



City of Portland, Oregon
Bureau of Development Services
Property Compliance Program
FROM CONCEPT TO CONSTRUCTION

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To: Amanda Lamb, Chief Deputy City Auditor

From: Dan Ryan, City Commissioner
Rebecca Esau, Bureau of Development Services Director

RE: Response to City Ombudsman's Review of Complaint-based Enforcement and Outcomes

Summary Response to Ombudsman's Recommendations

Commissioner Ryan and the Bureau of Development Services agree with the recommendations proffered by the City Ombudsman's report in its review of BDS's code enforcement programs. The report's recommendations cover many of the same items the Property Compliance Division of BDS has either identified as part of its work plan or areas it has been working on since the fall of 2019.

The bureau's goal is to ensure safe and healthy housing and neighborhoods, and we are committed to taking a holistic look at our programs, including current regulations and enforcement policies which may have detrimental impacts, particularly on communities of color and low-income property owners. We are committed to equitable outcomes and dismantling systemic racism in its systems, processes and services, including our property maintenance code and systems for enforcing this code. Work to address this will involve:

- exploring how we could use other models of enforcement than just the complaint-driven system;
- refining the enforcement prioritization policy to continue to reduce impacts on low-income property owners;
- pursuing expanded financial resources in partnership with the Portland Housing Bureau (PHB) and non-profit organizations to assist low-income property owners with needed health-and-safety-related home repairs; and
- developing additional partnerships to assist low-income property owners in maintaining their property.

Since 2018, the Property Compliance Division of BDS is pursuing a variety of systemic code, administrative rule, and policy changes within various sections of its enforcement work. Furthermore, BDS is keenly aware of the disparities and barriers created for marginalized members of our community through enforcement fees and liens, and we agree with the Ombudsman's recommendation for change in this area. Efforts are already underway to address such disparities. Examples of these efforts include:

- In April 2021, work began to revise the Lien Reduction Review Rules and create an implementation process for staff. This new rule will loosen requirements for low income and disabled property owners to qualify for lien reductions from 50% to 100%, and provide an easier path to apply for consideration.

- The BDS Property Compliance team partners with PHB to refer low-income home owners to PHB's home repair grant program to receive financial assistance to make needed home repairs: <https://www.portland.gov/phb/home-repair-retention#toc-home-repair-grants>. As this funding source is inadequate to meet the demand, PHB and BDS are partnering to request additional funding to provide this assistance and help homeowners stay in their homes.
- BDS has a program called the Empowered Neighborhoods Program. This program is designed to serve customers who are Black, Indigenous, people of color, or people who have disabilities defined by the ADA who own property and have received a letter from the Enforcement Program. This program provides the property owner with a point of contact to work with them to help find solutions and resources to resolve the situation, answer questions, and provide other assistance. <https://www.portland.gov/bds/empowered-communities-programs/neighborhoods>

What Can the City Council do?

1. Support the ongoing improvements and changes that the Property Compliance Division of BDS has underway.
2. Provide additional General Fund support over the next several budget cycles to enable BDS Property Compliance to continue making needed improvements, thereby freeing the program from its financial reliance on fines and liens for its operations.
3. Provide ongoing expanded financial support to PHB's Home Repair Grant Program to help low-income property owners in need and ultimately bring properties into a safe and healthy condition, and to ensure that no one is turned away.
4. Provide additional ongoing General Fund support for BDS's Empowered Communities Program so the bureau has more staff dedicated to assist BIPOC and disabled property owners with bringing their properties into compliance and connecting them with resources to help resolve these health and safety issues.