation and answering questions. The audit team for this project was Julia Webb-Carter, Jason Phillips, and Sue Polys.



Gary L. White
City Auditor

Neighborhood Preservation Division

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Introduction

Objectives

We conducted this audit of the Neighborhood Preservation Division's (NPD) enforcement of the nuisance and property maintenance codes under the authority of Article II, Section 216 of the Charter of Kansas City, Missouri, which establishes the Office of the City Auditor and outlines the city auditor's primary duties.

A performance audit provides assurance or conclusions based on an evaluation of sufficient, appropriate evidence against stated criteria. Performance audits provide objective analysis so that management and those charged with governance and oversight can use the information to improve program performance and operations, reduce costs, facilitate decision making, and contribute to public accountability.¹

This audit was designed to answer the following questions:

- Is the Neighborhood Preservation Division properly identifying, documenting, and resolving nuisance and property code violations?
- How long does it take the Neighborhood Preservation Division to perform the first inspection and achieve resolution of nuisance and property code complaints?
- Can the Neighborhood Preservation Division reduce the time it takes to resolve nuisance and property code violations?

Scope and Methodology

Our audit focuses on the efficiency and effectiveness of the code enforcement process. Our audit methods included:

¹ Comptroller General of the United States, *Government Auditing Standards* (Washington, DC: U.S. Government Printing Office, 2007), p. 17.

- Reviewing the city’s nuisance and property maintenance codes, division policies and procedures, case files, reports, and other related documents to understand current requirements for case quality and completeness.
- Reviewing code enforcement literature to identify recommended practices for effective code enforcement programs.
- Interviewing code enforcement officers, supervisors, and management to learn how the nuisance and property code enforcement process works.
- Interviewing the housing court prosecutor to clarify code enforcement ordinances and practices.
- Comparing a judgmental sample of daily worksheets completed by code enforcement officers to data entered into FieldService to test data reliability.
- Reviewing a random sample of property violations reported to 311 to determine whether they became active Neighborhood Preservation cases.
- Reviewing a representative sample of nuisance and property code enforcement case documentation to determine whether code enforcement officers
 - identified all violations evident at a property;
 - documented inspections and violations with photographs and electronic case notes; and
 - only closed cases when evidence existed that violations were abated.
- Inspecting properties with recently closed property code violations to verify that violations were abated.
- Reviewing supervisor audits of enforcement cases to determine whether audits were conducted with the required frequency.
- Interviewing Information Technology staff and reviewing NPD’s queries and data for “average days to first inspection,” “average days to voluntary compliance,” and “average days to non-voluntary compliance” to understand query methodology, determine whether the queries work as intended, and to identify

problems in how code enforcement officers are documenting cases.

- Reviewing International City/County Management Association (ICMA) reporting guidelines for “average days to first inspection” and “average days to voluntary compliance” and “average days to non-voluntary compliance” to determine whether NPD’s measures are comparable.

We were unable to complete our objective to determine how long it takes NPD to achieve resolution of nuisance and property code violations. Some of the data generated by NPD’s case management system and needed to calculate these performance measures was inaccurate. As a result, we were unable to accurately calculate days to compliance.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In conducting our audit work, we identified two minor issues related to the use of code enforcement warning letters and the performance indicators. We communicated these issues to management in a separate memorandum. No information was omitted from this report because it was deemed privileged or confidential.

Background

Purpose of Code Enforcement

The Neighborhoods and Housing Services Department, Neighborhood Preservation Division enforces the city’s nuisance and property maintenance codes. Citizens ultimately pay the social, economic, and environmental cost of uncorrected code violations that contribute to the appearance of blight and neglect. Code enforcement helps to protect property values and stabilize neighborhoods by promoting a healthy and safe environment.

Nuisance and Property Code Violations

Nuisance code violations include rank weeds and noxious plants; trash, litter, and refuse; disabled, wrecked or unlicensed vehicles; open or improper storage of materials; graffiti; hazardous trees; noxious odors; and off-street parking on unapproved surfaces.²

Property maintenance code violations include rotten or broken house eaves; disconnected rain guttering; broken or cracked windows; peeling paint; stairs that are in disrepair; loose or missing boards or railings; roofs that have missing shingles or holes; exterior walls that have holes, cracks, or rotten wood; and cracked foundations.³

Code Enforcement Officers

The city has five teams of nuisance/property code enforcement officers with about eight code enforcement officers and one supervisor on each team. As of July 2012, there were nearly 8,200 open cases assigned to approximately 43 code enforcement officers.

Code Enforcement Process

The NPD primarily responds to complaints. Most complaints are received through the city's 311 system. NPD management assigns code enforcement officers to inspect the property associated with the complaint for violations. If the code enforcement officer identifies a property or nuisance violation(s), the officer documents the violation(s) with photographs and entries in the case management database. The officer sends the property owner and/or occupant a warning letter informing him/her that the violation(s) must be abated within a certain number of days, as outlined by the city's Code of Ordinances. The code enforcement officer returns to the property after the specified number of days to determine whether the owner or occupant has abated the violation. The code enforcement officer documents the abatement or the violation with more photographs and updates the database. If the property owner or occupant has not abated the violation, the code enforcement officer completes documentation to begin the process of an issuance of a summons to court or an administrative citation. A summons to court can result in a fine and/or jail time. An administrative citation results in a fine. In some instances, the city abates the violation. In those instances, the city bills the property owner for the abatement.

² Code of Ordinances, Kansas City, Missouri, Sec. 48.

³ Code of Ordinances, Sec. 56.

Case Management Database

FieldService is a module within the PeopleSoft Customer Relationship Management product that NPD uses to document its nuisance and property violation cases. Code enforcement officers use FieldService to record their next planned case activity, the dates of inspections performed, violations, names of property owners and occupants, letters sent to violators, and other case notes.

Findings and Recommendations

Summary

Code enforcement officers do not cite some obvious code violations. Allowing neglect to continue hurts neighborhoods and may be an inefficient use of an officer's time. NPD's policies are conflicted about whether code enforcement officers are allowed discretion in determining which violations should be cited. NPD management needs to ensure consistency in its policies regarding the use of discretion.

Code enforcement officers should improve the quality and completeness of their photographic and database documentation. Some inspection photographs are missing from case files, while some photographs inadequately document abated violations. NPD's case management database also contains data entry errors. Missing, inadequate, or inaccurate documentation could compromise the city's case should violations result in a court hearing or administrative hearing. Flawed data could also affect its usefulness to management and the public.

Code enforcement officers are not properly resolving some code violations. Officers have closed violations despite evidence that the violations are not abated. Management needs to ensure that violations are properly abated to avoid wasting the division's previous efforts and to provide adequate service and information to the public. Finally, the division only completed about half the number of case audits outlined in its policy, which could affect the division's ability to ensure quality case management.

NPD should eliminate flaws to its performance indicators of time to achieve compliance with property and nuisance code violations. The data flaws are a result of system and user error. NPD's measure of time to first inspection has been trending down; however, eliminating cases initiated by code enforcement officers from the calculation would make the measure more precise and allow NPD to compare its performance to other jurisdictions reporting performance to the International City/County Management Association (ICMA). NPD could compare its performance to ICMA benchmarks in order to provide context to their performance and help identify performance gaps.

NPD has assigned laptops to code enforcement officers and implemented a new case management system to improve efficiency and effectiveness.

ITD is creating a new data entry interface for FieldService, which should improve data quality and speed data transfer. Despite these enhancements, NPD continues to face technology challenges including inability to store inspection photographs with other electronic case documentation and lack of integration of its case management system with other city systems, which causes duplication of effort.

Increasing the use of the city's administrative citation could improve NPD's efficiency and effectiveness in abating code violations.

Increasing the use of the administrative citations rather than court summons could reduce the time and costs associated with court.

A review of literature about nuisance and property code enforcement identified proactive programs other municipalities have used to improve the efficiency and effectiveness of code enforcement. Those ideas are included in Appendix A for the department's further discussion and consideration.

