

Enhancing SDCI's Vacant Building Monitoring Program

Report to Council

April 2018

Report Background

In September 2017, the City Council adopted [Ordinance 125399](#), which modified the maintenance and demolition standards for vacant buildings. The ordinance strengthened maintenance standards related to securing a vacant building, reduced barriers to demolishing structures formerly used for housing, and clarified provisions for cleaning up yard debris. In Section 5 of the ordinance, the Council requested that the Director of the Seattle Department of Construction and Inspections (SDCI) submit a report with policy options to enhance vacant building monitoring efforts.

At a minimum, the report was asked to cover:

1. Triggering events for enrollment or registration in the program;
2. Minimum maintenance standards for vacant buildings, which may include use of higher grade materials, such as polycarbonate sheets or security panels, or other strategies to preserve the appearance and condition of the structure;
3. A revised penalty structure for failure to comply with maintenance standards;
4. A tiered fee structure for monitoring to allow for cost recovery while minimizing costs for participants whose buildings are well maintained and not subject to unauthorized entry; and
5. Authority for the SDCI Director to create a standardized/uniform/streamlined building assessment or valuation process for Chapter 22.208 of the Housing Building and Maintenance Code (HBMC);
6. Authority of SDCI Director to establish a complementary program whereby owners of vacant buildings may elect to have those buildings occupied by temporary caretakers who are unsheltered or face barriers to housing and are identified as potential caretakers by a human services provider or similar organization.

SDCI Recommendations

SDCI is committed to reducing the public safety impacts of vacant buildings and to maximizing opportunities to address Seattle's housing shortage. As such, SDCI recommends the following approach, based on the policy options discussed in this report:

- Modify business practices to enroll more properties in the vacant building monitoring program. Specifically, enroll properties in redevelopment in the program if they are in violation of the minimum maintenance standards for vacant buildings.
- Continue to promote the caretaker model through business practice improvements. Work with organizations who are interested in proactively reaching out to developers with potential soon-to-be-vacant residential properties. Share permit application information with these organizations in order to support their outreach efforts, and to help keep good-quality housing in use.
- Explore other ways to identify vacant but habitable buildings that could be used to house people and to incentivize developers to keep good-condition buildings occupied during the redevelopment process.

Policy Options

The six topics and policy options for each of them are discussed below. Many of these options are not mutually exclusive and could be combined to create an enhanced program.

1. Enrollment

Triggering events for enrollment or registration in the vacant building monitoring program.

Background

SDCI currently has an existing vacant building monitoring program. The program is intended to ensure that vacant buildings are adequately maintained and do not become a problem for neighbors. The program is administered by SDCI's code compliance staff according to the rules in the City's Housing Code (Title 22.2 SMC¹) and has been in place for several decades. There are currently 43 properties enrolled in the program, and SDCI receives complaints about another few hundred vacant properties each year (see map in Appendix). The number of SDCI complaint cases rose from 265 in 2013 to 434 in 2017, a 64% increase.

Under current code, SDCI has authority to enroll vacant properties in the program for violation of any of the minimum maintenance standards for vacant buildings. When SDCI becomes aware of a vacant property (most commonly due to a complaint), an SDCI inspector visits the property. If the vacant building does not meet the minimum maintenance standards, the inspector issues the property owner(s) a "notice of violation" (NOV), which requires the owner to correct the issue. If the problem is relatively minor and quickly corrected after the notice, the SDCI inspector usually will not place the property in the vacant building monitoring program. Other times, properties have more significant violations that are not corrected right away, or quickly return after being addressed. Such properties are typically enrolled in the program and visited quarterly (and billed accordingly) until they are no longer vacant, or until all violations are corrected and they have not had any additional violations for three consecutive quarters. About half of the properties currently in the monitoring program have been in the program for several years due to ongoing lower-level violations, as owners are unable or unwilling to make the necessary repairs to bring them into compliance.

Properties that are undergoing redevelopment (i.e., currently have permits under review or approvals pending) are not usually enrolled in the monitoring program due to the generally temporary nature of their vacancy, which ultimately ends in demolition. However, these buildings are much more likely to be illegally entered and become problematic, since publicly-available permit records make them easy to identify and locate. Due to the increase in calls about illegal entry, illegal activity, and fires at vacant buildings in the last few years, SDCI inspections staff coordinate with the police and fire departments to enhance monitoring and enforcement at buildings at the 70 or so most problematic properties. These properties are inspected much more frequently (monthly, weekly, or even daily) due to regular break-ins and other priority issues.

