CITY OF HOUSTON

Administrative Procedure

Subject: **Apartment Standards Enforcement Committee**	A.P. No: **7-8**
	Effective Date: **September 11, 2013**

1. AUTHORITY

1.1 Article VI, Section 7a, of the City Charter of the City of Houston.

2. PURPOSE

2.1 The Apartment Standards Enforcement Committee ("ASEC" or the "Committee") is hereby created for the purpose of reducing the frequency and severity of substandard and dangerous conditions in multi-family residential complexes in the City.

3. OBJECTIVES

3.1 To promulgate guidelines enabling the City to coordinate its responses to substandard and dangerous buildings in "apartment complexes," as defined in this Administrative Procedure.

3.2 To systematize the City's responses to substandard and dangerous buildings in apartment complexes, with the following outcomes:

3.2.1 The City will document credible allegations of substandard or dangerous buildings in apartment complexes and the City's responses to such allegations;

3.2.2 City employees responsible for addressing substandard or dangerous conditions in apartment complexes will have a clear understanding of, and will follow consistently, the guidelines and procedures for addressing such conditions;

3.2.3 The City will respond to credible allegations of substandard or dangerous buildings in apartment complexes promptly and effectively;

3.2.4 The City will confirm and document compliance (or lack thereof) with each administrative or judicial order related to property standards at an apartment complex; and

3.2.5 The City will respond promptly to an owner's failure to comply, or to remain in compliance, with an administrative or judicial order related to property standards at an apartment complex.

3.3 To ensure cooperation among the City departments responsible for enforcing laws related to substandard or dangerous conditions in apartment complexes, in part by overseeing the implementation of a common computer database from which the said departments may ascertain by property address the status of the City's investigations and enforcement actions, as well as responses by property owners.

3.4 To help protect the due process rights of owners and tenants of apartment complexes.

3.5 To recommend revisions of the City's codes, procedures, and funding as advisable to increase the efficient use of public resources to reduce the frequency and severity of substandard and dangerous conditions in apartment complexes.

3.6 To collect and analyze data related to substandard and dangerous conditions in apartment complexes so that the Mayor and City Council are well prepared to set policies and allocate resources to address such conditions.

4. SCOPE

4.1 This Administrative Procedure applies to all City departments and divisions.

5. DEFINITIONS

For the purposes of this Administrative Procedure:

Apartment complex – A structure containing more than four dwelling units, without regard to the form of the ownership of the real property on which the units are located.

Dangerous building – Defined by Section 10-371(a) of the City's Code of Ordinances.

Document – To prepare a reasonably detailed written or electronic record of an allegation, action, condition, or event (or the absence of same), which record shall be prepared within 24 hours after the matter memorialized and which record the City shall preserved for no less than two years.

Dwelling unit – An enclosed space consisting of one or more rooms providing independent living facilities for non-transient sleeping, cooking, eating, and sanitation. Notwithstanding the foregoing, the following structures do not contain dwelling units:

(a) Jails;

(b) Hotels (as defined by Section 44-101 of the City's Code of Ordinances); and

(c) Structures providing sleeping facilities primarily for the purpose of rendering services regulated by a department or agency of the federal government or of the State of Texas (including, but not limited to, the Texas Department of State Health Services).

Substandard building – Defined by Section 10-317 of the City's Code of Ordinances.

6. RESPONSIBILITIES

6.1 ASEC shall take such actions as are necessary and reasonable to meet the Objectives of this Administrative Procedure. Absent extraordinary circumstances, the Committee shall act by consensus.

6.2 With regard to substandard or dangerous conditions in apartment complexes, all City departments shall make every reasonable effort to comply with the Committee's guidelines and directives. With regard to any specific property or incident, however, a City department may request from the Mayor or the Mayor's designee a waiver of one or more ASEC guidelines or directives.

7. PROCEDURES

7.1 The Chief of Police and the Director of the Public Works and Engineering Department each shall appoint two representatives to ASEC. The Fire Chief and the Directors of the Departments of Health and Human Services, Housing and Community Development, and Neighborhoods each shall appoint one representative to ASEC.

7.2 The City Attorney or his designee shall serve as Chair of ASEC. The Vice Chair of ASEC shall be one of the representatives appointed by the Director of the Public Works and Engineering Department.

7.3 The Mayor may appoint a member of the Mayor's staff to serve as an ex-officio member of ASEC.

7.4 ASEC may agree upon such rules of procedure as may be advisable to meet the Objectives of this Administrative Procedure.