



AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: William A. Gilchrist,
Director, Planning &
Building Department

SUBJECT: FY 2023-24 Quarter 4 Update on
Code Enforcement Activities

DATE: August 12, 2024

City Administrator Approval


Jestin Johnson (Aug 29, 2024 16:42 PDT)

Date: Aug 29, 2024

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report Regarding The Fiscal Year 2023-24 Quarter 4 Update On The Planning and Building Department's Code Enforcement Activities.

EXECUTIVE SUMMARY

The goal of Code Enforcement is to increase the safety, habitability, and livability of the built environment in the City of Oakland (City). This Informational Report provides current information on the code enforcement activities of the Planning and Building Department (PBD) for the fourth quarter of Fiscal Year (FY) 2023-24 (April 1, 2024, through June 30, 2024). The PBD's Code Enforcement Division enforces compliance with building, housing, and zoning codes and regulations. It is important to note that although many other departments within the City enforce property-related regulations, such as Economic Workforce and Development Department (EWDD), Oakland Public Works Department (OPW), Oakland Fire Department (OFD), and Oakland Police Department (OPD), the data and work activities described in this report only pertain to PBD's enforcement activities under the Oakland Municipal Code (OMC).

BACKGROUND / LEGISLATIVE HISTORY

Purpose and Origin of Quarterly Code Enforcement Report

The City's FY 2015-17 Policy Budget contains a directive to provide an informational report on a quarterly basis to the City Council concerning the code enforcement activities of PBD. The purpose of the report is to update the City Council and the public on the range of code enforcement work being performed, the statistics related to those categories of enforcement, and key initiatives underway to improve the effectiveness of the Code Enforcement Division services. The Code Enforcement Division of PBD pursues the enhancement of livability in the community through the facilitation of neighborhood revitalization projects, focus on the reduction of blighted properties, and ensuring the health and safety of occupants in and around structures. This year, Code Enforcement has been a partner in the Neighborhood Enhanced Services

CED Committee
September 10, 2024

Team (NEST) work in East, West, and Central Oakland to improve the quality of life in Oakland's High Priority Equity communities. These interdisciplinary teams address multiple issues to create positive change. Code Enforcement's current role is to focus on several problem properties within identified service areas. Additionally, Code Enforcement works with the Abandoned Auto Task Force to address illegal businesses that may be tied to vehicle thefts and vehicle stripping in Oakland; specifically, determining whether those business operations constitute a public nuisance and working to clean up Oakland's streets through addressing a cause of the epidemic of stripped vehicles found within city limits. PBD has received an average of 1,667 complaints each Quarter over the last 4 fiscal years. The lowest number of complaints occurred in FY 2022-23, Quarter 2, where 1,330 complaints were received and the highest number of complaints received was in the present quarter, Quarter 4 of FY 2023-24, where 2,199 complaints were received.

A primary goal of the City's Code Enforcement program is to resolve property maintenance, building maintenance and zoning code violations in a timely, effective, and efficient manner. The requirements and process for each are discussed in this report. The length of time to achieve compliance varies based upon several factors, such as the complexity or extent of the violation, cooperation of the property owner, or the extent to which the property owner pursues appeals of code enforcement determinations. The code enforcement program is primarily complaint-driven, and the number of complaints received vary over any given period as detailed in **Attachment A**, Slides 5 and 6.

Complaint Submittal and Processing

Complaints are received in various ways (via Oak311, via the Accela Online Permit Center, by phone, by email, etc.) and are referred to Code Enforcement administrative staff, who examine the reported complaint and initiate its routing through the enforcement process. Depending on the nature of the complaint, the property owner may be sent a Courtesy Notice or staff will conduct a site visit, such as a first inspection. A site visit may then lead to the issuance of a Notice of Violation (NOV) if one or more violations of the Oakland Municipal Code are confirmed. See Slides 7 and 8 of **Attachment A** for the volume of first inspections from Quarter 1 of FY 2020-21 to the current quarter, Quarter 4 of FY 2023-24.

A Courtesy Notice is sent for initial reports of minor violations of blight and nuisance complaints, such as noise abatement, trash and debris left in the public view, and other non-hazardous conditions. No inspection of the property is conducted. The property owner has twenty-one days to respond to the notice and may certify that the violations are unfounded or have been corrected by returning the Property Owner Certification form with corroborating photographs.

The first inspection is the initial visit to the site once a complaint has been received. The purpose of this inspection is to verify whether the condition(s) reported in the complaint violate the OMC. Whenever a violation is verified through a site visit, an NOV is issued that includes a list of the violations and of the corrections that must be made. NOV's are issued for a variety of reasons, such as work performed without permits, deteriorated and unsecured empty buildings, graffiti, hazardous and unsafe conditions on private property, and for repeated violations that have not been corrected. After NOV issuance, additional inspections, referred to as "re-inspections" and "monitoring inspections" are scheduled to verify abatement of the violations. Those re-inspections and monitoring inspections are shown on **Attachment A**, Slides 9 and 10.

If the case does not constitute an imminent hazard, then the City allows corrective action to be taken without the assessment of fees for a 30-day period (plus five extra days for mailing) from the date of the NOV. For persistent non-compliance (when the owner does not abate the complaint by the compliance date stated on the NOV), the City initiates and continues to apply fines until abatement of the violation is achieved. The City will record the NOV with the County to alert potential interested parties to the existing violations. Properties that contain substandard conditions as defined by OMC 15.08.340 will escalate toward an Order to Abate or to a Declaration of Substandard and Public Nuisance. These actions carry substantial assessments and consequences, such as the demolition of a structure. The temporary or permanent relocation of occupants of a structure also may become necessary when there is unpermitted construction of a residential dwelling unit; depending on the extent of the corrections needed and the impact on habitability during construction.

Receivers of an NOV are given the right to appeal the violation(s). Such appeals must be filed within 21 days (plus five extra days for mailing) from the issuance date of the NOV. See **Attachment A**: specifically, Slides 12 to 15 for the “Average Case Management Duration” or timeframe for abatement; Slide 16 for the “Enforcement Actions for Compliance and Abatement”; Slide 17 for “Abated/Closed Cases Reported from Quarter 4 of FY 2022-23 to Quarter 4 of FY 2023-24”; Slide 18 for “Abated/Closed Cases Distribution by year Case Opened”; and Slide 19 for “Total Open Cases” for Quarter 4 of FY 2023-24 (this slide also contains data on abated/closed cases during the same period). Finally, Slide 20 of **Attachment A** provides data on “Enforcement Fees Assessed” to gain compliance from Quarter 4 of FY 2022-23 to Quarter 4 of FY 2023-24.

ANALYSIS AND POLICY ALTERNATIVES

The PBD Code Enforcement Program directly relates to the Citywide priorities of **1) holistic community safety** and **2) housing, economic, and cultural security** by providing the means and methods to verify and correct violations of the OMC as they relate to minimum maintenance standards for private property under the categories of property blight and graffiti, building maintenance, and zoning, as discussed below.

Code Enforcement Categories

Before describing Code Enforcement categories, it is necessary to discuss issues that do not fall under Code Enforcement’s jurisdiction. Issues that arise on public property do not involve Code Enforcement. For instance, a box spring left in the driveway of a private residence can be reported to Code Enforcement for abatement. That same box spring, if dumped on public property, such as in a park or on a sidewalk, is not reportable to Code Enforcement. Instead, it falls under the enforcement responsibility of OPW. The same concept holds true with graffiti and other issues on public property. Following is a discussion of Code Enforcement categories as they concern reportable violations upon private property.

Property Blight and Graffiti: It is unlawful for any person or corporation whether as owner or occupant in possession of the property to maintain any property in a blighted condition per OMC Chapter 8.24. A blighted property (i.e., residential, commercial, or industrial properties) is one that exhibits a lack of maintenance, livability, and appearance that does not promote the health, safety, and general welfare of the community. Blight includes: abandoned or unsecured

buildings and structures; abandoned construction projects; dilapidated, deteriorated buildings; broken or missing windows, doors, fencing, signs, retaining walls; defaced buildings; overgrown vegetation; trash and debris; unclean, unsanitary property; garbage bins left in public view; open storage; property that creates a dangerous condition (i.e., erosion controls); unstable soil conditions; parking and storage of trailers, campers, recreational vehicles, boats, unregistered, inoperative vehicles, appliances, furniture, etc. Per OMC Chapters 8.24.050 and 8.10.110, complaints regarding blight and graffiti on residential, industrial, or commercial properties, as well as privately-owned vacant lots are inspected and issued an NOV. As mentioned above, illegal dumping of items on the street and sidewalk is commonly reported to the Code Enforcement Division of PBD, but it falls under the enforcement responsibility of OPW. In those instances, a referral is made to OPW. Graffiti and other built environment-related issues on public property also fall under the enforcement responsibility of OPW.

Building Maintenance: It is unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building, structure, portion thereof, or real property or cause or allow the same to be done in violation of this Chapter 15.08 of the OMC. The provisions of the Code apply to real property and to all residential and non-residential buildings used, or designed or intended to be used, for human occupancy and habitation and all accessory buildings and structures on the same lot or parcel. Such occupancies in existing buildings may continue as provided in the Oakland Building Construction Code, except where the Building Official has issued an order to vacate after such structures are found to be substandard and public nuisance as defined in this Chapter, 15.08.030 of the OMC. While enforcement of blight is commonly straight-forward, building maintenance issues may require extensive investigation and research, as well as coordination with other departments like OFD, EWDD and Housing and Community Development (HCD) and guidance from the City Attorney to confirm the City's options under a range of enforcement scenarios. The City Attorney is an essential partner in the successful enforcement and resolution of PBD's cases.

Zoning: It is unlawful to establish, substitute, expand, construct, alter, move, paint, maintain or otherwise change any structure, or create or change lot lines, except in conformity with the Oakland General Plan per Chapter 17 of the OMC (Section 17.010.3). Regulations related to compliance and use for residential, commercial, and industrial zone designations include unpermitted business in residential areas, excessive signage/advertising signage, fencing height, construction noise, persistent noise, and other unapproved activity. Enforcement includes the issuance of Courtesy Notices, NOV's and enforcement noticing described under Building Maintenance to gain compliance.