The Fire Department also has a vacant building inspection program. Firefighters inspect all known vacant commercial and residential buildings on an annual basis. Separately, the Police Department has a criminal trespass program where a property owner can voluntarily enter into an agreement with SPD to authorize police to remove trespassers when they are found in the building. SDCI works with SFD and SPD by partnering on day-to-day casework and sharing information about fires and unauthorized entry at vacant buildings as well as at occasional interdepartmental meetings to discuss vacant building issues with them and other agencies.

Common Approaches

There are two distinct approaches for enrollment in a vacant building monitoring program: a problem-based enrollment, in which vacant properties are enrolled in the program once the City becomes

¹ Subsection F of [SMC 22.206.200](#)

aware that they are vacant (usually due to a complaint about a code violation), and proactive model, in which property owners are required to notify the City that their property has become vacant or foreclosed. Each of these approaches have been used by cities across the country, depending largely on the nature of that city's issues related to vacant buildings. Most vacant building registration/monitoring programs were adopted during the mid-2000s due to the high foreclosure rates that many cities were experiencing after the mortgage crisis.

Problem-Based Models

Tacoma requires registration of vacant buildings that have been declared unfit or unsafe for human use due to code violations, but only if the violation is left uncorrected long enough that the City moves to have a complaint recorded on the title.

Proactive Models

Locally, Spokane and Bremerton require registration of vacant foreclosure properties. Everett requires registration of vacant commercial spaces in the central business district but exempts properties with active redevelopment permits. Elsewhere in the country, many cities (including NYC, Las Vegas, San Diego, Denver, Boston, and Miami) require registration after foreclosure/default. Chicago is an example of a jurisdiction that requires registration of all properties that have been vacant for more than 30 days or are in foreclosure, however recent legal issues prompted them to scale back these requirements for federally-backed mortgages.

Hybrid Models

Boston requires registration of vacant properties that have been foreclosed, as well as those that have code violations. San Francisco requires registration of properties that have been vacant for more than 30 days as well as those that have code violations. Minneapolis requires registration of vacant properties that have had code violations, as well as those that have not yet had any code violations but have been secured through extra measures (such as installing plywood over windows).

Options

A. Problem-Based – All Complaints

Under this option, a property would be enrolled in the vacant building monitoring program by SDCI staff upon the first complaint investigated by SDCI. In contrast with current code and practice, this alternative would not require an actual violation of the minimum standards for vacant buildings, just a visit from an inspector after a complaint is filed to confirm (if possible) that the property is vacant. Because it is not always apparent whether a building is vacant, this determination would need to be based on clear criteria. This is a lower bar for enrollment than current rules and would result in a few hundred more properties enrolled in the program, increasing the size of the program roughly tenfold. As such, this option would require significantly more resources to develop business practices, implement technology improvements, and staff the larger volume of properties in the program. Properties with no violations are likely in better condition than properties with violations.

B. Problem Based – All Violations / No Code Changes

Under this option, SDCI staff would enroll a property in the vacant building monitoring program upon the first violation (NOV) of any vacant building maintenance standard. SDCI currently has authority for this enrollment option (no code amendments would be necessary); however, this change would require a shift in business practices, since properties with minor violations that are quickly corrected are not typically added to the program. This lower bar for enrollment would result in up to four times as many properties enrolled in the program. As such, this option would require more staff resources, and some business practices would need to be updated to accommodate a larger volume of properties. Properties with minor violations are likely in better condition than properties with more significant violations. This could be paired with another option to create a formal two-tier monitoring program.

C. *Problem Based – Redeveloping Properties / No Code Changes*

In current practice and under current rules, a property is enrolled in the vacant building monitoring program if the violation is more significant (such as being open to entry), if it is not corrected right away, or if violations quickly recur. However, properties that are undergoing redevelopment typically are not placed in the program due to the likelihood of demolition in the near future. Under this option, the overall bar for enrollment would not change in the code, but business practices would shift to include properties in the redevelopment pipeline. This would result in an increase in the number of properties enrolled in the program and would require more staff resources. Because these properties are often targeted for break-ins, they are often in very bad condition.