Code Violations Not Always Identified, Documented, or Resolved Properly

Code enforcement officers do not cite all obvious code violations. Overlooking obvious violations allows neglect to continue and ultimately hurts neighborhoods. It may also be an inefficient use of an officer's time not to address obvious violations when already inspecting a property. Code violations can vary in degrees, but NPD's policies are conflicted about whether code enforcement officers are allowed discretion in determining which violations should be cited. NPD management needs to ensure NPD's policies regarding which violations to cite are consistent.

NPD's case documentation sometimes lacks quality and completeness. Some inspection photographs are missing from case files, while some photographs inadequately document abated violations. Missing or inadequate photographic evidence could compromise the city's case should the violation result in a court or administrative hearing. NPD should expand its written policy regarding inspection photographs to ensure better documentation. In addition to problems with photographs, NPD's case management database contains data entry errors, which could affect the reliability and usefulness of the data.

In addition to documentation problems, code enforcement officers are not properly resolving some code violations. Code enforcement officers have closed violations despite evidence that the violations have not been abated. Improperly closing violations that have not been abated wastes

the division's previous effort, undermines public trust, and creates incorrect data for management to use and report to the public.

Finally, code enforcement supervisors completed only about half of the quality assurance audits on case documentation required by their division policy. If supervisors do not complete an adequate number of case audits, they are less likely to catch individual errors as well as take longer to identify systematic errors.

Obvious Code Violations Are Not Always Cited

Code enforcement officers are not citing some obvious violations evident at the initial inspection. Not citing obvious violations allows property neglect to continue and ultimately hurts the neighborhood. It may be an inefficient use of an officer's time not to address these violations when already inspecting a property. If NPD receives a complaint about the overlooked violation, NPD has to open a new case and re-inspect the property. We reviewed initial inspection photographs for a sample of 148 cases,⁴ and identified several examples where the code enforcement officer did not cite the owner or occupant for violations.

In one example, the code enforcement officer took photographs of multiple code violations during the initial inspection, including one of an obviously damaged eave. Although the code enforcement officer cited the owner for other code violations visible in the photographs, the damaged eave was not cited. (See Exhibit 1.)

⁴ The random sample included 148 nuisance and property code enforcement cases that were initiated and closed between January 2011 and October 2011. The sample provides a 95 percent confidence level and a margin of error up to +/-8 percent.

Exhibit 1. Picture of Damaged Eave Not Cited Despite Photographic Evidence



Source: NPD initial inspection photograph, June 15, 2011.

In another example, the initial inspection photographs showed weeds on a fence line. The code enforcement officer closed the case after the initial inspection without citing any violations. A neighbor to the property called the city a month later to ask why the code enforcement officer closed the case, since there were weeds on the fence line. The enforcement officer opened a new case and had to re-inspect the property. The officer took photographs again of the weeds on the fence line but this time cited the property for rank weeds.

Not citing some obvious violations might result from code enforcement officers being unclear about which violation they may overlook. Code violations can vary in degree, and NPD management stated that code enforcement officers may use judgment in determining which violations to cite. The division has conflicting policies – policy NPD213 supports the use of discretion when citing violations, however, policy NPD220, regarding the code enforcement process, states “photographs will be taken of all violations.” Enforcement supervisors also audit code enforcement cases to determine “were all violations noted?”

To improve efficiency and ensure that code enforcement officers consistently identify nuisance and property code violations, the director

of neighborhoods and housing services should ensure NPD's policies regarding which violations to cite are consistent and communicate those policies to enforcement officers.

Case Documentation Lacks Completeness and Quality

Code enforcement officers could improve the quality and completeness of inspection photographs and electronic case documentation. Some inspection photographs are missing from case files, while some photographs inadequately document abated violations. NPD should revise its written policy regarding inspection photographs to ensure better documentation. In addition, code enforcement officers did not always enter inspection dates accurately into the case management database.

Inspection photographs were missing from some case files. However, management stated that they require code enforcement officers to take photographs at every inspection and document violations, lack of violations, abatement of violations, and no change in violations. Initial inspection photographs and violation abatement photographs were missing from some of the codes enforcement cases we reviewed.

In 20 percent of cases reviewed, the code enforcement officer did not document the initial inspection with photographs. The initial inspection photographs support sending a notice to the violator to abate the violation. Code enforcement officers compare the initial inspection photographs to the follow-up inspection photographs to determine whether the violations are still present. Not having photographs of when the violation was first cited affects whether the city can issue a court summons⁵ or administrative citation⁶ should the violation still exist at the follow-up inspection. In a majority of the cases with missing inspection photographs, the code enforcement officer did not cite a violation. However, even when no violations are found, the division needs evidence that the code enforcement officer went to the property and followed up on the citizen complaint.

In about 14 percent of cases that required abatement photographs, the code enforcement officers did not include photographs with the case files. In addition to documenting what has happened with a case,

⁵ A summons is a notice informing the property owner or occupant that he or she must appear in court. If found guilty of a nuisance or property code violation, the owner or occupant could face a fine or imprisonment.

⁶ An administrative citation is an administrative enforcement procedure intended to provide an alternative to court proceedings in order for the city to gain compliance with provisions of the city's code. An administrative citation does not require a hearing and carries a fine but no jail time.

photographs allow supervisors to review the quality of code enforcement officers' work. If NPD did not require photographs of abated violations, code enforcement officers might be tempted to close a difficult case rather than see it through to abatement.

Some inspection photographs were inadequate. In addition to not taking inspection photographs at all, code enforcement officers did not always take closing inspection photographs that showed the violation had been abated. Twenty percent of cases in our sample that should have had abatement photographs did not have adequate photographs to prove that the violation was abated. For example, a code enforcement officer took initial inspection photographs to document cited violations including a chimney and porch floor in disrepair. However, during the closing inspection, the code enforcement officer closed those violations but did not take a photograph of the chimney or a close up photograph of the porch floor to document abatement. (See Exhibit 2.)

Exhibit 2. Example of Initial Inspection Photographs Documenting Violations and Closing Inspection Photographs That Do Not Show That the Violations Are Abated.

Initial inspection photographs of chimney and porch floor in disrepair.



Source: NPD initial case inspection photographs, August 10, 2011.

Closing inspection photographs do not show chimney or close-up of porch floor



Source: NPD case closing inspection photographs, October 6, 2011.

In another case, the code enforcement officer took clear initial inspection photographs of weeds at the side and rear of the property. However, the closing inspection photograph was taken at such a distance that made it impossible to tell whether the weeds were still there. Without photographs of the abatement, the codes enforcement supervisors would need to perform onsite inspections to verify the abatements, which would be an inefficient use of division time.

NPD's written policy for documenting cases with photographs does not reflect management's expectations. Management stated that code enforcement officers should take photographs at every inspection and document violations, lack of violations, abatement of violations, and no change in violations. However, NPD's written policy is not that specific. It states that code enforcement officers must take photographs of all the violations.

Expanding written procedures to outline that code enforcement officers must take photographs of abated violations, photographs of each inspection whether the violation was abated or not, and photographs that clearly document each violation is abated would strengthen the consistency of the division's enforcement efforts and code enforcement officer accountability. Clear and specific written policies and procedures can assist in allowing employees to understand their roles and responsibilities in ensuring quality and completeness of case files.

In order to ensure the consistency and quality of evidence, the director of neighborhoods and housing services should revise the division's written policy to specify when inspection photos are required and ensure that enforcement officers follow the policy.

Code enforcement officers did not always enter inspection dates correctly into the case management database. Some code enforcement officers incorrectly recorded the dates of their inspections or recorded inspections that were not on their daily record of inspections. We compared the dates from 20 daily worksheets⁷ completed by different code enforcement officers to the dates recorded in FieldService to help determine the reliability of the NPD database. In 13 percent (41 out of 311) of our sample, the inspection dates entered into FieldService did not match the daily worksheet. In addition, two code enforcement officers recorded entries in FieldService for inspections that were not on their daily worksheets.

Code enforcement officers use FieldService to record the dates of completed inspections, document case notes, cite violations, and plan their next activities. Officers need accurate case documentation in order to perform inspections at appropriate time intervals and prove violations if property owners are summoned to court or written a citation. Management uses the data to assign inspections and track case progress in addition to using it to generate performance data. Incorrect data diminishes the quality of performance data used by management and reported to the public.