Table 1 provides a general sample and categorization of the types of violations that come in as complaints, in descending order, by the frequency with which they are reported.

Table 1. Types of complaints by category*

Property Maintenance (Blight) (OMC 8.24)	Building Maintenance (OMC 15.08)	(Minor) Zoning (OMC Title 17)
1. Trash / Debris (1,465)	1. Mold (607)	1. Business in residential zone (269)
2. Graffiti (1,224)	2. Unpermitted work (575)	2. Construction noise outside of permitted hours (130)
3. Overgrown vegetation (624)	3. Lack of adequate heat (400)	3. Equipment setback (120)
4. Trash and recycling bins left curbside past collection day (530)	4. Electrical (399)	4. Fencing height, other (44)
5. Use of gas-powered leaf blower (99)	5. Plumbing (318)	5. Livestock, e.g. rooster (30)

* values reported in parentheses for each element within each category reflect a FY 2023-24 total.

Abatement and Case Clearance Issues

During FY 2023-24 Quarter 4, Code Enforcement received 2,199 complaints. Slide 19 of **Attachment A** depicts the caseload in each complaint category and shows open cases at the end of the previous quarter, new cases opened in Quarter 4 of FY 2023-24, cases abated and closed in Quarter 4 of FY 2023-24, as well as open cases at the end of Quarter 4 of FY 2023-24. There is a tendency to think of Code Enforcement violations as monolithic, but each violation is different, and each requires different approaches and processes to abate.

As further depicted in **Table 2** below, in the Property Maintenance (blight) category, open case volumes grew by 9 percent. Open case volumes grew by 2 percent within the Building Maintenance category, while the number of open cases increased by 10 percent in the Zoning category. Mitigating growth in open cases is an identified focus area for the Code Enforcement Division.

Table 2. Growth of open cases by category

Property Maintenance (Blight)	Building Maintenance	(Minor) Zoning
Open cases increased by 9 percent in Quarter 4 from the prior quarter, going from 2,846 open cases to 3,099 open cases.	Open cases increased by 2 percent in Quarter 4 from the prior quarter, going from 3,449 open cases to 3,499 open cases.	Open cases increased by 10 percent in Quarter 4 going from 672 open cases to 744 open cases.
In terms of abatement, 1,202 cases were opened	In terms of abatement, 648 new cases were opened,	In terms of abatement, 349 new cases were opened

while 949 cases were abated and closed.	while 598 cases were abated and closed.	while 277 cases were abated and closed.
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This year, Quarter 4 of 2023-24 had a number of complaints that was 23 percent higher than the number of complaints received in Quarter 3 of FY 2023-24. Despite the increase in open cases this quarter, the Code Enforcement Division was able to complete courtesy notices or field inspections for all the open cases, as shown on Slide 19 of **Attachment A**. In addition, because the Code Enforcement Division was able to reduce growth in open cases from Quarter 2 to Quarter 3, the division is well positioned to take advantage in an anticipated reduction in complaints during the fall and winter months to make more headway in reducing open case volumes. However, it is simply more difficult to reduce open case volumes when complaints increase by more than a third over 6 months while staffing levels remain constant.

Along with staffing shortages, there are continuous issues with property owners who fail to respond to notices in a timely manner; as a result, the paperwork and administrative effort involved with bringing those properties into compliance being a time-consuming process. The combination of staffing shortage and delayed property-owner compliance results in a slowly growing backlog of blight, building maintenance, and, to a lesser extent, zoning cases.

To address the existing backlog of cases, it is imperative to add more inspectors and administrative staff to manage current caseloads and close out older cases. See the “Staff Coordination, Training and Hiring” section of this report for more information on current hiring. Additionally, the continued use of contractors has allowed more experienced staff the time to research and work toward resolving open cases. See the section of the report “Annual and Retrospective Trends in Inspections and Fees” for more trend analysis.

Code Enforcement Fees

Slide 20 of **Attachment A** reflects the volume of violations that necessitated enforcement and associated fees. As depicted in that same slide, enforcement fees collected have increased as the Code Enforcement Division’s capacity increased. Specifically, due to the two new Inspectors hired last quarter. Every category related to fees and penalties has just about doubled in Quarter 4 of FY 2023-24 when compared to Quarter 4 of FY 2022-23. That doubling includes: the number of cases invoiced, the fees (including bonds) collected, and bonds for compliance plans. When compliance is not obtained from property owners, fees and penalties increase and accumulate in order to encourage property owners to abate code violations, as well as to cover the cost of additional inspections and concomitant administrative services.

The City recovers the administrative and logistical costs of bringing property owners into compliance via these fees, ensuring a safer and more resilient City in the process. Time spent conducting field inspections, sending letters and notices to property owners, issuing fines, and abating properties that will not otherwise come into compliance can be laborious. When fees are applied, Code Enforcement has already made attempts to communicate with the property owner and to exhaust the administrative process. It is an unfortunate reality that some property owners would not make needed changes and/or repairs without the imposition of fees and penalties. On the other hand, to protect property owners, there are statutory limits to fees, fees are assessed incrementally to gradually disincentivize inaction, and there are formal appeal processes in place to dispute fees and notices.

Code Enforcement Identified Trends

Below is a retrospective analysis of Code Enforcement activities during the four quarters of FY 2023-24, taken from **Attachment A**, Slides 21 to 25.

Annual and Retrospective Trends in Complaints

Overall, for FY 2023-24, the Code Enforcement Division received 7,365 complaints in total, which is over 1,000 more complaints than were received in FY 2022-23.

Blight:

Blight-related complaints constituted the largest increase in the number of complaints. There was a total of 3,918 blight complaints, which was an annual increase of 471 complaints over the previous year. This represents a 13 percent year-over-year increase.

Building Maintenance:

The increase in the number of Building Maintenance complaints was nearly as large as the increase in blight complaints, with an increase of 454 complaints over last year. The total number of Building Maintenance cases was 2,399. This represents the largest percentage increase with a 19 percent increase, year-over-year.

Zoning:

There were 92 more Zoning-related complaints than in the previous year. This represents the smallest increase in the number of complaints year-over-year, as well as the smallest percentage increase in the number of complaints when compared to last year, at 9 percent.

Annual and Retrospective Trends in Inspections and Fees

Inspections:

First inspections increased for every category when compared to the previous year and have climbed every quarter this year since Quarter 2. There was a total of 4,935 First Inspections this year, which represented a 22 percent increase over the prior year. Slide 22 of **Attachment A** illustrates a steady increase, in each violation category, in the number of first inspections since FY 2020-21.

When compared to FY 2022-23, re-inspections and monitoring inspections experienced the largest percentage increase, year-over-year in FY 2023-24: a 43 percent increase. Each violation category received between 40 and 50 percent increases in the number of first inspections or monitoring inspections conducted during this year. See Slide 23 of **Attachment A** to see the dramatic increase in the number of these inspections conducted over the past four fiscal years.

While the increase in first inspections, re-inspections, and monitoring inspections over the last several years is laudable, quarters in which the Code Enforcement Division receives a higher than usual number of complaints can still result in a slowly growing number of open cases as

can be seen in the Quarter 4 numbers of open cases on Slides 19 and 24 of **Attachment A**. However, one positive trend identified during FY 2023-24 is a gradual increase in the number of abated and closed cases, highlighted on Slides 17 and 18 of **Attachment A**. One other notable milestone achieved this year is the fact that 82.7 percent of abated and closed cases had been opened in this same year. On a related note, Quarters 3 and 4 of FY 2023-24 had the highest numbers of abated and closed cases as compared to Quarters 1 and 2, which seems to indicate the realization of increased efficiency and capacity due to newer processes and increased staffing.

Invoicing and Fees:

Eight-hundred eleven (811) cases had been invoiced in FY 2022-23 in order to induce property owners to abate code violations. In FY 2023-24, 1,313 cases were invoiced, ensuring that the costs of cleaning and rehabilitating those properties that generate public complaints are borne by non-responsive property owners who choose not to appeal the violation notices that they receive beforehand.

Key Initiatives

The bullet points that follow represent a brief discussion of the key initiatives, including methods, partnerships, technical trainings, personnel changes, and newly implemented programs and standards that will impact the Code Enforcement Division's ability to reduce the numbers of open cases.

These bullet points include programs that will increase Code Enforcement's caseload (in the short-term) and those that are expected to reduce the number of complaints in the future. For example, successful recruitment of new Inspectors decreases collective caseloads, while enforcing new Building Maintenance Code standards around lead-based paint are expected to increase caseloads. Nevertheless, with increased recruitment and tighter interdepartmental coordination, we remain confident that future quarterly reports will show a gradual decline in the number of open cases. Having more Inspectors is critical. In this regard, the Planning and Building Department remains prioritized for additional hiring support from the Human Resources Department through a continuous recruitment of candidates to fill Inspector positions. The goal is to reduce the number of vacant positions and increase staffing in Code Enforcement and generally increase departmental capacity.

Staff Coordination, Training and Hiring

- The Code Enforcement Division holds weekly internal staff meetings and facilitates a scheduled bi-weekly meeting with other City departments including OFD's Fire Prevention Bureau, City Attorney's Office, EWDD, and HCD to address effective and timely responses for complex cases.
- The Code Enforcement Division's Principal Inspection Supervisor and Senior Inspectors also attend numerous topic or case specific meetings joined by the Building Official, Principal Civil Engineer, and other staff on a continuous basis to consult with the City Attorney's Office, OPW, and other departments and divisions to clarify the action plan for compliance or escalation of enforcement depending on the issues involved.

- Code Enforcement Inspectors are also taking regular training to enhance knowledge and skills relative to their duties, such as Situational Awareness Training to deal with the harsh realities inherent with their duties.
- To increase efficiency while responding to changes in staffing, Inspectors are being cross trained in other focus areas and, in some instances, have been reassigned to different units (i.e. Residential Inspections, Code Enforcement, or Commercial Inspections).
- The recruitment for Specialty Combination Inspectors to fill vacancies within the Building Bureau is now a continuous job posting until all positions are filled. There was no change in the number of Inspectors in Quarter 4.
- At present there is one Senior Public Service Representative and 1 Administrative Analyst. In the next quarter, two Administrative Assistant I positions will be filled in the Inspection Administration section. Filling these two positions will increase Code Enforcement's capacity to close out open cases by taking some of the load off existing administrative staff.