D. *Problem Based – Health/Safety Issues*

Under this option, a property would be enrolled in the vacant building monitoring program if an inspector found that it was open to entry and issued an Emergency Order (EO) to close, or once it becomes a problem for police or fire departments due to public health/safety issues. This is similar to SDCI's current informal practice of prioritizing enforcement action for vacant buildings with immediate, serious violations, which involves close coordination with the police and fire departments, who also track problem vacant properties. Because buildings that are open to entry tend to deteriorate rapidly, they are likely to be in the worst condition and pose the greatest risk to occupants, the public, and emergency response staff. They are often good candidates for demolition. On its own, this option would be a slightly higher bar for enrollment than current practice; however, it could be paired with another option to create a two-tier monitoring program.

E. *Proactive Registration – Via Permit Review*

This option would shift the program from a problem-based program to one where some vacant properties are monitored even if they are kept in good repair and not open to entry. Under this option, all vacant properties awaiting redevelopment would be enrolled/registered in the program. This option would be fairly straightforward to implement, as developers typically have to identify whether they intend to demolish any existing structures on the property and whether any housing units on-site have tenants in them. This is a lower bar for enrollment than current rules and would result in a significantly larger number of properties enrolled in the program². As such, this option would require substantial staff resources (likely several FTEs), and business practices and software systems would need to be updated to accommodate the larger volume of properties. Also, while larger redevelopment projects are often targeted for break-ins once their permit information becomes publicly accessible, some vacant properties in the permit review process do not become problems. If the registry list were released to the public (which the Public Records Act would require), it could lead to problems at some vacant buildings that would otherwise potentially not have any, as people looking to target vacant buildings to occupy or for other reasons would have much easier access to a list of such buildings. Interfacing with developers early on in the redevelopment process could, however, provide an opportunity to promote alternatives to vacancy. This option could be paired with another option to create a two-tier monitoring program.

F. *Proactive Registration – Upon Vacancy*

Under this proactive option, a property owner would be required to register their property with the City to be enrolled in the vacant building monitoring program within a certain time frame (two weeks, two months, etc.) of any tenants/occupants leaving, even if the property is in good repair and not open to entry. Because the universe of vacant buildings that are neither in redevelopment nor have had any code complaints is currently unknown, it is difficult to say with any certainty how many properties would fall into this category. However, because this is a lower bar for enrollment than current rules, if the requirement is fully complied with it would result in a greater number of properties enrolled in the program.

This option would create a registry, similar to the City's existing Rental Registration and Inspection (RRIO) program. It would be the most difficult option to implement and enforce, since

² SDCI issued around 700 demolition permits in 2017, the vast majority of them were for residential structures.

it would be the owner's responsibility to contact the City to register the property. Because it would be a new, larger number of properties to track/manage and monitor, it would require more staff resources, and technology improvements as well as changes to business practices. As with other proactive options, if the registry list were released to the public it could lead to problems at buildings that would otherwise not have any. Properties could be removed from the program once a regularly-scheduled inspection verified that they are no longer vacant. However, if the registry program did not involve periodic inspections, it would be necessary to develop an alternate way to keep the list up to date. It would also be important to clarify whether this registration requirement would include a fee and/or inspections and whether it would apply to properties that are listed for sale, commercial properties, vacation homes that are rarely used, and individual units in a complex. This option could be paired with another option to create a two-tier or three-tier monitoring program.

G. Proactive Registration – At Foreclosure

Under this option, a property owner or the holder of the loan would be required to register their vacant property within a certain time frame (e.g., one day or one week) after it became vacant and began the foreclosure process. While these properties are typically vacant for prolonged periods of time and can thus become problematic, it's not clear that we currently have a problem with a large volume of foreclosed properties in Seattle. As with other proactive options, there is the risk of the registry list being released to the public, and it would be important to clarify how properties would be removed from the list, and whether this registration requirement would apply to all types of properties. Also, it may be necessary to exempt federally-backed mortgages in foreclosure from a proactive registry requirement and any related fees, and it may not be productive or appropriate to require distressed homeowners, in the process of losing their homes, to register their properties. This option could also be paired with another option to create a two-tier or three-tier monitoring program.