⁷ Code enforcement officers complete daily worksheets in the field as they perform their daily inspections. The daily worksheets document things including the inspections performed and their locations.

At the end of four months, management expects new code enforcement officers to demonstrate competence entering and updating the status of cases in PeopleSoft.⁸ Furthermore, NPD policy⁹ lists one of the critical responsibilities of a code enforcement officer as recording accurate information in PeopleSoft.

To ensure quality information is available for case and performance management, the director of neighborhoods and housing services should ensure code enforcement officers accurately enter data in FieldService.

Some Code Enforcement Officers Improperly Reported That Violations Were Resolved

Some code enforcement officers are closing violations even though the violations are not abated. When a code enforcement officer cites a violation, it must be abated before a code enforcement officer closes it. In our sample, we found a few examples of violations that the code enforcement officers closed even though the photograph showed the violation was still there. In one example, a property owner was cited for rubbish and unapproved storage. The closing inspection photograph, which should have shown the area clear of rubbish and the unapproved storage, showed that both were still present. (See Exhibit 3.)

⁸ Neighborhood Preservation Division, “Minimum Performance Expectations for Code Enforcement Officers.”

⁹ Neighborhood Preservation Division Policy and Procedure, “Performance Indicators – Quality,” Procedure # NPD223, effective: November 2, 2009, revised: February 15, 2011.

Exhibit 3. Trash and Unapproved Storage Violation at Initial Inspection and at Closing Inspection

Initial Inspection



Source: NPD inspection photograph, April 5, 2011.

Closing Inspection



Source: NPD inspection photograph, taken June 8, 2011.

Additionally, we identified inappropriately closed property violations by conducting on-site inspections of violations closed by code enforcement officers in the prior two-week period. We chose 11 properties to inspect because the code enforcement officers' final inspection photographs were not adequate to show the violation was abated. We compared earlier inspection photographs with conditions at our inspection. Out of the 11 sites we visited, 3 properties still had property violations that the

code enforcement officer cited in a previous inspection but subsequently closed. (See Exhibit 4.)

Exhibit 4. Closed Property Violations and Cases Even Though Violations Remained

NPD Inspection,
May 26, 2011.

Violations cited by NPD code enforcement officer included exterior surface material not protected and missing guardrails.



Source: Inspection photograph taken by NPD code enforcement officer, May 26, 2011.

Closing Inspection,
November 30, 2011.

Code enforcement officer's note "abated, closing case."

The code enforcement officer did not include pictures of the back of the house in the closing inspection pictures.

Audit Team Inspection
December 9, 2011.

Violations still evident include surface material not protected and missing guardrails.



Source: Inspection photograph taken by City Auditor's Office staff, December 9, 2011.

Finally, we determined that code enforcement officers also improperly closed vacant and rental registration violations that the property owners had not abated. From our sample of 148 records, code enforcement officers closed 5 out of 12 failure to register rental or vacant property violations, even though the violations still existed. Code enforcement officers' case notes did not document any explanations for why the violations were closed.

One of the purposes of code enforcement is to ensure abatement of code violations. According to NPD policy, a code enforcement officer should close a case if a property is in compliance with nuisance and property code¹⁰. Closing violations when properties are not in compliance wastes the code enforcement officer's previous efforts, undermines public trust, and creates incorrect data for management to use and report to the public.

In order for the division to be efficient and effective in abating code violations, the director of neighborhoods and housing services should monitor case closures to ensure that cases are not closed unless violations are abated.

Supervisors Are Not Meeting Quality Assurance Goals

Code enforcement supervisors are not meeting their goal for number of quality assurance audits they should complete. They completed about half of the audits required by NPD's policy.¹¹ Supervisors are required to complete multiple audits on all code enforcement officers each month. The audit consists of the supervisor verifying that the code enforcement officer completed the required tasks of the case. The audit includes whether the code enforcement officer placed inspection photographs on the NPD server and labeled them correctly; whether all violations were noted; whether the code enforcement officer took the next appropriate action; whether appropriate action was taken on vacant and/or rental property, etc. The audit can take place at any point during a case's life and includes the supervisor meeting with the code enforcement officer to go over the audit. Management told us that case audits are a quality assurance tool.

We compared the number of audits completed by all of the code enforcement supervisors from September 1, 2011 to December 31, 2011,

¹⁰ Neighborhood Preservation Division Policy and Procedure, "Code Enforcement Process," Procedure #NPD220, effective 8/25/2009, revised 3/30/2011.

¹¹ Neighborhood Preservation Division Policy and Procedure, "Audit Performance Indicators – Quantity," Procedure # NPD018, versions dated 12/1/2010, 4/1/2011, and 10/1/2011.

to the number of expected audits¹² as established by the division's policy. Overall, supervisors completed 56 percent of expected audits. Of the 4,104 expected audits, 2,278 were completed.

Supervisors conduct case audits in order to monitor the accuracy and completeness of cases. If supervisors do not complete an adequate number of case audits, supervisors are less likely to catch errors and it will take them longer to identify systematic errors.

In order to ensure the accuracy and completeness of case management, the director of neighborhoods and housing services should hold supervisors responsible for completing the expected number of case audits.

NPD's Use of Performance Measures Could Be Strengthened

NPD's performance measures of the time it takes to achieve voluntary and non-voluntary compliance with property and nuisance code violations are flawed. The flaws are a result of data system and user error. In addition, the monthly report of the non-voluntary compliance measure is inconsistent with how the measure is calculated. NPD's measure of time to first inspection has been trending down, however, the division's measure would be a more precise if the division eliminated cases initiated by code enforcement officers from the calculation. NPD could compare its performance to International City/County Management Association (ICMA) benchmarks in order to provide context to their performance and help identify performance gaps.

Flaws in NPD Performance Reporting Exist

NPD's queries to calculate the average days to compliance understate the time it takes to achieve compliance and the results are not stable over time. The label for "average days to non-voluntary compliance" reported in the monthly Citywide Performance Indicators Report is inconsistent with how the measure is calculated. Additionally, some code enforcement officers are documenting complaints of a violation as a confirmed violation. This can affect the accuracy of the compliance performance indicators.

While NPD's measure of "average days to first inspection" has been trending down, it would be a more precise measure of the division's

¹² The calculation for the number of expected audits took into account the number of code enforcement officers assigned to supervisors, absences of both supervisor and code enforcement officers, and changes in the audit quantity policy.

effectiveness and efficiency in responding to complaints if the division eliminated proactively-initiated cases from the calculation.

NPD’s calculations for average days to compliance are inaccurate.

Some of the data used to calculate the “average days to voluntary compliance”¹³ and “average days to non-voluntary compliance”¹⁴ is inaccurate. The compliance indicators describe the average days from when NPD cites a code violation until the violation is abated. The query correctly identifies violations that are abated; however, the violation closing date is not always updating in the system. When the closing date does not update, the average number of days to abate the violation is understated.

Another problem with the performance indicators of average days to compliance is that NPD’s query results are not stable over time. If the compliance query is run for a previous month, the number of violations closed voluntarily and non-voluntarily changes as well as the number of days to achieve the compliance changes if a summons or administrative citation is written on any of the cases during the intervening time.

Accurate performance data is important because management should use it to allocate resources, set performance goals, and measure progress in meeting those goals. Accurately reported performance measures are important to elected officials and the public because it gives them objective information about whether the division is spending tax dollars effectively and efficiently.

In order to generate the accurate number of days it takes NPD to achieve voluntary and non-voluntary compliance and provide elected officials and the public with an accurate picture of its performance, the director of neighborhoods and housing services should work with the Information Technology Division to correct the queries used to determine average days to compliance so that they are accurate and stable.

NPD mislabels “average days to non-voluntary compliance”

indicator. NPD’s label for “non-voluntary compliance,” reported in the Citywide Performance Indicators Report,¹⁵ says one thing but the query is actually measuring something else. The performance report describes

¹³ Voluntary compliance refers to a violator abating a nuisance or property code violation after only a warning notice.