Digital Enhancements

Inspections App: The Code Enforcement Division in collaboration with PBD Digital Division has completed development of the code enforcement inspector app, which went live on March 1, 2024. The app has since been used exclusively for all field work, and the automation has shown to reduce the time inspectors spend in the office typing notices and has allowed for gradual increases in inspection capacity as we continue to adopt the app.

The use of the app and creation of automated notices of violation have led the code enforcement division to discover the need for Address Parcel Owner (APO) information to have more frequent updates to ensure that any changes in legal ownership are captured in a timely manner. Currently, the contract between Accela and the City only allows for APO information to be updated quarterly. The code enforcement division needs at minimum monthly updates to comply with legal noticing requirements as per OMC15.08.110. Doing so would also reduce the number of corrections and remailing of notices that administrative staff have to undertake, thereby creating additional delays in notification.

Notwithstanding this operating constraint, minor issues, such as incorrect routing data, auto assignments, and coordinate data have been identified which are being corrected. Highlights of the Code Enforcement Inspector App include:

- Reduced time spent by inspectors in the office generating Notice of Violations manually.
- Ability to create an NOV instantaneously upon resulting inspection in the field.
- Checklist based violation documentation based on OMC with specific violation images and corrective action for each violation identified.
- Ability to create favorites for common notes for staff to copy and paste their most used inspection results and streamlined process to easily result the inspection in the field.

- Ability for emergency structural assessment responders dispatched by Oakland Fire to easily document and create cases in the field during their response.

Implementation of Recent Laws and Regulations

Code Enforcement operations are regularly impacted by the adoption of new or revised Municipal Codes or by new State or Federal laws and programs. The adoption of superseding jurisdictional laws can lead to adjustments in how complaints may be legally processed, how complaints are categorized, the manner in which inspections are performed, and the legal requirement for prioritization, escalation, or penalties for certain violations. The most recent laws and programs include:

- AB 548, which was signed into law October 2023.
- Lead Based Paint Hazard Abatement Standards adopted into the OMC in December 2022: require all residential properties built before 1978 to obtain permits to confirm practices consistent with federal and state regulations are followed when presumed lead-based paint is disturbed due to painting and or construction activities.
- Standards for Delayed Enforcement for Accessory Dwelling Units and Joint Live/Work Quarters (JLWQ) adopted into the OMC in December 2022: when correction of violations is not necessary for health and safety, this Delay of Enforcement provides properties with non-compliant spaces to obtain a five-year period to bring the property into full compliance as long as minimum health and safety regulations are in place, as required by state law.

Proactive Rental Inspection Program (PRIP): The development of the PRIP is being coordinated with the Equitable Lead Hazard Abatement Program (ELHAP), which will guide how to distribute lead-based paint settlement funds across departments, including related to PRIP inspections that find lead-based paint. The ELHAP will help leverage additional funding to sustain City-County joint lead abatement efforts. For the coordination efforts, see the [staff report](#) to the Life Enrichment Committee meeting on June 25, 2024. Additionally, the Building Bureau is implementing AB 548, which requires whenever an inspector responds to a complaint in multi-family housing and finds that the substandard condition could possibly be affecting adjacent units or all units, then the inspector can inform the property owner that additional units need to be inspected. Taken together, these two actions represent the first stage of practical initial implementation of a PRIP.

FISCAL IMPACT

There is no fiscal impact associated with the preparation of this Informational Report.

PUBLIC OUTREACH / INTEREST

No public outreach has been conducted for this informational report beyond the required posting to the City's website.

COORDINATION

This report was prepared in coordination with the City Administrator's Office and the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

This is an informational report, so there are no actions requested of the Council. The following areas of impact and opportunity are noted for further consideration.

Economic: Code enforcement activities have economic benefits by preserving quality of life and ensuring safety for Oakland residents, business owners, and visitors.

Environmental: Code enforcement activities have environmental benefits by enforcing codes designed to protect the environment and residents from adverse environmental impacts.

Race & Equity: Enforcement activities can have equity implications. For example, with the current complaint-based system, people with access to the system are more likely to submit complaints. Conversely, historically marginalized communities living in substandard conditions may be reluctant to submit complaints and may need outside assistance to make their buildings safer. With AB 548, PBD will take an incremental step towards proactive inspection to supplement the current complaint-based system to better achieve equity in safe, affordable, and healthy housing.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council receive an Informational Report regarding the FY 2023-24 Quarter 4 update on the Planning and Building Department's Code Enforcement activities.

For questions regarding this report, please contact Alain Placido, Acting Chief Building Official, at 510-238-7110.

Respectfully submitted,

William Gilchrist

WILLIAM A. GILCHRIST
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Attachments (1):

A: Quarterly Code Enforcement Data and Statistics FY 2023-24, Quarter 4

Attachment A

Code Enforcement Quarterly Report: Quarter 4 of FY 2023-24 April to June 2024

Alain Placido
Acting Building Official
Planning and Building Dept



CITY OF
OAKLAND



Contents

- Complaints Received Quarterly, by Category
- First Inspections and Follow-Up Inspections Quarterly, by Category
- Case Management Duration (FY 23-24 Quarter 4)
- Enforcement Actions (FY 23-24 Quarter 4)
- 1 Year of Data on Abated/Closed Cases
- Total Open Cases at the End of Quarter 4
- 1 Year of Data on Enforcement Fees Assessed



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- Complaints Received Yearly, by Category
- First Inspections and Follow-Up Inspections Yearly, by Category
- Total Open Cases at the End of Each Fiscal Year
- Cases Invoiced for Enforcement Fees, Yearly
- Additional Online Resources