2. Maintenance Standards

Minimum maintenance standards for vacant buildings, which may include use of higher grade materials, such as polycarbonate sheets or security panels, or other strategies to preserve the appearance and condition of the structure.

Background

Current minimum maintenance standards for vacant buildings cover a wide range of issues, including the condition of the structure (related to structural integrity, weather-proofing, utility service, safety from fire, and guard rails) and the property (related to debris/junk or hazardous materials) and require the building to be secured from unauthorized access. The standards are codified in Section A of Seattle's Housing and Building Maintenance Code: [SMC 22.206.200](#). SDCI has authority to require stricter standards to close a building from unauthorized entry if it has been broken into multiple times or if the police or fire department considers the building to be a risk.

Violations of the standards are enforced by an SDCI code compliance officer when a complaint is filed. Currently, some violations such as peeling paint or cracked windows are overlooked if the site is generally well-kept and secured, because of the constraints of the large vacant building case load and resource limitations. Additionally, properties undergoing redevelopment are often not held to the same standards for maintenance due to the likelihood of demolition in the near future. Code compliance staff must also sometimes use discretion when it is clear that a property owner has financial constraints or personal or mental health issues that may impact their ability to appropriately maintain their property.

Options

Note: Any increased enforcement of maintenance standards would likely have a disparate impact to people who can't afford to adequately maintain their properties. For such properties, increased enforcement of standards may not lead to increased compliance.

A. No Code Changes / Business Practice Changes

Under this option, staff would increase enforcement of existing minimum maintenance standards both by enforcing minor problems that are sometimes disregarded and/or by enforcing more standards at properties that are being redeveloped. SDCI currently has authority for this level of enforcement (no code amendments would be necessary); however, this change would require a shift in business practices and could require additional staffing resources.

B. Higher Standards – Certain Standards

Under this option, the minimum maintenance standards could be modified by amending the HBMC to strengthen certain standards, such as those related to closure from unauthorized entry. One example would be to require property owners to replace broken windows with clear polycarbonate sheeting instead of using plywood to secure them. These increased standards would apply to all vacant properties.

C. Higher Standards – Certain Buildings

Under this option, higher standards for maintenance would only apply to a certain subset of vacant buildings, such as those that have already been open to entry. While the SDCI Director already has authority to raise closure requirements at problem properties (on a case-by-case basis), having more explicit, robust standards related to closure by amending the HBMC may help. This option could be combined with a two-tier monitoring program, with different standards emphasized for priority vs. non-priority properties.

D. Higher Standards – Length of Vacancy

Explore ways to have specific standards for buildings that are going to be vacant for a long period of time, such as those in a prolonged redevelopment process that involves design review or environmental review, or those that are being held as investment properties. As an example, installing clear sheeting over the windows at a property that will be held empty for two years could help deter trespassers and preserve the structure, and may be worth the up-front cost. This option, while appealing, could be difficult to implement, as it would be necessary to develop clear criteria to trigger these additional requirements.

3 and 4. Fees & Penalties

Revised penalty structure for failure to comply with the maintenances standards for vacant buildings. Tiered fee structure to allow for cost recovery, while minimizing costs for participants whose buildings are well maintained and not open to entry. [Responses to these two items have been bundled together since they address similar issues.]

Background

SDCI does not charge fees for the initial inspection of a property in response to a complaint. A violation of the vacant building maintenance standards that is corrected in a timely manner also does not result in any fees or charges from SDCI (other than those associated with any permits necessary to correct the issue).

SDCI charges for the quarterly monitoring required as part of the vacant building monitoring program. If a vacant building is enrolled in the monitoring program, the monitoring charge in [SMC 22.900F.010](#) depends upon the condition of the building at the time of the visit. Property owners are charged approximately \$250 per visit if no violations of the maintenance standards are found, around \$420 per visit if any violations are found, or over \$500 per visit if the building is found to be open to entry. Altogether, this totals between \$1,000-\$2,000 per year. The department has limited success collecting these charges, as some owners are unable or unwilling to pay.