¹⁴ Non-voluntary compliance refers to a violator abating nuisance and property code violations after a violator has been issued a summons or administrative citation.

¹⁵ Citywide Performance Indicators Report is a report of performance indicator data for several city departments. It is produced monthly by the City Manager’s Office, distributed to city department directors, and published on the city manager’s website.

the non-voluntary compliance indicator as the “average number of days to enforcement action.” However, the query calculates the average numbers of days until violations that require enforcement action (summons or citation) are closed. The results of the query overstate the “average number of days to enforcement action.”

In order to characterize accurately the measure for “non-voluntary compliance” published in the monthly Citywide Performance Indicators Report, the director of neighborhoods and housing services should ensure that the label for the indicator, non-voluntary compliance, accurately describes what NPD is reporting.

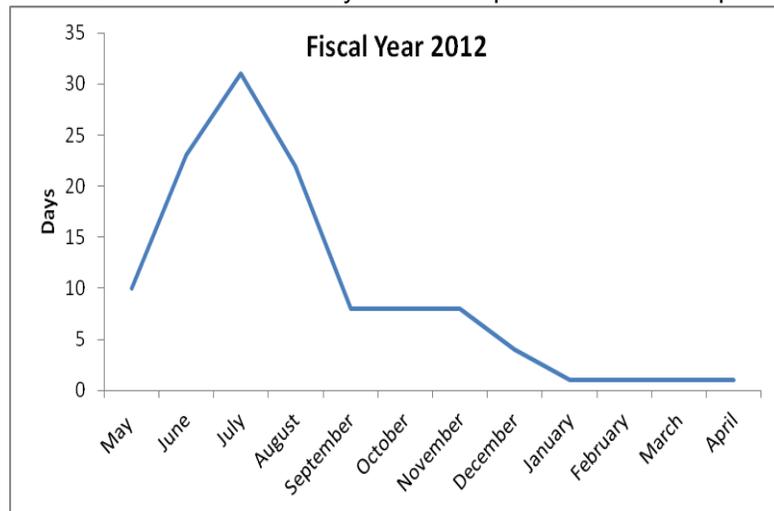
Some code enforcement officers inaccurately documented violations in NPD’s database. NPD opens a case when someone makes a code violation complaint to the city. Once an inspection is completed and depending on what the code enforcement officer observes at the property, a case can have no violations or can have one or more violations (e.g. unapproved storage, trash, weeds, etc.). Based on our review of performance data, we identified some instances of enforcement officers inaccurately entering violations based only on a complaint, rather than on evidence of a violation. Only if a violation is substantiated should the code enforcement officer open a violation within the case. Opening violations in the database based on the complaint artificially increases the number of violations. In addition, the code enforcement officers opened and closed unsubstantiated violations on the same day. Closing the unsubstantiated violations immediately after opening the violation artificially reduces NPD’s average time to abate violations.

Abatement or compliance of a violation is a measure of enforcement officers’ efficiency and effectiveness in achieving the division’s goals. In order to accurately document workload and measure NPD’s performance, the director of neighborhoods and housing services should ensure code enforcement officers do not enter complaints in FieldService as violations until they are substantiated.

Over fiscal year 2012, NPD reduced the days required to investigate a complaint. From May 2011 through April 2012, NPD reduced the “average days until first inspection”¹⁶ from 10 days to 1. (See Exhibit 5.) NPD’s query measures the median days from the date the complaint was entered into the database until the date the code enforcement officer logs as the first inspection. The average days from complaint to first inspection is a measure of how responsive the city is.

¹⁶ NPD uses median as its measure of average.

Exhibit 5. NPD's Median Days from Complaint Until First Inspection



Source: PeopleSoft FieldService.

Management reported it was concentrating on decreasing the amount of time it takes code enforcement officers to perform the first inspection. In September 2011, management began assigning inspections with the goal of reducing the number of days to first inspection. Prior to September 2011, officers set their own schedule of inspections.

While the “average days to first inspection” has trended down, NPD should change its calculation to provide more precise results. NPD includes data from proactively-initiated inspections in its calculation of “average days to first inspection,” which can artificially decrease the median time to first inspection. If a code enforcement officer initiates an inspection based on his or her own observations rather than a complaint, the code enforcement officer starts a case in the database at the same time as or after the inspection, giving a false impression of rapid response time. The purpose of the measure, “average days to first inspection,” is to determine how long it takes NPD to address a complaint. Data from proactively-initiated cases should be excluded from the calculation because a code enforcement officer is not responding to a complaint.

In order to provide a more precise picture of NPD’s responsiveness to code complaints, the director of neighborhoods and housing services should remove proactively-initiated inspections from his calculation of “average days to first inspection.”

Adjusting Performance Measure Calculations Would Allow Comparison to Benchmarks

NPD could provide context to their performance indicators as well as identify performance gaps by comparing their measures to ICMA benchmarks. ICMA collects performance data from municipalities based on specific criteria so that data between jurisdictions is comparable. NPD would need to make some changes to its calculations of days to compliance and days to first inspection in order to be comparable to ICMA benchmarks.

NPD could compare its performance to benchmarks to improve its performance. NPD can use benchmarking data to provide a context to its own performance as well as identify gaps in its processes. Other cities that have better performance may provide management with ideas of better processes that help them excel. NPD management said the division is not ready to compare its performance to ICMA on measures of “average days to voluntary compliance”¹⁷ and “average days to non-voluntary compliance”¹⁸ but wants to in the future. NPD can also use ICMA performance data to help set realistic performance targets that NPD can then track its progress against.

ICMA collects and reports annual performance data from municipalities based on specific reporting criteria. For example, ICMA has jurisdictions report their “average days to voluntary compliance” categorized by type of violation. (See Exhibit 6.) NPD could compare its performance to other similarly sized municipalities and choose to focus improvements on a type of violation on which NPD has a lower ranking.

¹⁷ ICMA refers to this measure as “average number of calendar days from inspector’s first inspection to voluntary compliance.”

¹⁸ ICMA refers to this measure as “average number of calendar days from inspector’s first inspection to forced compliance.”

Exhibit 6. Average Calendar Days from First Inspection to Voluntary Compliance, Reporting Jurisdictions with Population over 261,000, FY 2011.

Jurisdiction	Population	Housing	Zoning	Nuisance	Dangerous Buildings	Other
Phoenix, AZ	1,446,000	179	144	226	681	143
San Antonio, TX	1,326,539	26	22	26	69	15
Dallas, TX	1,200,530	29	32	29		46
Miami-Dade County, FL	1,102,509	25	25	32	265	48
Fairfax County, VA	1,083,457	57	58	0	0	0
Portland, OR	585,845	42	90	42	236	128
Mesa, AZ	439,041	18	21	10	261	19
Arlington, TX	365,438	14	20	15	21	12
Chesterfield County, VA	319,000		21	23		
Plano, TX	261,350	46	21	15	0	0

Source: ICMA, 2011.

NPD needs to make several adjustments to its calculation for it to be consistent with ICMA compliance benchmarks. To be comparable to ICMA’s “average days to voluntary compliance” and “average days to non-voluntary compliance,” NPD needs to report its average for voluntary and non-voluntary compliance by type of violation such as housing, nuisance, and dangerous buildings. NPD currently calculates average days to compliance with property, nuisance, and dangerous buildings data combined. Also, in order for NPD’s measure of “average days to non-voluntary compliance” to be comparable to ICMA benchmarks, NPD needs to include city abatement as one of the factors considered non-voluntary. NPD’s current query for non-voluntary compliance only uses issuing summonses and administrative citations as the NPD’s causes of non-voluntary compliance.

In order for NPD to perform comparisons to ICMA’s average days to compliance measures, the director of neighborhoods and housing services should ensure that management separates violations by types that are compatible with ICMA’s violation types, and expands non-voluntary compliance to include violations that the city abates.

NPD needs to adjust its calculations for the “average days to first inspection”¹⁹ to be comparable with ICMA benchmarks. In order to be comparable with how ICMA measures “average days to first inspection,” NPD needs to use the arithmetic mean for average days instead of median days to first inspection. Additionally, NPD will need to eliminate proactively-initiated cases from the calculation of “average days to first inspection.”