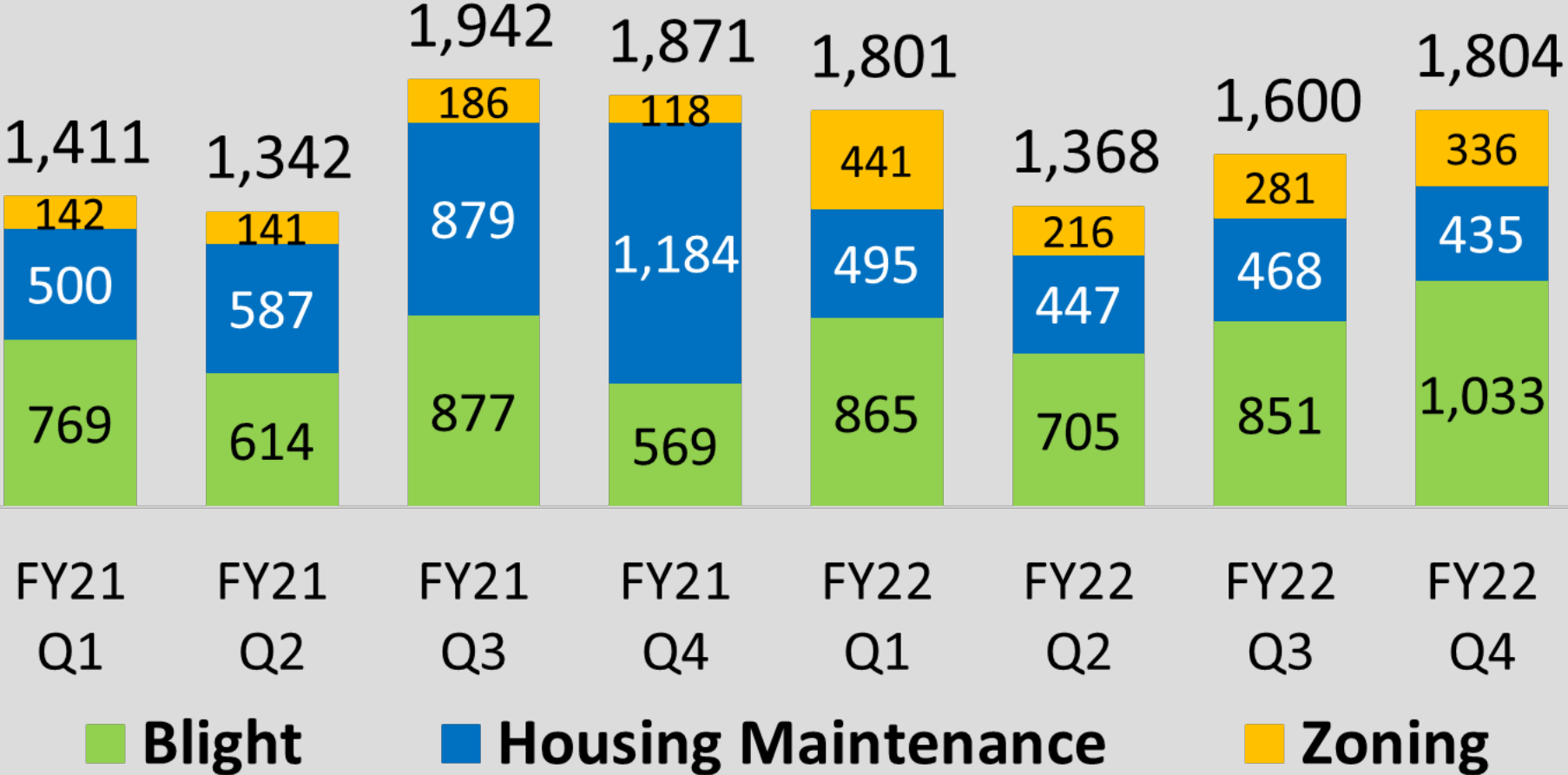


Top Complaints by Category

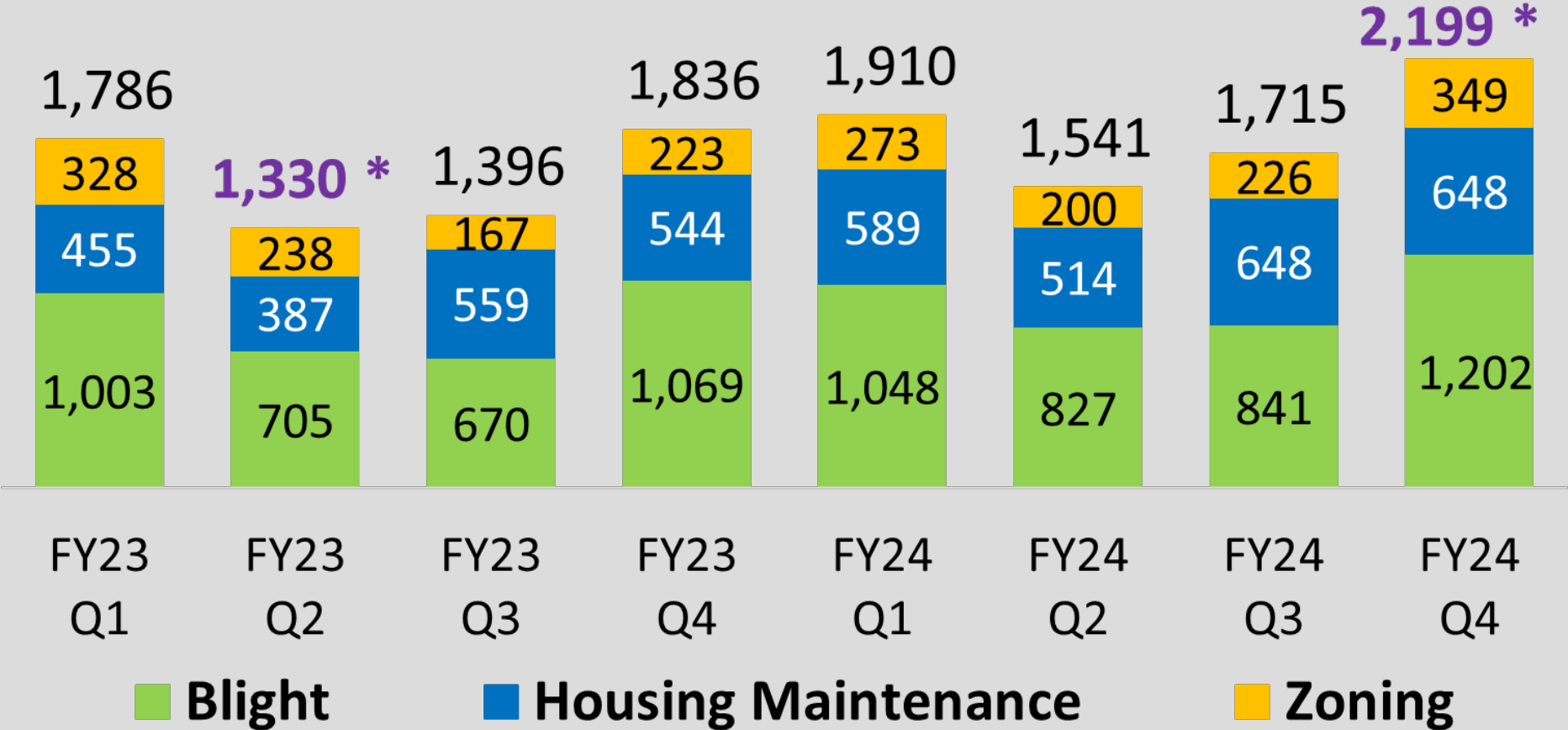
Blight / Property Maintenance [OMC 8.24]	Housing Maintenance [OMC 15.08]	Zoning [OMC Title 17]
1. Trash / Debris (1,465)	1. Mold (607)	1. Business in residential zone (269)
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Complaints Received by Category FY 21 – FY 22