A vacant property can also be charged for certain enforcement actions. If an inspector is required to visit a property more than two times due to ongoing enforcement issues, the property owner is charged \$216 for each additional inspection. This fee applies to properties enrolled in the monitoring program as well as those that are not. Also, if the building is open to entry or has significant junk or debris in the yard, the City will clean up and close the property and bill the owner for the cost. The cost to clear and close a building can range from under \$1,000 to \$15,000 or more. The City uses

the Seattle Conservation Corps for these closures and SDCI is billed by the Parks Department. These costs are not charged as fees but rather are billed to the owner and subject to collection action. Some unpaid costs may be recovered by negotiation when a property is transferred or sold, if the NOV has been recorded and must be released to clear title. Cleanup costs and inspection fees collected from enforcement actions are not directed back into the vacant building monitoring program, even if the property is enrolled in the program.

Like all housing code violations, vacant building violations can carry civil penalties. If SDCI issues a NOV for a violation of the vacant building standards, the property owner has until the date included on the notice to correct the issue. If the owner does not correct the issue in time, they face potential penalties of \$150 for the first 10 days out of compliance and \$500 per day thereafter. In reality, however, the City must seek a judgment through court action in order to collect these penalties. The amount of penalties can vary dramatically from year to year and depending on the specifics of the case in question: SDCI collected around \$61,000 in penalties from two judgements in 2016 and over \$700,000 in penalties from four judgements in 2017.

SDCI currently has two inspectors assigned to vacant building inspections and monitoring, with additional staff assigned to enforcement actions such as cleaning up or closing a property. The quarterly monitoring charges are intended to cover SDCI costs associated with the providing the monitoring program service. Due to the volume of new complaint cases and recurring, urgent enforcement issues at problem properties, the inspectors are typically able to devote only a small portion of their time to the monitoring program. To keep the program small enough to ensure that all properties in the program can be inspected quarterly, properties in redevelopment or with minor violations are not enrolled in the program despite the code authority to do so (as acknowledged above).

In 2017, the inspectors completed 179 monitoring visits to the 40+ properties in the program (roughly quarterly) at an estimated program cost of about \$19,000 in direct labor costs for .17 FTE level of effort. This cost does not include staff time spent on enforcement activities, even those that result from a violation found at a monitoring visit. SDCI invoiced \$74,000 for those 179 visits, most of which were charged the higher inspection fees because they had active violations (66%) or were found open to entry (22%). Approximately one-third of the invoices (around \$24,000 total) were paid.

Options

Note: Any increase in fees or other charges collected from vacant properties would likely have a disparate impact to people who can't afford to adequately maintain their properties. For such properties, increased fees may not lead to increased compliance.

A. *Business Practice Changes*

Under this option, the fee structure in the code and the overall amount of charges invoiced would not necessarily change, however department could explore how billing and accounting practices could be modified to improve cost recovery. This could potentially include billing properties in the monitoring program more regularly, or exploring other ways to redirect more of the existing inspection fees into the monitoring program.

B. *Lower Monitoring Charges for Compliance*

Under this option, properties in the monitoring program that comply with the standards for vacant buildings could be charged a very minimal fee (or no fee) for enrollment/registration and/or inspections. This option would make the most sense if paired with a two-tier monitoring program, where higher charges would be collected from problem properties to help off-set the staffing and administrative costs associated with monitoring complying properties.

C. *Raise Monitoring Charges*

Explore ways to increase the charges associated with the monitoring program. This could include increasing the minimum monitoring charge, or the monitoring charge for properties that are in violation of the minimum maintenance standards. The monitoring charges could also escalate over time to acknowledge that problems at properties tend to get worse over time. Alternatively, there could be a repeat problem surcharge for properties with multiple violations

within a short period of time, or hourly billing authority for the larger sites. These increases would help cover the administrative costs of running the program. This option could be paired with a two-tier monitoring program where properties in one tier are charged higher fees and complying properties are charged lower/minimal fees.

D. *Increase Frequency of Monitoring*

Under this option, properties in the vacant building monitoring program would be visited more frequently (e.g., monthly) and billed accordingly. While increased monitoring may help address issues at some properties before they become highly problematic, it is not expected to reduce issues at the most problematic properties. Such properties would still be inspected frequently outside the monitoring program due to complaints and emergencies. Thus, the net change in visits to such properties would likely not be significant and this option could create some redundancy. This change would result in more monitoring visits overall, and thus require more staff resources. Because it would also direct those monitoring charges into the dedicated monitoring program, the charges could be used to help fund more staffing and/or administrative costs. This option would also create more predictability for property owners and staff, which could bring efficiencies to the program and help reduce issues at many properties. This option could also be paired with a two-tier monitoring program where properties would be monitored more frequently if they'd been found open to entry, had multiple violations, and/or been enrolled in the monitoring program for a long period of time.