¹⁹ ICMA uses a slightly different performance indicator title. Instead of “average days to first inspection,” ICMA refers to the “average days until the first investigation” of the complaint, whether or not the jurisdiction’s first response is an inspection. For NPD, the first investigation is an inspection.

In order for NPD to perform comparisons to ICMA's "average days to first inspection," the director of neighborhoods and housing services should ensure management uses the arithmetic mean for the average and eliminates proactively-initiated cases from the calculation.

Technology and Process Limitations Affect Efficiency

NPD has made some technology changes to improve efficiency and effectiveness. Management is using the case management system to monitor case flow and assign inspections. Code enforcement officers are entering inspection data into their laptops while performing inspections, reducing the redundancy of re-keying written notes. The Information Technology Division (ITD) is creating a new data entry interface for FieldService, which should improve data quality and speed data transfer. Despite these enhancements, NPD continues to face technology challenges including lack of storage space in FieldService for inspection photographs and lack of integration of FieldService with other city systems, which causes duplication of effort.

Increasing the use of the city's administrative citation could improve NPD's efficiency and effectiveness in abating code violations by reducing the time and costs associated with court.

Technology System Changes Enhanced Management Oversight But User Challenges Remain

NPD recently implemented FieldService, a case management database, and the use of laptops in the field by code enforcement officers. Both FieldService and the laptops provide opportunities for improved NPD efficiency. Management is able to use FieldService to more closely monitor and manage workflow and caseload. The laptops offer the opportunity to eliminate redundant data entry. Despite these enhancements, NPD continues to face technology challenges. NPD needs a simpler and more user-friendly data-entry interface for FieldService to improve data accuracy and completeness and speed data transfer. FieldService does not have the storage capacity to handle inspection photographs, which results in case photographs being stored elsewhere increasing inefficient use of time and the risk of misfiling photographs. Additionally, NPD performs duplicate data entry because of a lack of integration with the Municipal Court's new docketing and ticketing system and the Finance Department's special assessment billing system.

NPD management is using FieldService for oversight. NPD management uses FieldService, implemented in 2010, to identify problems and track overall performance. FieldService serves as NPD's case management database for the city's thousands of code enforcement cases. Management uses FieldService reports to identify problems and roadblocks in case flow. Management uses it to track and assign cases that are due for inspection and identify places in the case flow process where cases are stalled. Additionally, management uses FieldService to calculate multiple performance measures, which helps management and others track the division's performance.

The FieldService interface is not user friendly and can result in code enforcement officers overlooking data entry requirements.

Currently, code enforcement officers must enter several tabs of data within the database (e.g. schedule next case activity, record inspection date, complete notes, document violations) with each inspection. If code enforcement officers miss tabs, warning notices to property owners may not go out and case documentation will be incomplete. Documentation is important for successful follow-up and prosecuting cases in housing court. ITD is working on a web interface that code enforcement officers can use instead of the current data entry screens to address this issue. NPD management wants an interface that will be seamless and prompt code enforcement officers to complete data entry. Additionally, the new interface should allow a code enforcement officer to access FieldService through a webpage rather than through the city's firewall. This should increase the speed of data transfer.

FieldService does not have the storage space for inspection photographs, so NPD stores photographs separately from electronic case data. Code enforcement officers move back and forth between FieldService and the photograph server to document a case, which is an inefficient use of time and increases the risk of misfiled photographs. NPD tried attaching photographs to FieldService for a time but it became too slow and the volume crashed the system. Management wants to resume attaching photographs in FieldService. IT management said that attaching photos in FieldService is on hold while it pursues a new storage solution.

Lack of technology integration results in duplicate work. NPD staff has to re-enter case data into two other city computer systems because the databases do not interface with FieldService. In order to create a summons in the court's new docketing and ticketing system, REJIS,²⁰ NPD staff has to re-key case data into REJIS. ITD management reports that it does not have plans at this time to interface FieldService with REJIS, therefore, this duplication of data entry will continue.

In order for the city to bill property owners for abatements performed by the city, NPD staff also has to re-enter case data into the Finance Department's special assessment billing system, KIVA, after already entering it into FieldService. The Finance Department plans to change its special assessment billing from KIVA to the new revenue system, GenTax. The city treasurer stated that she would not try to interface FieldServices with KIVA for special assessments, but Finance will explore how to address NPD's duplicate data entry of billing information with the new system.

Problems with the re-keying of data from one system to another can introduce data entry errors. Additionally, performing repetitive tasks that could be automated is an inefficient use of staff time. The city needs to weigh the benefits of improved data accuracy and efficiency against the cost of integrating computer systems.

NPD assigned laptops to address a long-standing duplication of effort issue. In December 2011, NPD code enforcement officers received laptops to use in the field while inspecting properties. The code enforcement officers are supposed to enter their case notes directly into the database via the laptop. Previously, code enforcement officers had to make written notes in the field to document the status of code violations, then enter the information into NPD's database on their desktop computers. Code enforcement officers spent much of their time in the office performing data entry, rather than in the field inspecting.

Management believes that eliminating the duplication of handwriting case notes and then retyping them later on computers will improve the efficiency of the code enforcement process. However, some code enforcement officers report connectivity problems and slow data speed transfer time with the new laptops.

To ensure that NPD uses technology to enhance the efficiency of its processes, the director of neighborhoods and housing services should work with Information Technology to:

²⁰ Regional Justice Information Service.

- implement FieldServices' web interface;
- attach inspection photographs to case information in FieldService;
- interface FieldService with other city systems, when possible, to eliminate the need to perform duplicate data entry, and;
- troubleshoot problems with the use of laptops in the field.

NPD Could Expand Use of Administrative Citation to Reduce Cost and Speed Enforcement

NPD could be more efficient and effective in enforcing nuisance and property codes if it expanded its use of the administrative citation. An administrative citation results in an administrative fine. The city imposes an administrative fine without the violator having to appear for a hearing. However, if the violator wants to appeal the administrative citation, they can attend an appeals hearing, in which a hearing officer, rather than a judge, either upholds or cancels the administrative citation.

If NPD used the administrative citation more frequently, it could reduce staff and court time, reduce the amount of time it takes to resolve a case, and increase violators' motivation to resolve code violations.

It has been NPD's policy only to use the administrative citation to penalize property and nuisance code violators who live 100 miles outside of the city and corporate entities with code violations. NPD sends violators who reside in the metropolitan area summonses to appear in Municipal Court. In Municipal Court, a judge will determine guilt or innocence, and if found guilty imposes a fine or imprisonment. City code does not prohibit the use of the administrative citation for violators within the metropolitan area.

Increasing the use of the administrative citation and reducing court summonses could provide a less costly method for the city to motivate homeowners to maintain their properties. Reducing court summonses would reduce the court's time spent on property and nuisance violations. Code enforcement officers would also have to spend less time attending court, which could provide more time for performing inspections. NPD could reduce the length of a case by eliminating time waiting for a court date.

The administrative citation may also be more effective at motivating property owners to maintain their properties because the city can more effectively force the property owner to pay a penalty for an administrative citation than a court summons. Many violators, who the city summons to court, never show for their court date, so a penalty is

never rendered. Instead, the court issues a bench warrant for the no shows but unless the police serve the warrant, it is unlikely they will face a fine or penalty for their violation. The city has a long list of unserved housing court bench warrants. A recent change in state law strengthens the effectiveness of the administrative citation by giving the city permission to assess unpaid administrative citations to the property tax bill.²¹ This amendment may motivate more property owners to maintain their properties.

In order to improve efficiency by reducing court and staff time and decreasing case duration and improve effectiveness by motivating violators to abate violations, the director of neighborhoods and housing services should consider expanding the use of the administrative citation to include all nuisance and property code violators.