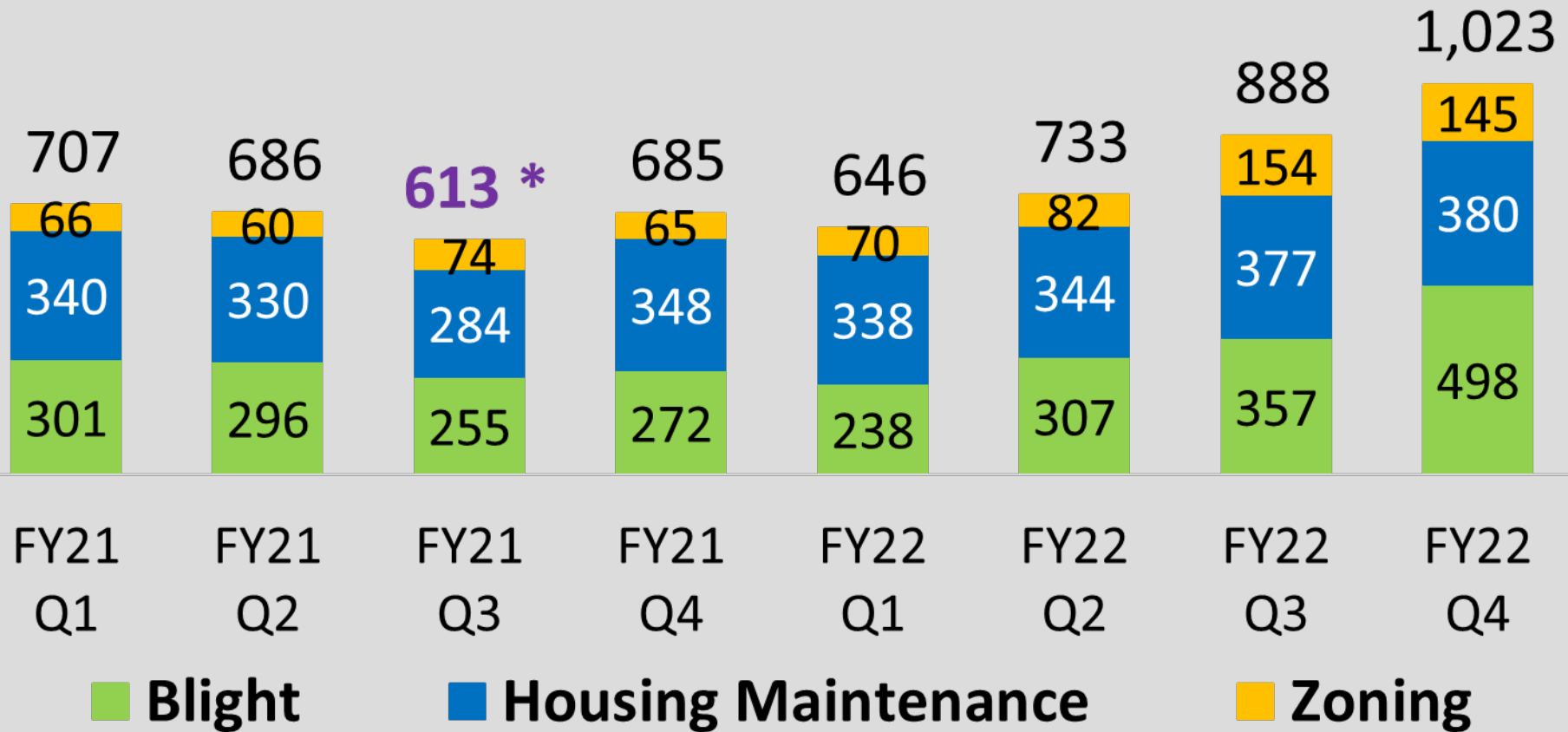


Complaints Received by Category FY 23 – FY 24



* Minimum and Maximum

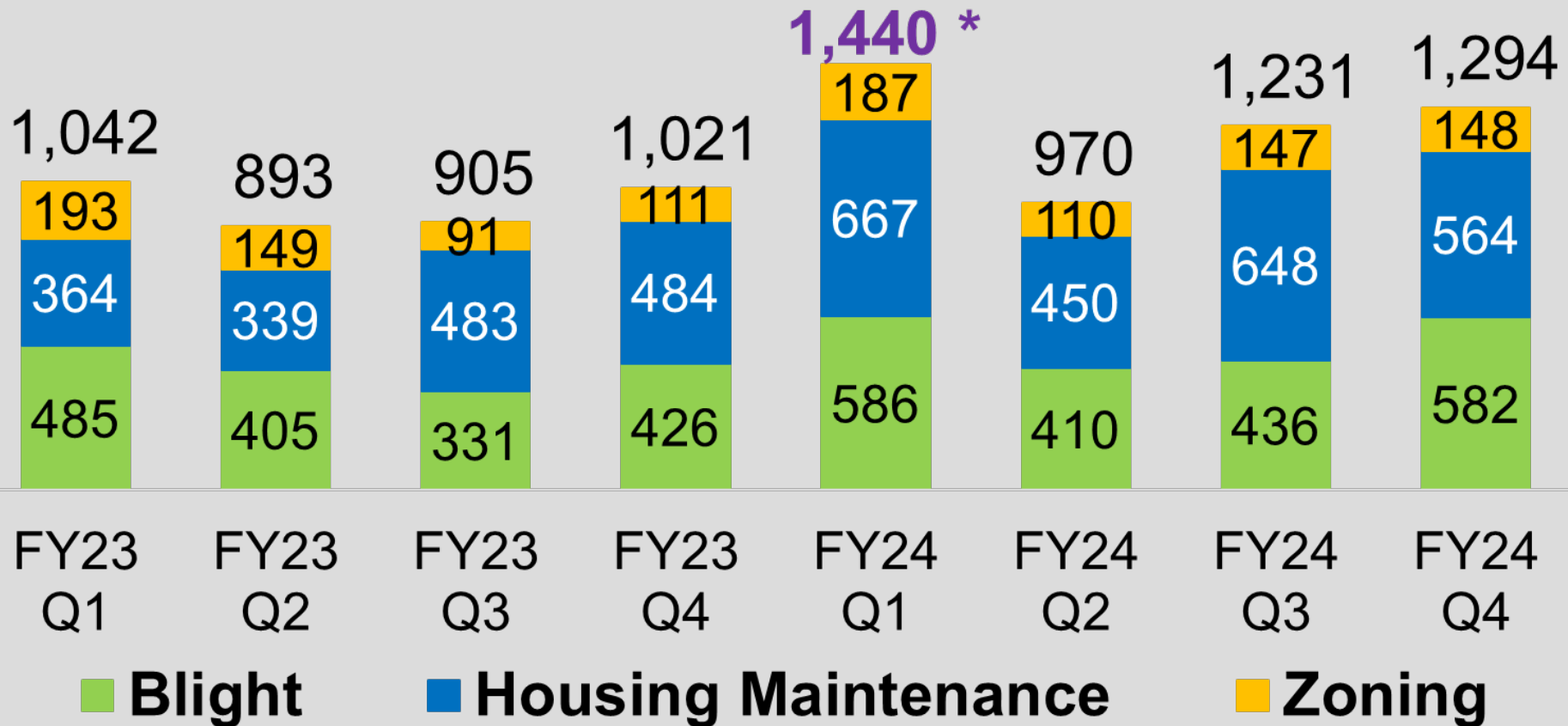
First Inspections FY 21 – FY 22



* Minimum

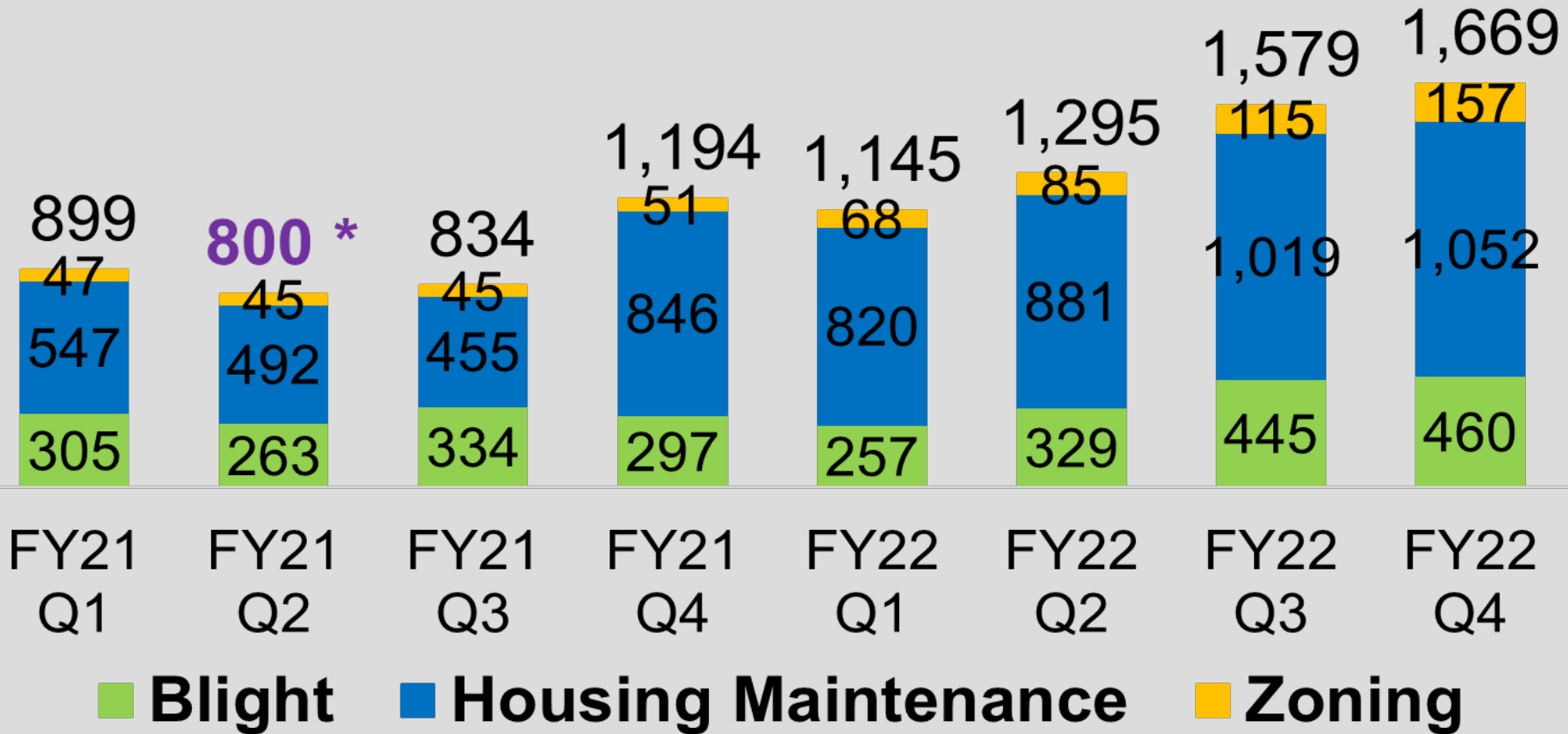


First Inspections FY 23 – FY 24



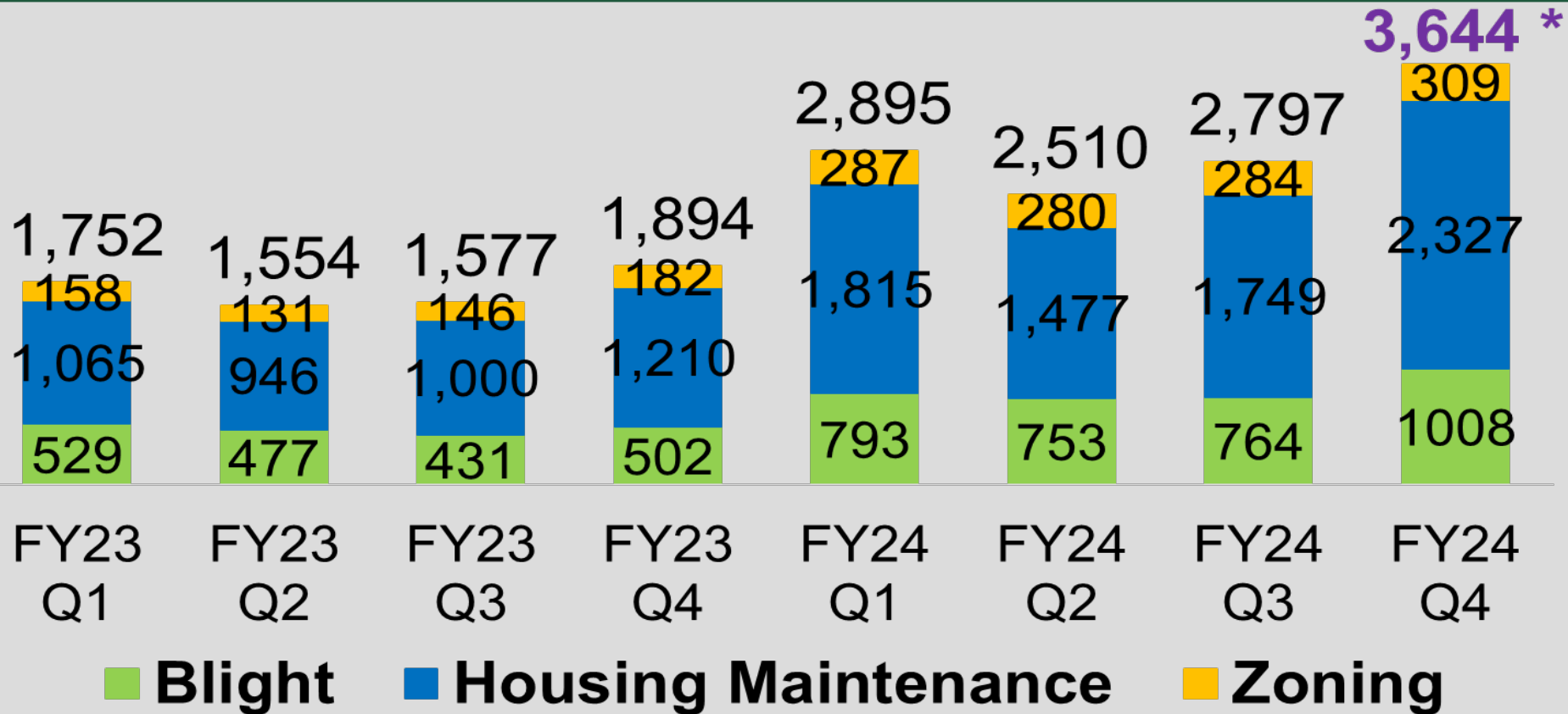
* Maximum

Re-inspections and Monitoring Inspections FY 21 – FY 22



* Minimum

Re-inspections and Monitoring Inspections FY 23 – FY 24



* Maximum

Inspections (site visits) Q4 Apr – Jun 2024

Enforcement Category	Blighted Property (Including graffiti)	Housing Maintenance	Zoning (Including Noise)	Total
First Inspections	582	564	148	1,294
Re-Inspections and Monitoring Inspections	1,008	2,327	309	3,644
Total Inspections	1,590	2,891	457	4,938

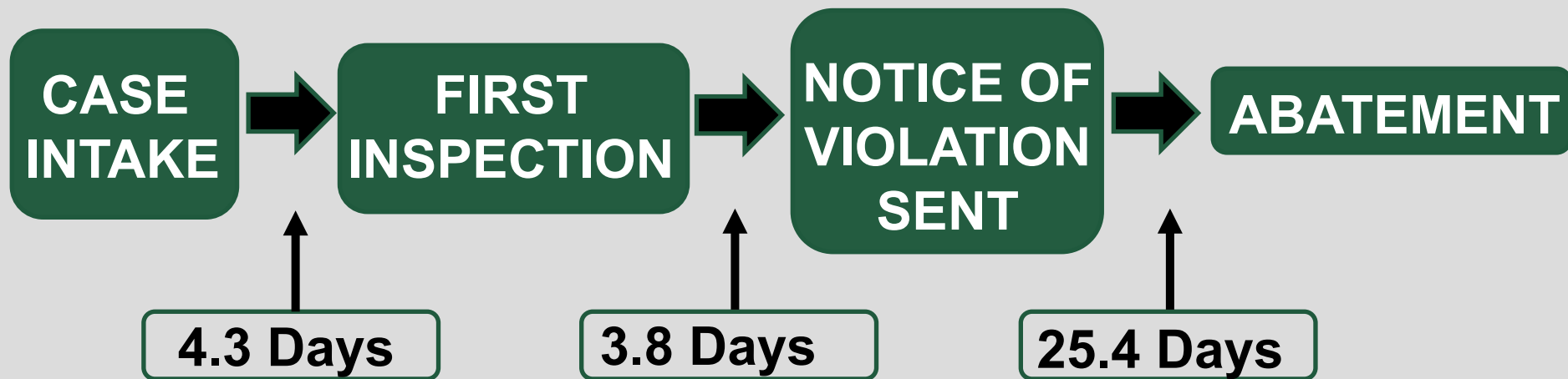


Case Management Duration

Q4 Apr – Jun 2024

Average time from complaint intake, first inspection, NOV, to violation abatement **within the quarter:**