E. *Penalties for Violations*

Raise per-day civil penalties for non-compliance with a NOV. These costs are generally only captured through the courts. This option would likely not result in a significant increase in program funds, due to the limited number of civil cases each year.

F. *Other Fees*

Explore other ways to disincentivize vacancy, such as potential higher demolition permit fees or redevelopment permit fees for a project that includes demolition of a building that has been kept vacant for a certain length of time.

5. Building Valuation

Authority for SDCI Director to create a standardized/uniform/streamlined building assessment or valuation process under Chapter 22.208 of the Housing and Building Maintenance Code (HBMC).

Background

SDCI does not know the condition of a vacant structure until an inspector visits the property after a code complaint has been received. The inspection provides general information about the condition, but because of the inability to access it, it does not typically provide information about the interior of the structure or allow for detailed valuation. Additionally, by the time a complaint is made, the condition has often deteriorated significantly from the time it initially became vacant.

The SDCI Director can order a building to be repaired, vacated and closed, or demolished if it has been determined to be unfit for human habitation. The order to demolish requires a several-month civil process that starts with a detailed estimate of the value of the structure, prepared by SDCI staff. The valuation process required by [SMC 22.208.020](#) is based on square-foot replacement estimates in the "Residential Cost Handbook" by Marshall and Swift and repair estimates from the "Home-Tech Remodeling and Renovation Cost Estimator." Often, it is time-consuming for SDCI staff to prepare the estimates because they do not have access to the interior of the structure (due to an absentee or uncooperative owner). As part of the vacant buildings legislation that was passed in October 2017, an alternate process was created that allows inspectors to skip the valuation process for dangerous unfit buildings (i.e., those that have been broken into multiple times and have had issues with Police/Fire). However, decrepit buildings that do not meet those criteria still must go through the full valuation process. SDCI can order a building to be demolished if it meets the 50% repair vs. replace threshold, or if it does not meet the threshold but has multiple uncorrected code violations. All other buildings that do not meet the 50% threshold must be repaired or securely closed.

Options

A. *Valuation of Unfit Buildings – No Code Changes / Business Practice Changes*

Explore business practices and/or technology improvements that would simplify the process used to determine the value of an unfit vacant building in order to order demolition, repair, or closure. Under this option, inspections staff would continue using Marshall and Swift or another comparable publication to complete the valuations, but a related business practice change could make the process more efficient. This could include an updated valuation schedule, new technology/software options, or changes to the assumptions used to determine market values for repair. Such changes would not require a code amendment, but would need to be legally defensible.

B. *Valuation of Unfit Buildings – New Alternate Process*

Under this option, the Housing Code would be updated so that extremely damaged unfit buildings that met certain criteria would go through a more efficient valuation process leading to demolition, instead of the Marshall & Swift process. This new process would be limited to properties that would require a complete rebuild due to extreme disrepair such as a foundation in danger of collapse, severe fire damage, failing walls, or a missing roof. Such properties would likely never meet the threshold for repair in the code, since many of those repairs often run into the tens of thousands of dollars. If a property met the new criteria, SDCI inspectors would use simple overall per square foot costs to determine whether demolition is appropriate, perhaps coupled with other criteria to be determined. As with any changes to the process to order demolition, this process would need to be legally defensible.

C. *Valuation of Habitable Buildings – New Self Report*

If the City is interested in knowing the condition of a structure at the time it becomes vacant, in order to encourage the owners of good-condition buildings to reuse them rather than keep them vacant, a property owner could potentially be required to provide information to help SDCI understand the condition/value of the structure at the time of vacancy. This could theoretically be done as part of the vacant building monitoring program, and could involve either providing detailed structural information (such as would result from an inspection) or the most-recent assessed value of the structure. In developing this policy, it would be important to clarify the intended outcomes and explore whether the City would have the legal authority to require this information. It would also be necessary to decide whether it would apply to all types of structures (commercial, accessory, multi-family residential, etc.) or only certain types of housing units. There would also likely be significant staffing impacts and technology improvements needed to implement this type of policy.