Other Municipalities Offer Ideas for Proactive Code Enforcement

NPD should consider proactive code enforcement programs used by other municipalities to help improve efficiency and effectiveness. In order to generate ideas about how Kansas City's nuisance and property code enforcement could be more efficient and effective, we reviewed literature on code enforcement programs and practices used by other municipalities to address enforcement challenges. Kansas City has implemented a number of the strategies used by others. Some of the proactive programs that Kansas City's Neighborhood Preservation Division has employed include:

- administrative citations
- adopt-a-lot program
- volunteer inspectors
- community online tracking of violations
- land bank (state legislation passed)
- assigning inspectors to geographic areas
- tracking vacant and rental properties
- housing court with expanded days
- property tracking system with GIS mapping

While we are aware Kansas City has implemented some of the strategies used by others, we did not determine whether the city incorporates all the strategies listed. The proactive programs and practices used by other cities and described in Appendix A are meant to provide the department with material for discussion and consideration.

²¹ MO. Rev. Stat. § 479.011.

Recommendations

1. The director of neighborhoods and housing services should ensure NPD's policies regarding which violations to cite are consistent and communicate those policies to enforcement officers.
2. The director of neighborhoods and housing services should revise the division's written policy to specify when inspection photos are required and ensure that enforcement officers follow the policy.
3. The director of neighborhoods and housing services should ensure code enforcement officers accurately enter data in FieldService.
4. The director of neighborhoods and housing services should monitor case closures to ensure that cases are not closed unless violations are abated.
5. The director of neighborhoods and housing services should hold supervisors responsible for completing the expected number of case audits.
6. The director of neighborhoods and housing services should work with the Information Technology Division to correct the queries used to determine average days to compliance so that they are accurate and stable.
7. The director of neighborhoods and housing services should ensure that the label for the indicator, non-voluntary compliance, accurately describes what NPD is reporting.
8. The director of neighborhoods and housing services should ensure code enforcement officers do not enter complaints in FieldService as violations until they are substantiated.
9. The director of neighborhoods and housing services should remove proactively-initiated inspections from his calculation of "average days to first inspection."
10. The director of neighborhoods and housing services should ensure that management separates violations by types that are compatible with International City/County Management Association's violation types in its calculations of compliance, and expands non-voluntary compliance to include violations that the city abates.

11. The director of neighborhoods and housing services should ensure management uses the arithmetic mean for the average and eliminates proactively-initiated cases from NPD's calculation for "average days to first inspection."
12. The director of neighborhoods and housing services should work with Information Technology to:
 - implement FieldServices' web interface;
 - attach inspection photographs to case information in FieldService;
 - interface FieldService with other city systems, when possible, to eliminate the need to perform duplicate data entry, and;
 - troubleshoot problems with the use of laptops in the field.
13. The director of neighborhoods and housing services should consider expanding the use of the administrative citation to include all nuisance and property code violators.

Appendix A

Proactive Code Enforcement Programs from Other Municipalities

Codes Enforcement Proactive Programs			
Category	Description of Program	Municipality	Source
Administrative citations	The city streamlined the enforcement process by implementing administrative citations, similar to parking tickets, for failure to comply with a violation notice. Property owners are now only taken to housing court if the violations have not been resolved after several months and two \$900 citations. The new process allows the city to aggressively enforce its housing codes without spending as much time and money having lawyers bring every case to court. The new process is expected to cut the average enforcement time in half.	Baltimore, MD	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved 9/6/2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=268 .
Artistic boarding	The cities paint boarded doors and windows so that, at a glance, they resemble typical doors and windows. Even when it is clear that the property has been boarded, artistic boarding suggests that someone cares about the property and is monitoring it. In pilot projects in Minneapolis and Cleveland, none of the properties secured with artistic boarding were broken into.	Minneapolis, MN and Cleveland, OH	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved 9/6/2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=275 .
Board-up notices	Jurisdictions can require notices of vacant, abandoned, or uninhabitable properties (a.k.a. "Do Not Enter," "Condemned," etc., signs) to be painted on the boards placed over the windows. One common problem that occurs at vacant, abandoned, or uninhabitable properties is notices are torn down or damaged by the weather. To combat this problem, and to make the signs more visible and permanent, some jurisdictions have taken to painting notices on the boards covering windows and other openings, or even on the windows and doors themselves. This is a cheap and easy solution to ensure notices stay posted. The notice is also highly visible to neighbors and pedestrians, who will be able to report any suspicious activity at the property. The notices can also include the name of the owner of the property, contact information, and other pertinent information. While the signs last longer than paper notices and caution tape, an officer still needs to make regular inspections of the property.	No specific city identified	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 17.
Clarified responsible party for property during foreclosure process	The city council clarified responsibility for properties during the foreclosure process by amending a definition in the city's housing code. The definition of a "person in control" of a property now includes lenders and servicers if they have filed for foreclosure and the property's title has not yet transferred to someone else. This puts an end to the ineffective process of issuing violation notices to individuals who, despite being the owner of record, are losing the property to foreclosure and may have moved out of the property long ago.	Cincinnati, OH	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=272 .

Community involvement	Concerned neighbors and community groups may step in and perform regular lawn maintenance and clean-ups of foreclosed properties. Preserving or restoring the appearance of a well-maintained property can have a substantial impact on the confidence of local residents to help stabilize communities.	No specific city identified	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=275 .
Community involvement	The city empowered their citizens by granting citizen groups the right to seek injunctions to enforce code provisions when the city does not act.	Baltimore, MD	Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets, Prepared for: Builders of Hope, By: The University of Texas School of Law, Community Development Clinic, Heather K. Way, Director, Michelle McCarthy, Student Attorney, John Scott, Student Attorney, December 2007, p. 19.
Financial assistance for home improvement	The city, with an annual allocation of CDBG funding, provides financial assistance to help low-income residents make improvements to their homes. Providing these small grants to individuals has allowed the city to reduce its expenditures for demolition and shift additional resources to saving homes and neighborhoods.	Toledo, OH	<i>Vacant and Abandoned Properties, Survey and Best Practices</i> , The United States Conference of Mayors, 2009, p. 39-40.
Foreclosure program	To address foreclosures, the city offers a range of programs that put first-time homebuyers in foreclosed homes, rehabilitate foreclosed homes, and prevent foreclosures from occurring.	Riverside, CA	<i>Vacant and Abandoned Properties, Survey and Best Practices</i> , The United States Conference of Mayors, 2009, p. 19.
Funding nuisance abatement	The city uses CDBG and HOME funds to help pay for property repairs, as well as more substantial rehabilitation and construction activities as an approach to funding nuisance abatement.	Louisville, KY	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved 9/6/2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=277 .
Geographic assignments of code enforcement officers	The county assigns code enforcement officers to zones (a geographic system). Best practices for code enforcement dictate assigning code enforcement officers to geographic areas ("beat cop model"), as opposed to cases ("detective model"), which provides for accountability and allows performance measurements to be applied in a much simpler fashion. Geographic assignments also have the added benefit of allowing code enforcement officers to become active and knowledgeable about their geographic assignment, form partnerships with neighborhood groups, and identify problem neighborhoods and properties.	Clayton County, GA	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 10.

Neighborhood Preservation Division

Greening program	The city transfers ownership of blighted residential buildings to Revitalizing Urban Neighborhoods, Inc. (RUN Buffalo) for demolition. RUN Buffalo develops community gardens and park-like settings on these properties. Volunteers will create and maintain a natural landscape on the property until the community determines an alternate use will better serve both the city and the neighborhood.	Buffalo, NY	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 28 and runbuffalo.com.
Handyman	Some jurisdictions have adopted the "handyman program" to help citizens abate code violations.	No specific city identified.	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 16.
Increase the cost of owning properties with code violations	The metro government charges a higher property tax rate for vacant properties with unresolved code violations. The tax rate for properties considered "abandoned" is around three times as much as the taxes would be otherwise.	Louisville, KY	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=276 .
Laptops	Inspectors enter reports from the field, automatically triggering a violation notice to be sent and follow-up to be scheduled.	No specific city identified	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=268 .
Make nuisances a felony	Property nuisance code violations are a felony under municipal code. The city's code enforcement officers will first cite individuals for code violations and give them an appropriate amount of time to correct the problem. If the nuisance is not corrected, the city can charge the property owner with a felony crime for failing to abate a serious nuisance.	Phoenix, AZ	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 26.
Multi-departmental response teams	The city targets a neighborhood in each council district for Extreme Target Sweeps. The code enforcement function coordinates a comprehensive package of city services to enhance the appearance of the target neighborhoods and encourage long-term property maintenance. This is an intense four-week concentration of the delivery of city services to targeted neighborhoods. Once the neighborhood is identified, community meetings are conducted to assist residents in identifying priorities. Services include, but are not limited to: street repair, vacant lot clean up, brush collection, and code inspections. During the four-week period, a staffed mobile unit is stationed at each site to allow residents to meet with city personnel to voice neighborhood concerns.	San Antonio, TX	<i>Performance Audit of the Code Compliance Function</i> , Office of the City Auditor, Austin, Texas, March 23, 2010, p. 14.