33.6 Business Days



This compares to 33.2 Business Days for Q3

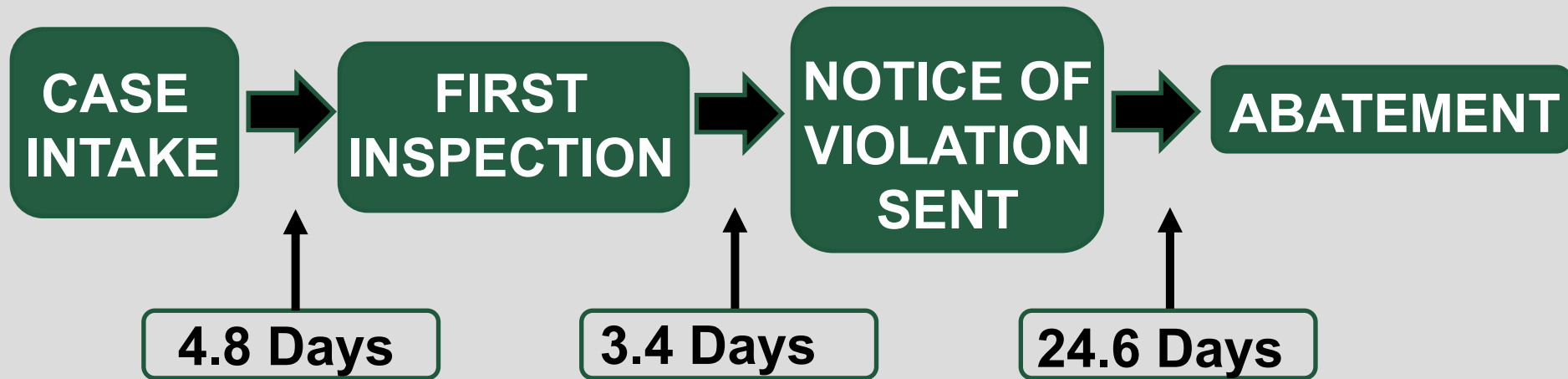


Blight Case Management Duration

Q4 Apr – Jun 2024

Average time from complaint intake, first inspection, NOV, to violation abatement **within the quarter:**

32.8 Business Days



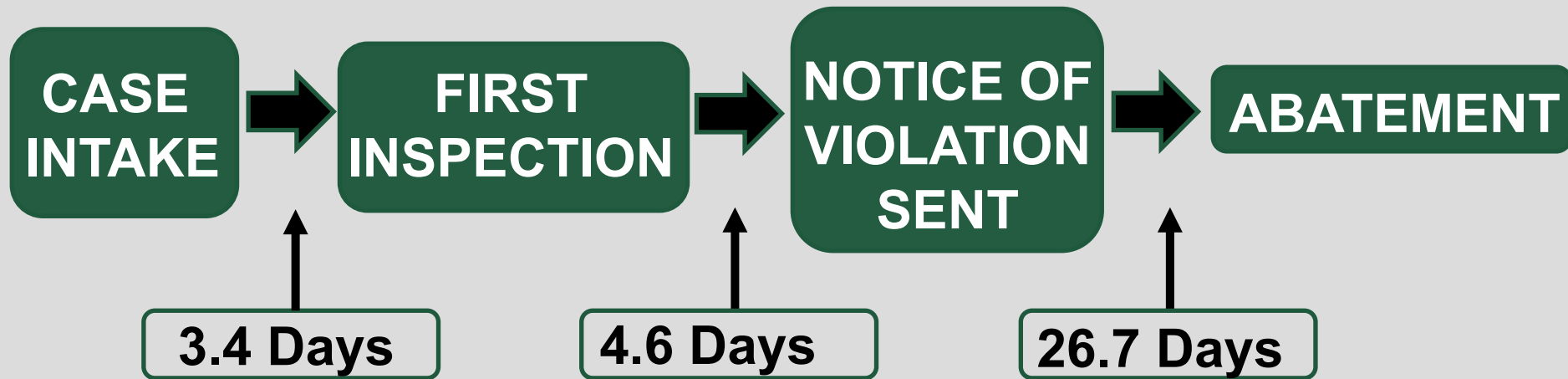
This compares to 31.4 Business Days for Q3

Housing Case Management Duration

Q4 Apr – Jun 2024

Average time from complaint intake, first inspection, NOV, to violation abatement **within the quarter:**

34.7 Business Days



This compares to 37.8 Business Days for Q3

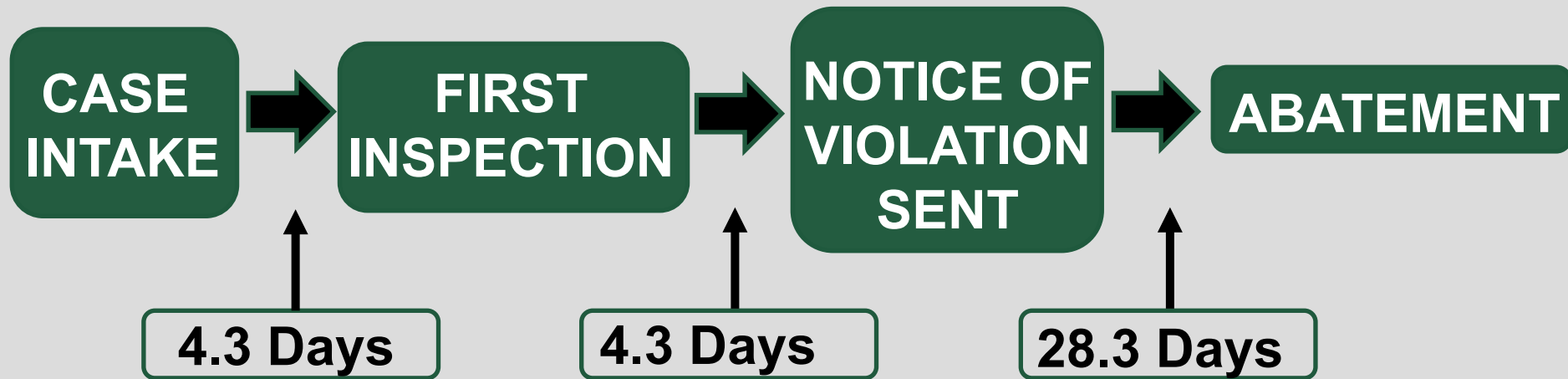


Zoning Case Management Duration

Q4 Apr – Jun 2024

Average time from complaint intake, first inspection, NOV, to violation abatement **within the quarter:**

37 Business Days



This compares to 37.5 Business Days for Q3

Enforcement Actions for Compliance or Abatement

Q4 Apr – Jun 2024

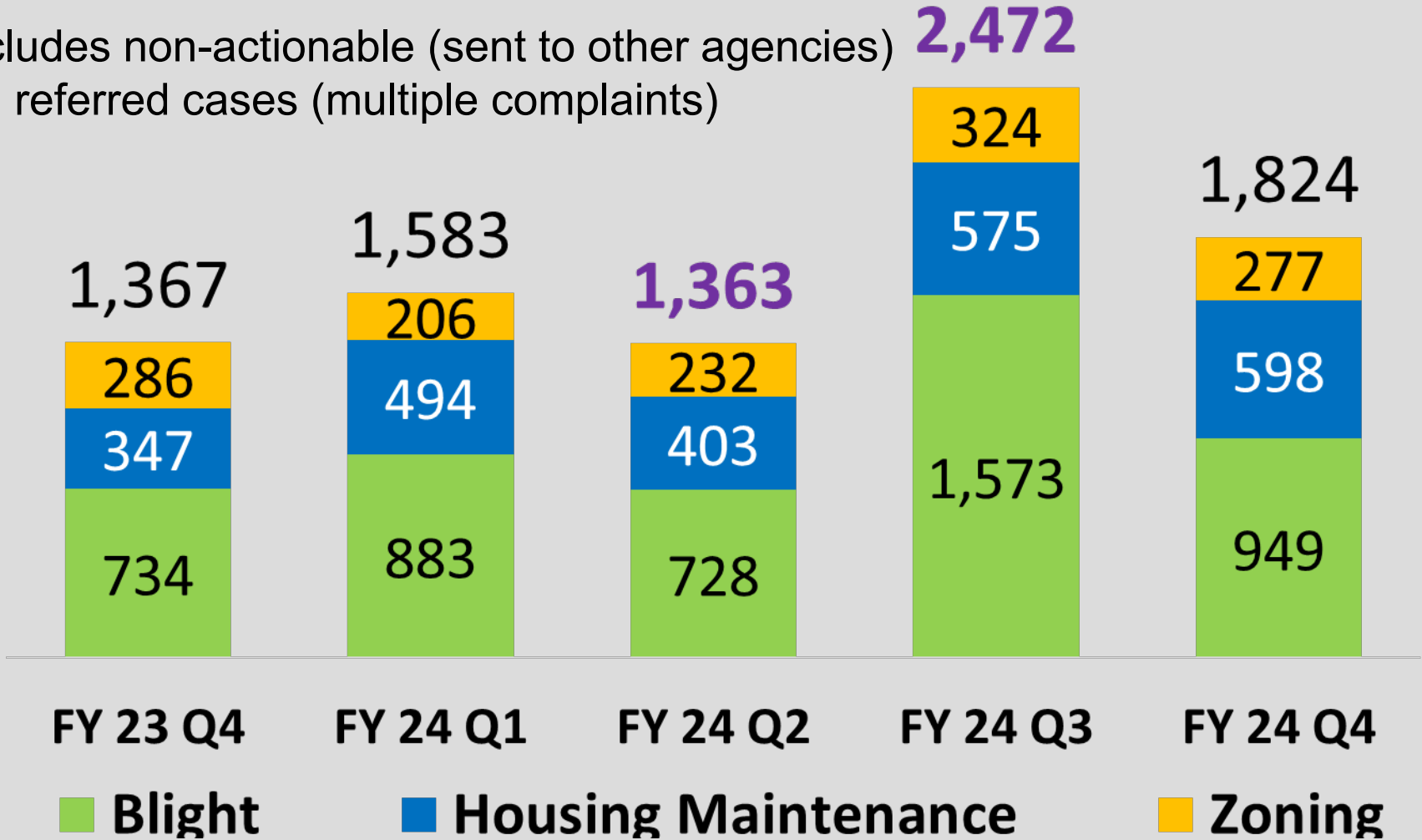
Enforcement Action	Definition	Cases
Clean-up Contract	An agreement with the owner agreeing to pay the cost of City-facilitated clean-up.	1
Notice of Repeat Violation	The same or similar violation has been verified within 24 months.	5
Stop Work Order	Stops unpermitted work or work beyond scope	68
Compliance Plan	Plan made with owner about fees and Abatement	4