D. *Valuation of Habitable Buildings – New Inspection*

Under this option, the property owner would potentially be required to have a building inspected (or authorize the City to access the property to inspect) at the time of vacancy or enrollment in the vacant building monitoring program. Any/all properties in the monitoring program could theoretically be inspected, but this would consume significant staff resources and require an inspection fee to cover the costs. Similar to Option C, it would be important to clarify the intended goal of this policy in order to refine the concept and explore the City's legal authority for this type of requirement.

6. Temporary Caretaker Program

Authority of SDCI to establish a complementary program to have owners of vacant buildings elect to have temporary caretakers identified by human services provider.

Background

SDCI is developing a program to help connect the owners of good-quality vacant residential buildings with social-service agencies/nonprofits that may be able to place a "caretaker" in the unit until the property owner is ready to demolish. The program would be voluntary, and based on a model used by [Weld Seattle](#). SDCI acts as promoter by sharing information with permit applicants and other property owners. If the property owner and non-profit are able to agree to terms, the non-profit places a caretaker(s) in the home and handles all landlord-type responsibilities.

With a caretaker in the unit, the property is less likely to experience the problems (and their financial implications) associated with vacancy. In addition, the property could be eligible for a “transitional housing” tax waiver from King County while the caretaker is in the unit and may also be eligible for federal tax relief for an in-kind donation to a registered non-profit. This arrangement provides a housing option for families and individuals that would otherwise struggle, such as those experiencing homelessness or those recently incarcerated who have difficulty seeking housing through more traditional market options.

Similarly, SDCI is working with the Office of Arts & Culture to expand the program to help promote temporary use of otherwise-vacant commercial and industrial spaces for arts and cultural activities.

Options

A. *No Code Changes / Update Business Practices*

Under this option, SDCI would continue development of the existing informal caretaker program. Because this is a voluntary program promoted through business practices, the department does not need code authority to promote the program. New business practices, such as stakeholder outreach and building stronger partnerships, could better inform property owners of the program as part of the permit intake/review process. In order to expand this program, it may be necessary to assign a partial FTE to this work. Also, pairing this option with some of the options for an enhanced monitoring program could motivate property owners to participate.

B. *Incentivize or Require Participation*

Explore code changes to incentivize or require property owners to participate in the caretaker program. This could include potential code changes that would motivate or require property owners to participate. Pursuing this option should include research to identify any potential limitations on the City’s legal authority for this type of requirement, as well as any resource and liability issues associated with putting the City in an administrative role for these exchanges.

C. *Other Housing-Related Incentivizes*

Explore other ways to incentivize keeping a building occupied, such as offering priority permit review for development projects that keep (or place) tenants in existing residential buildings.