Partner with HUD and Fannie Mae	The city worked with HUD and Fannie Mae to make sure foreclosed properties in their possession are kept in good condition. In urban areas, there is usually a large number of houses that are currently in the possession of HUD and Fannie Mae. These properties can be extremely difficult to keep occupied and properly maintained. Along with partnering with these federal entities, the city expanded its partnership to jurisdictions nearby to make sure uniform enforcement was occurring to send a message to the community that code violations would not be tolerated.	Dearborn, MI	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 32.
Performance targets	The city's Code Enforcement Department emphasizes the importance of setting performance measurements based on compliance rather than the number of cases or amount of fines. The city found that a goal of "95% compliance within 90 days," for example, was more effective than measuring the number of citations issued or the number of cases handled.	Austin, TX	<i>Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets</i> , Prepared for: Builders of Hope, By: The University of Texas School of Law, Community Development Clinic, Heather K. Way, Director, Michelle McCarthy, Student Attorney, John Scott, Student Attorney, December 2007, p. 17.
Police assistance	In Memphis, the police have the authority to write up property owners with nuisance charges, making them effectively part of the code enforcement team.	Memphis, TN	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=274 .
Program for tenants in substandard housing	The city established an escrow account program, a utility management program, an urgent repair program, and contracts with a community-based organization to provide outreach to tenants living in substandard housing. The program uses a financial "stick" approach, allowing renters to pay into the city's rent escrow account while property owners have outstanding housing code violations, and allowing tenants rent reduction for each month. When housing conditions are so dire as to be life-threatening and the property owners refuse to make repairs, the city steps in and fixes the problem.	Los Angeles, CA	<i>Effective Practices for Enforcing Codes to Ensure Decent Housing Condition</i> , Alliance for Healthy Homes, revised August, 2006, p. 9.
Public shaming and aggressive enforcement	The city provides the location, a picture of the property, and the name of the owner of properties contributing to neighborhood blight to the news media and publishes it on the city's web site. A team of inspectors from several city departments converges on the properties, performs a thorough inspection, and issues citations and orders.	Toledo, OH	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 12.
Receivership	The city appoints a community development corporation (CDC) as a receiver of distressed properties. As receiver, the CDC is charged with turning the properties back to productive use.	Cleveland, OH	<i>Effective Practices for Enforcing Codes to Ensure Decent Housing Condition</i> , Alliance for Healthy Homes, revised August, 2006, p. 12.

Neighborhood Preservation Division

Record notices of pendency	The city records Notices of Pendency against the foreclosed/vacant/neglected properties, which clouds the title, and will not release it until all violations have been resolved and fines are paid.	Riverside, CA	<i>Vacant and Abandoned Properties, Survey and Best Practices</i> , The United States Conference of Mayors, 2009, p. 18.
Referrals for compliance assistance	The city provides or coordinates referrals to private and non-profit entities for various types of compliance assistance including housing repair, tool lending, volunteer labor assistance, and financial assistance. Also, relocation assistance for tenants who are forced out of their homes when landlords fail to address code violations is provided in other cities.	Phoenix, AZ	<i>Performance Audit of the Code Compliance Function</i> , Office of the City Auditor, Austin, Texas, March 23, 2010, p. 13.
Rental inspection and registration program	The city created a Certificate of Compliance program, which requires certain rental properties throughout the city to be certified by the city through registration and inspection.	Virginia Beach, VA	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 19.
Resource guide	Provide a "resource guide" to violators that provides them with quick solutions to violations and names of companies that can help. The resource guide should provide citizens with the necessary information needed to abate the violation, save them the hassle of having to research compliance standards themselves, and provide an easy to understand listing of companies that could help them abate the problem if they are not equipped to handle it themselves. Finally, a resource guide can also include a section that outlines what happens when the citizen does not abate the violation.	No specific city identified	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 11.
Search and track violations online	Allow the community to search current violations online and track a violation's status. Community members are able to search if a problem property in a neighborhood has been reported. Community members are able to follow the progress of a reported property through the code enforcement process. Having code violations publicly available means violators will be publically shamed and the press can use the information.	No specific city identified	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 21.
Sheriff's office assistance	Sheriffs' offices can also partner with code enforcement officers by providing copies of foreclosure filings about properties. This could alert code enforcement to properties at risk for abandonment.	No specific city identified	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=274 .
Short term loan for minor and moderate repairs	The cities offer short-term, low interest financing to low-income individuals who need to perform property improvements in order to come into compliance.	Malden, MA and Sunnyvale, CA	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, pp. 17-18.

Targeting efforts	In order to have a noticeable impact and spur further revitalization, the city decided to target its code enforcement efforts not on the areas with the worst problems, but rather on transitional or relatively healthy neighborhoods with scattered vacant properties.	Baltimore, MD	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=268 .
Vacant property demolition	The city can fine and demolish a vacant property after it has been boarded up for 60 days or more.	Minneapolis, MN	<i>Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets</i> , Prepared for: Builders of Hope, By: The University of Texas School of Law, Community Development Clinic, Heather K. Way, Director, Michelle McCarthy, Student Attorney, John Scott, Student Attorney, December 2007, p. 21.
Vacant property fees	The city increases fees charged for vacant properties based on the number of years a property has been vacant. The city can collect unpaid fees by putting a lien on the property. These fees can strengthen the incentive for owners to return properties to productive use rather than holding them for speculation.	Cincinnati, OH	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=272 .
Vacant structure identification	The city's Vacant Structure Initiative (VSI) process identifies, verifies, and processes vacant structures. The program accomplishes this by identifying, through water records, those properties where water has not existed for at least six months. Once verified, the owner receives notification of the requirement to register the property and pay annual inspection fees. The initiative, bases the amount of the annual inspection fee on the longevity of the vacancy.	Arlington, TX	<i>Vacant and Abandoned Properties, Survey and Best Practices</i> , The United States Conference of Mayors, 2009, p. 44.
Vacant structures back into productive use	Owners of vacant properties in San Diego are required to submit for approval a "Statement of Intent" to bring vacant structures into productive use. The Statement of Intent must include the following: (1) expected period of vacancy; (2) maintenance plan during period of vacancy; and (3) a plan and time line for the lawful occupancy, rehabilitation, or demolition of the structure.	San Diego, CA	<i>Building Hope: Tools for Transforming Abandoned and Blighted Properties into Community Assets</i> , Prepared for: Builders of Hope, By: The University of Texas School of Law, Community Development Clinic, Heather K. Way, Director, Michelle McCarthy, Student Attorney, John Scott, Student Attorney, December 2007, p. 21.

Neighborhood Preservation Division

Volunteer inspectors	The city trains adults to accurately identify and report code violations. This helps increase the capacity of code enforcement officers while engaging community members in their neighborhood's wellbeing.	Atlanta, GA	"Secure & Maintain Foreclosed Properties," Foreclosure-Response.org, retrieved September 6, 2011 from http://www.foreclosure-response.org/policy_guide/secure_maintain.html?tierid=274 .
Windshield survey	A periodic drive-by inspection helps to identify code violations early. A windshield survey works by having one or two individuals assigned to a car; the car will drive around the community, road by road, and look for violations. When violations are found, they are noted and can be cited at the time.	Sunnyvale, CA	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 11.
Youth engagement program to fight graffiti	The South Bend Weed and Seed Alliance is cited as having great success with their youth graffiti engagement program. Youth painted community murals over sites that were repeat victims of graffiti. The youth with the best murals received savings bonds.	South Bend, IN	<i>An Incremental Approach to Improving Code Enforcement and Compliance in Clayton County, GA</i> , Drafted by Frank C. Bracco, Commissioned by Clayton Archway Partnership, February, 2010, p. 17.