Abated & Closed*

FY 23 Q4 – FY 24 Q4

*Includes non-actionable (sent to other agencies) and referred cases (multiple complaints)

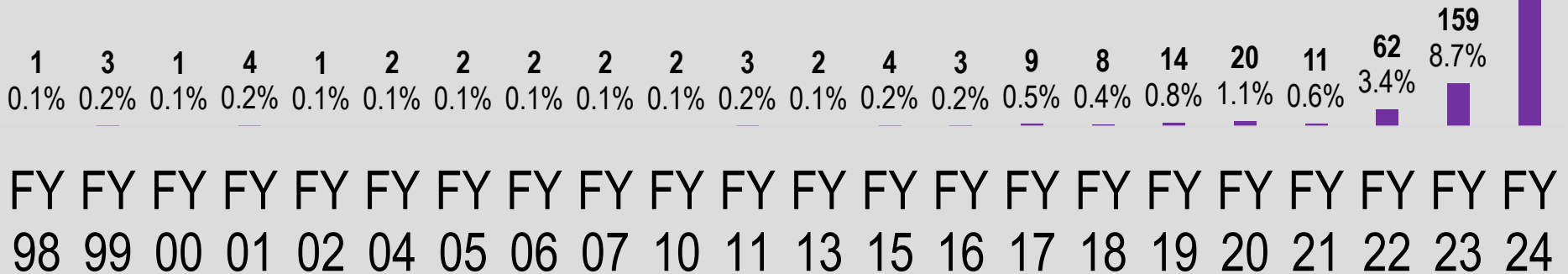


Abated & Closed Q4 Apr – June 2024

Distribution by Year Case Opened

This compares to 53% for Q3 → **82.7%**

1,509



Total Open Cases

Q4 Apr – June 2024

Type	Open Cases Previous Quarter	New Cases Current Quarter	Abated and Closed	Open Cases End of Quarter
Blight	2,846	1,202	949	3,099
Maintenance	3,449	648	598	3,499
Zoning	672	349	277	744
Total	6,967	2,199	1,824	7,342



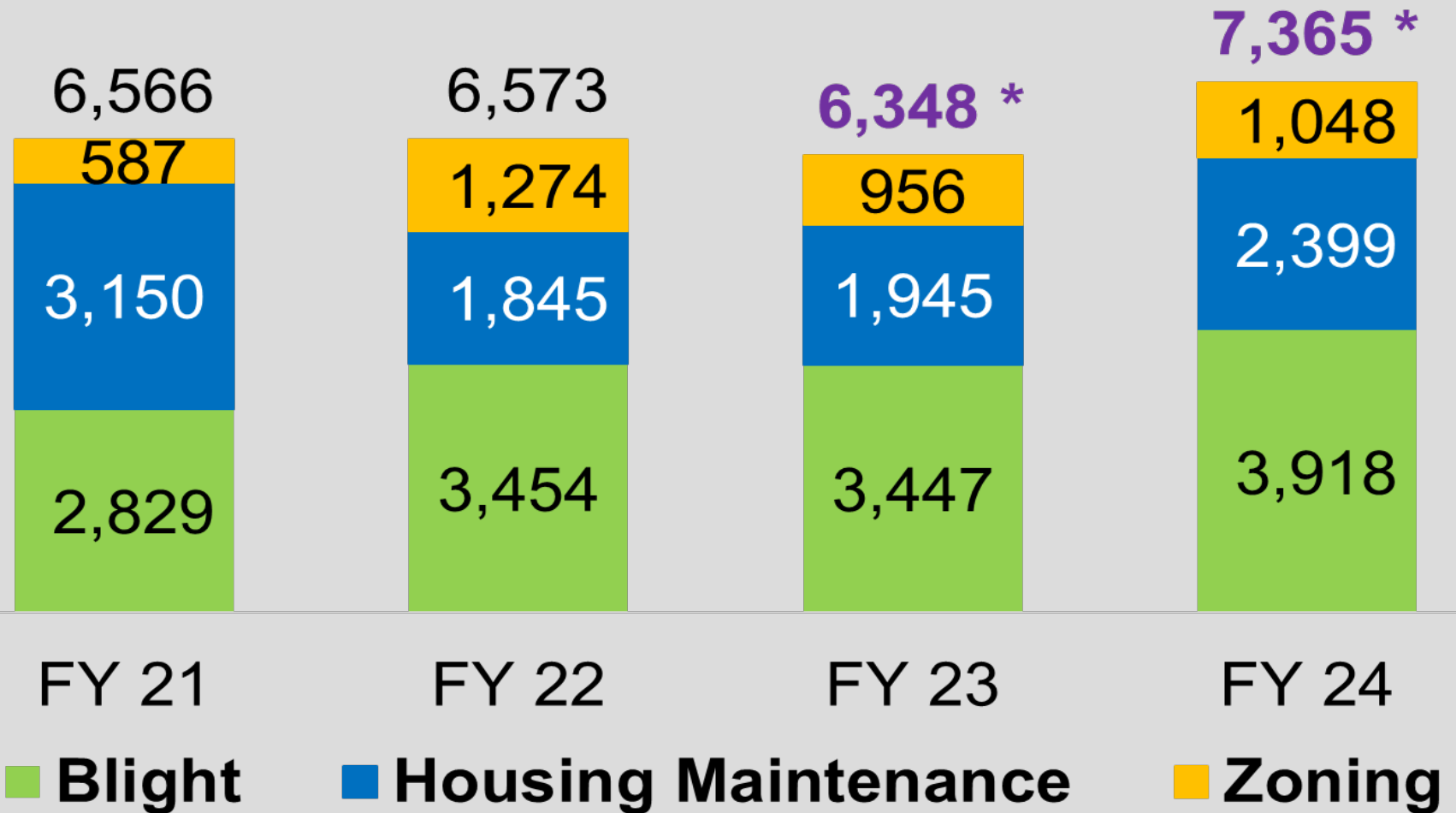
Enforcement Fees Assessed

FY 23 Q4 – FY 24 Q4

Quarter	Cases Invoiced	Fees (Includes Bonds)	Bonds for Compliance Plan
FY24 Q4	457	\$552,938	\$20,000
FY24 Q3	294	\$451,803	\$24,000
FY24 Q2	299	\$390,741	\$17,500
FY24 Q1	263	\$351,531	\$30,500
FY23 Q4	216	\$273,694	\$9,000



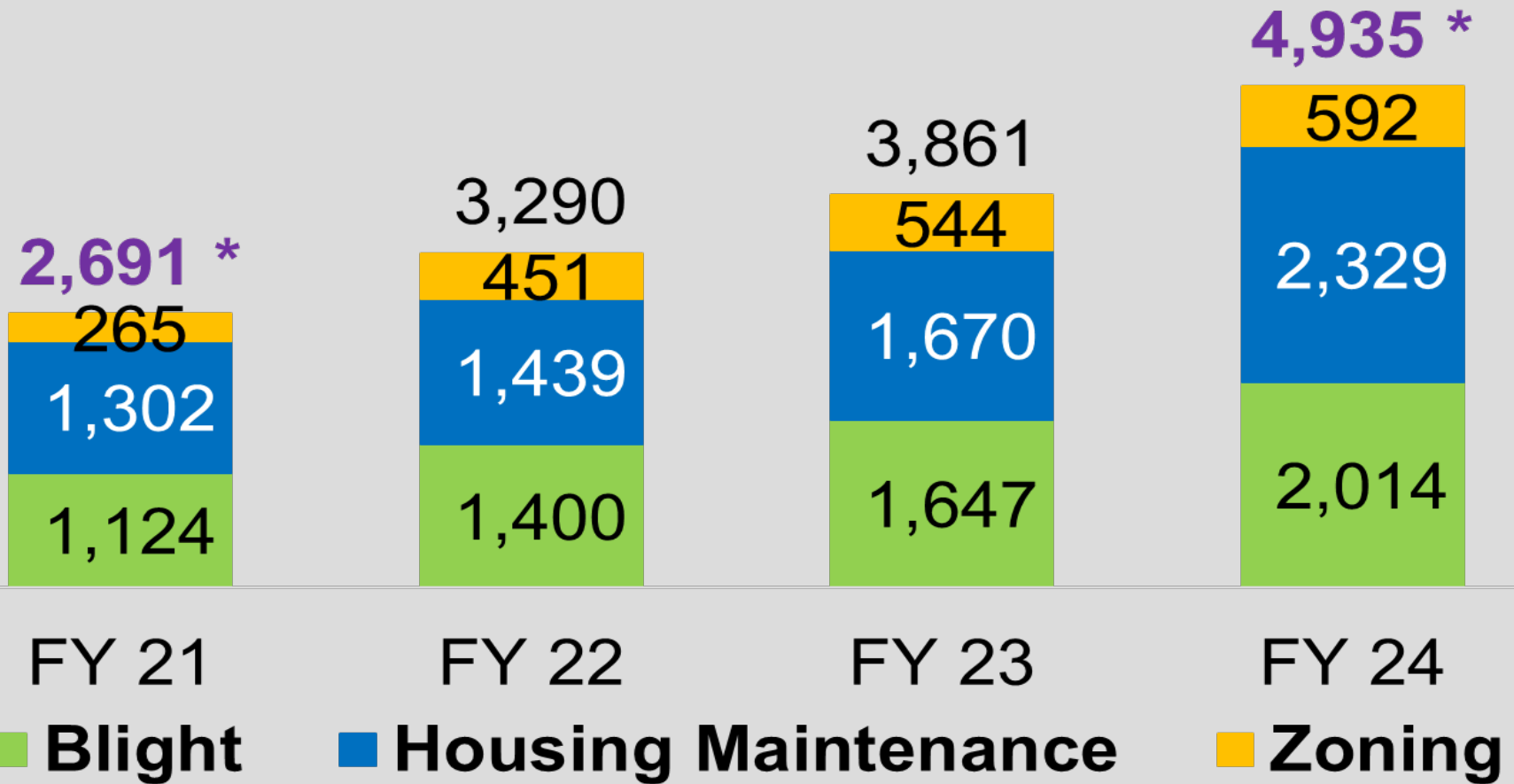
Complaints Received by Category FY 21 to FY 24