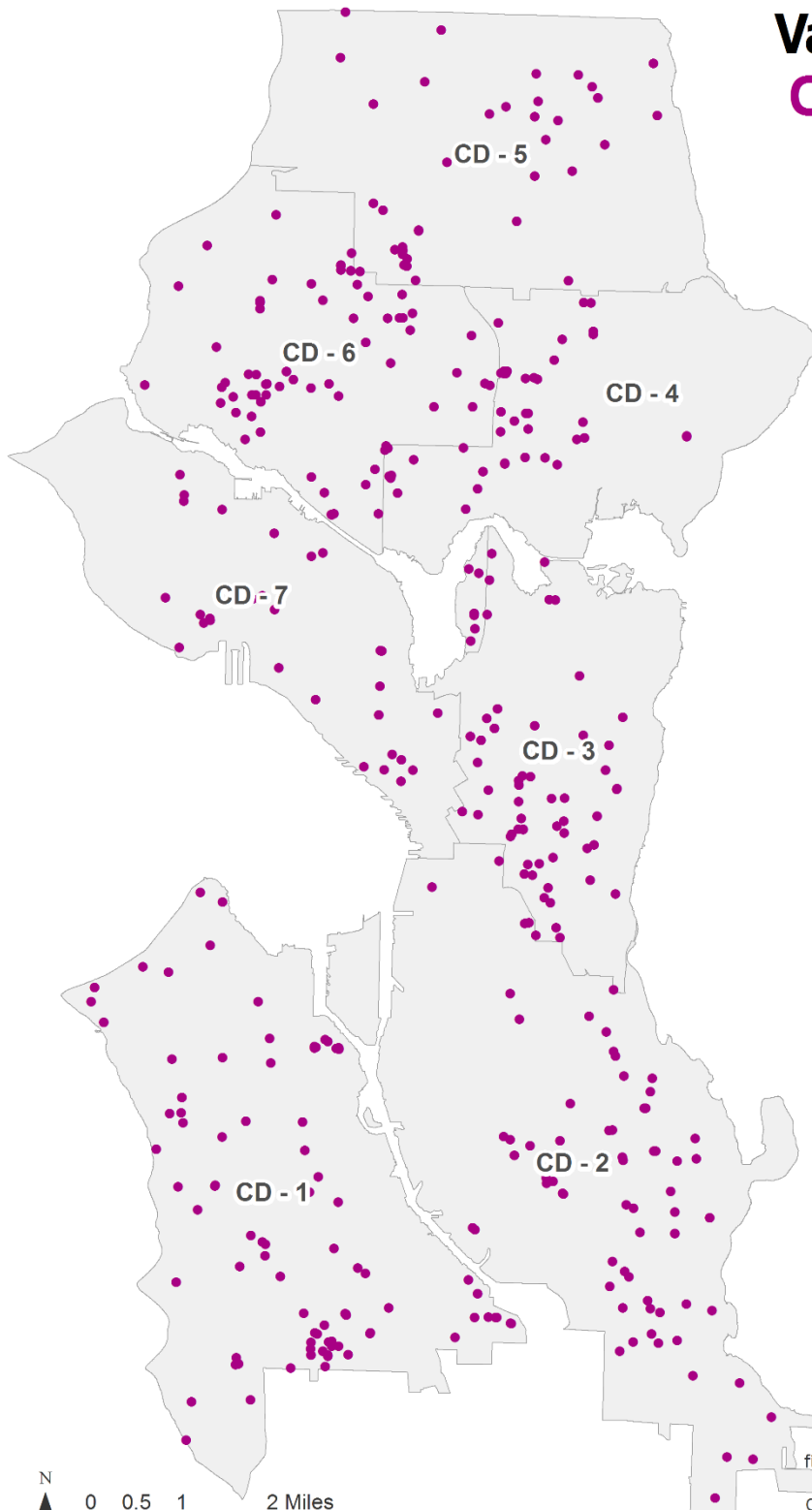
RSJI Considerations

There may be equity implications of modifying monitoring or enforcement of vacant buildings, as low-income communities and communities of color are more likely to struggle to maintain their properties and/or live near a poorly maintained property. Any subsequent effort to prepare legislation should consider the following:

- Communities of color experience issues associated with problem vacant buildings at slightly greater rates than other communities, due to the slightly higher rate of redevelopment in their neighborhoods.
- Vacant building complaints are fairly evenly distributed throughout the city.
- Communities whose residents are primarily people of color may be less likely to file a complaint with the city about vacant buildings in their neighborhood than residents of predominantly white neighborhoods.
- While maintaining vacant buildings is a challenge for many property owners, building owners who are economically disadvantaged are more likely to struggle with the costs associated with maintaining their properties, and with the fees and penalties if the City must take on the maintenance of a vacant building.
- It may not always be possible or appropriate to avoid enforcement actions, however staff uses what flexibility and resources may be available to help minimize any negative impacts to the most vulnerable.

Appendix

**Vacant Buildings
Complaint Cases
2017**

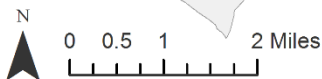


By Council District

1	95
2	72
3	66
4	57
5	41
6	71
7	32
Total	434

Enforcement Action

- 28%**
Found open to entry
(Emergency Order issued)
- 17%**
Violations of the
minimum maintenance standards
found (NOV issued)
- 17%**
Violations found and quickly
addressed by owner (no NOV issued)
- 5%**
Junk or debris in yard
(Citation Issued)
- 23%**
No violations found



Seattle Department of
Construction & Inspections

Data:
Vacant building complaints
received in 2017
that resulted in a
SDCI code compliance case

No warranties of any sort, including accuracy,
fitness, or merchantability accompany this product.

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