Appendix B

Director of Neighborhoods and Housing Services' Response

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KANSAS CITY
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Neighborhoods and Housing Services Department

Office of the Director

4th Floor, City Hall
414 E 12th Street
Kansas City, Missouri 64106-2768

(816) 513-3200
Fax: (816) 513-3201

Date: September 5, 2012

To: Gary White, City Auditor

From: John A. Wood, Assistant City Manager/Director
Neighborhoods and Housing Services Department

Subject: Response to Performance Audit of Neighborhood Preservation

First, I want to express my appreciation for the manner in which your staff conducted the audit, which included a very thorough analysis of their findings. The audit has provided good information on areas and ways we can improve the operation.

The audit findings reinforce that we are on the right track with the changes that are being made to improve operations, although we have more to do to improve.

For example, the decision to switch from using KIVA to PeopleSoft to track code enforcement cases provided the ability to better monitor performance. PeopleSoft was not designed for this purpose, and so many modifications have been needed to make it work for our needs. It is still an improvement over KIVA, which was also not designed for tracking code enforcement cases. The fact that the audit did not include a recommendation that we abandon PeopleSoft was reassuring.

Some of the findings may be attributable to staff learning a new system that was being modified as it was being implemented, but there is agreement that a few more modifications are required to help address the issues.

As you can see, I agreed with all of your recommendations and look forward to reporting progress towards implementation in future ARTS reports.

- 1) The director of neighborhoods and housing services should ensure NPD's policies regarding which violations to cite are consistent and communicate those policies to enforcement officers.

Agreed. A process for a formal, ongoing review of all policies and procedures is being developed to identify areas of inconsistency and need for clarification. The issues identified in the audit are being immediately addressed. The expectation communicated to staff has always been to address all violations

Response to Performance Audit of Neighborhood Preservation, cont.

found on a property. Training will be scheduled to reinforce the importance of addressing all violations, and how field audits will be used to verify these inspections are done correctly.

- 2) The director of neighborhoods and housing services should revise the division's written policy to specify when inspection photos are required and ensure that enforcement officers follow the policy.

Agreed. As mentioned above, all policies and procedures are being reviewed, but the expectation of photographing all inspection activity and violations has been communicated to the inspectors. They were also instructed to review the previous inspection photographs prior to performing follow up inspections.

- 3) The director of neighborhoods and housing services should ensure code enforcement officers accurately enter data in FieldService.

Agreed. A new auditing report has been created which will clearly show the date the inspector entered the information, and the date the inspector claimed to have entered the information. This should eliminate the ability to enter the wrong date, without this irregularity being noticed.

- 4) The director of neighborhoods and housing services should monitor case closures to ensure that cases are not closed unless violations are abated.

Agreed. This will be addressed as part of the quality control review process discussed later.

- 5) The director of neighborhoods and housing services should hold supervisors responsible for completing the expected number of case audits.

Agreed, with modification. Recommendations 3, 4, and 8 essentially pertain to quality control efforts to ensure quality is maintained as quantity is emphasized. Rather than simply ask supervisors to do more audits, a new quality control method will be employed.

The movement from KIVA to PeopleSoft for management of code enforcement cases was done, in part, to improve the ability to obtain measures of performance. As performance numbers became available, there was an obvious need for improvement on production, or the quantity of work performed. The emphasis may have led to some slippage in quality.

Field supervisors are responsible for ensuring performance of their team of inspectors is at acceptable levels in both quantity and quality. A quality control

Response to Performance Audit of Neighborhood Preservation, cont.

system to measure how well supervisors fulfill this responsibility is being developed. Because supervisors are the subject of the measure, it is necessary to have quality control audits performed by an outside agent.

Quality control audits will be performed by a separate management employee and the results will be reported for each team of inspectors. Supervisors will be held accountable for ensuring the production and quality of work performed by their team of inspectors is at acceptable levels.

In order to ensure their team measures remain at an acceptable level, supervisors will need to instruct, train, monitor, and use appropriate and effective corrective actions when inspectors on their team fail to follow policies and procedures or otherwise not meet expectations. The new process will provide a greater incentive for them to do so.

- 6) The director of neighborhoods and housing services should work with the Information Technology Division to correct the queries used to determine the average days to compliance so that they are accurate and stable.

Agreed. A meeting was held with Action Center staff, the Auditor's staff, and Information Technology staff to identify the needed modifications in the queries as well as modifications in the PeopleSoft case tracking system. Those modifications have been completed. It is important to note that these queries are not used to report division performance as part of KCStat or performance management. The Division moved away from these reports due to an overall lack of confidence in the information they produced.

- 7) The director of neighborhoods and housing services should ensure that the label for the indicator, non-voluntary compliance, accurately describes what NPD is reporting.

Agreed. This was discussed in the meeting mentioned above and the needed modifications to the system and method for entering case information are being implemented.

- 8) The director of neighborhoods and housing services should ensure code enforcement officers do not enter complaints in FieldService as violations until they are substantiated.

Agreed. This is being included in the quality control process described above.

Response to Performance Audit of Neighborhood Preservation, cont.

- 9) The director of neighborhoods and housing services should remove proactively-initiated inspections from his calculation of "average days to first inspection."

Agreed. This was discussed in the meeting mentioned in the response to Recommendation 6. The modifications to the queries and method of entering data have been implemented. Again, this data was not used as part performance management reporting for KCStat. These inspections were manually removed prior to the preparation of those reports. The modifications will simplify and improve the ability to prepare those reports going forward, however.

- 10) The director of neighborhoods and housing services should ensure that management separates violations by types that are compatible with International City/County Management association's violation types in its calculations of compliance, expands non-voluntary compliance to include violations that the city abates.

Agreed. This was also discussed in the meeting mentioned in response to Recommendation 6. The method to accomplish this recommendation was agreed to, but a modification within the PeopleSoft system is needed to capture the information in a way that better tracks the categories of compliance. The department will work with IT to make this change.

- 11) The director of neighborhoods and housing services should ensure management uses the arithmetic mean for the average and eliminates proactively-initiated cases from NPD's calculation for "average days to first inspection."

Agreed. The queries have been modified to report the mean instead of the median. Again, these queries were not used to report division performance as part of KC Stat or performance management. Those measures were prepared using the mean.

- 12) The director of neighborhoods and housing services should work with Information Technology to:

- Implement Field services web interface
 - Agreed. This interface is in final testing and appears nearly ready to implement.
- Attach inspection photographs to case information in FieldService
 - Agreed. The space limitations of storing these pictures in PeopleSoft are the current limiting issue. We will continue to work with Information Technology for a solution.

Response to Performance Audit of Neighborhood Preservation, cont.

- Interface FieldService with other city systems, when possible, to eliminate the need to perform duplicate data entry, and;
 - Agreed. Finance is currently working towards a software solution which will eliminate one duplicative entry. We will work with other departments who “own” these other software packages in hopes of finding a solution.
- Troubleshoot problems with the use of laptops in the field
 - Agreed. Communication issues, with the addition of the web interface, are expected to reduce or eliminate these issues.

13) The director of neighborhoods and housing services should consider expanding the use of the administrative citation to include all nuisance and property code violators.

Agreed. Additional consideration and discussion will occur. The objective is to use the method that is most successful in getting code violations corrected.

The administrative citation is clearly faster and simpler to issue. The effectiveness has been questioned, however. Some feel that appearing before a judge in court has more of the desired motivational impact on violators. The court is also better equipped to ensure fines that are imposed are actually paid. This assumes the violator actually appears in court so the use of administrative fines has been limited to cases where it is less likely the defendant will appear.

Because they could be impacted, we will work with the Law Department and Municipal Court on this recommendation and perhaps develop a procedure that utilizes a combination of the two methods. For example, perhaps an administrative fine is issued for the first offense and a summons issued if the administrative fine does not produce results.

cc: Troy Schulte, City Manager