* Minimum and Maximum



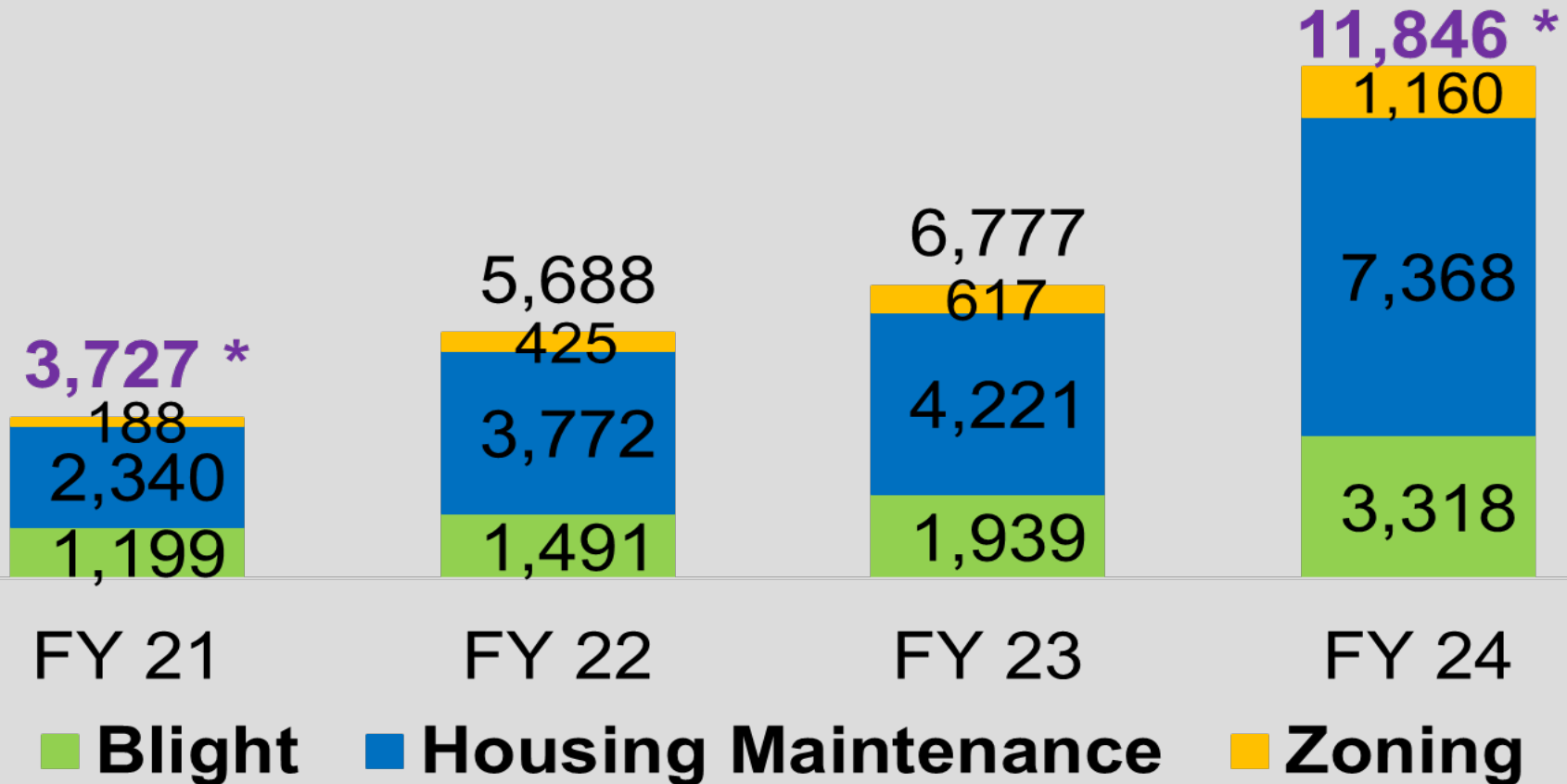
First Inspections FY 21 to FY 24



* Minimum and Maximum



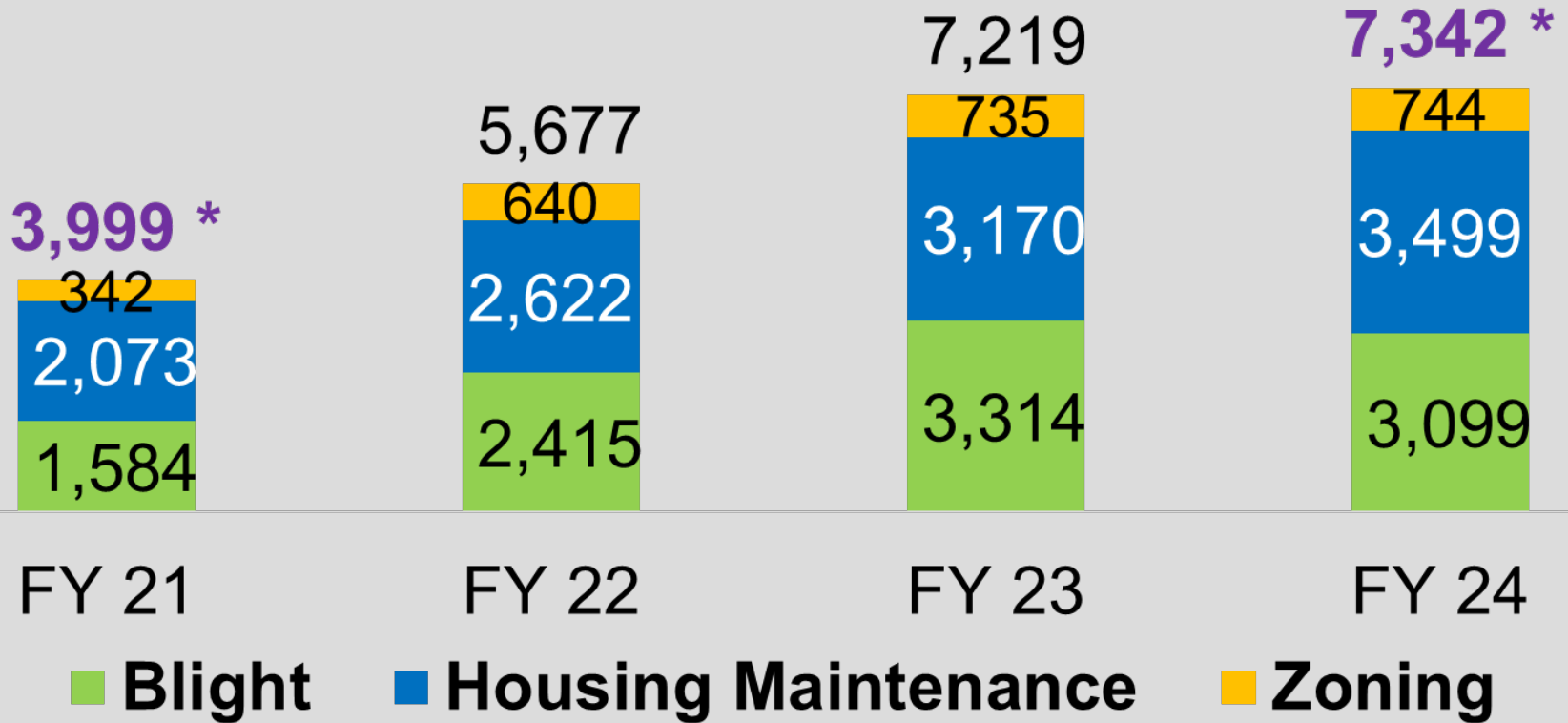
Re-inspections and Monitoring Inspections FY 21 – FY 24



* Minimum and Maximum



Total Open Cases FY 21 to FY 24



* Minimum and Maximum

Cases Invoiced for Enforcement Fees

FY 21 – FY 24

Quarter	FY 20-21	FY 21-22	FY 22-23	FY 23-24
Q1	92	144	194	263
Q2	306	157	235	299
Q3	25	116	166	294
Q4	99	154	216	457
TOTAL	522	571	811	1,313



Additional Information

- Notice of Violations available to public at <https://aca.accela.com/OAKLAND/Cap/CapHome.aspx?module=Enforcement&TabName=Enforcement>
- Previous Code Enforcement Reports are available at <https://www.oaklandca.gov/documents/city-of-oakland-quarterly-building-code-enforcement-reports>

