

## **POLICY BRIEFING: Proactive enforcement of housing maintenance codes and the Fair Housing Act**

*Overlap between housing maintenance codes and fair housing act - [Among other items, the US Fair Housing Act prohibits](#) housing providers from failing or delaying maintenance or repairs on the basis of discrimination against a protected group. In addition, “housing providers must make reasonable accommodations and allow reasonable modifications that may be necessary to allow persons with disabilities to enjoy their housing.”<sup>1</sup>*

In practice, in Minneapolis, enforcement of fair housing policy and the city’s housing maintenance codes are handled separately, by two different parts of the administration – respectively the Civil Rights Dept and Regulatory/Inspection Services. When Inspection Services receives a renter’s complaint that involves discrimination against a protected class, they can refer the complaint to Civil Rights. It was further explained that Inspection Services expects to work increasingly with the Civil Rights Dept, as they have recently reached out, to provide all inspection staff with a presentation on the Fair Housing enforcement and to cooperate on enforcement of the Minneapolis ban on discrimination against renters with housing vouchers.

### **Fair housing policy & enforcement - Minneapolis**

The Fair Housing Act is subsumed by Title 7 of the Minneapolis Code of Ordinances as well as by Minnesota’s policy “to affirmatively further fair housing, so individuals of similar income levels have equal access to programs, regardless of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, familial status, gender identity or sexual orientation”.

Minnesota’s fair housing policy incorporates the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, as well as the [Minnesota Human Rights Act](#)<sup>2</sup>. Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, because of race, color, religion, sex (including gender identity and sexual orientation), familial status, national origin, and disability. It also requires that all federal programs relating to housing and urban development be administered in a manner that affirmatively furthers fair housing.

The Federal Government assists states and local governments to investigate and enforce Fair Housing complaints within their jurisdictions, through the US Housing Initiatives Program (“FHIP”) and the US Fair Housing Assistance Program (“FHAP”).

Despite enactment of the Fair Housing Law, experts estimate that as many as 4 million fair housing violations occur each year. Less than 8% of these violations are reported to federal, state, or local housing authorities and only a handful of those are investigated and result in charges<sup>3</sup>.

In Minneapolis, the Minnesota Department of Human Rights and the Minneapolis Department of Civil Rights are tasked with respectively enforcing Minnesota’s fair housing policy and Title 7 of the

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<sup>1</sup> [Housing Discrimination Under the Fair Housing Act | HUD.gov / U.S. Department of Housing and Urban Development](#)

<sup>2</sup> [Fair Housing \(mnhousing.gov\)](#)

<sup>3</sup> [EconomicInclusionPlanTwinCities.indd \(mn.gov\)](#)

Minneapolis Code of Ordinances. Both have public facing websites, inviting residents to send complaints of discrimination:

<https://mn.gov/mdhr/intake/consultationinquiryform/>

[Discrimination Complaint Form - City of Minneapolis \(minneapolismn.gov\)](#)

#### *Minneapolis Civil Rights Ordinance*

Title 7 of the Minneapolis Code of Ordinances, elaborates, “it is the public policy of the City of Minneapolis to:

- 1) Prevent and prohibit all discriminatory practices in the City of Minneapolis in property rights and real estate services (among other areas): “With regard to race, color, creed, religion, ancestry, national origin, sex, sexual orientation, gender identity, disability, marital status, status with regard to a public assistance program, or familial status”<sup>4</sup>;
- 2) Prevent and prohibit the facilitation of any discriminatory act forbidden by this Title;
- 3) Prevent and prohibit any retaliation;
- 4) Eliminate the existence of and the development of any racially concentrated areas of poverty in the community; and
- 5) Effectuate the foregoing policy by means of public information and education, mediation and conciliation, and enforcement.

Specifically related to housing, Title 7 prohibits owners to refuse to rent, sell or let, alter the terms or conditions of a rental, sale, or lease, or discriminatorily advertise due to protected classes. It is also prohibited to fail to provide reasonable accommodations in housing to persons with disabilities. Multifamily dwellings with more than four units are required to ensure all public areas, kitchens, bathrooms, entrances, and exits are accessible to those who use a wheelchair, and that bathroom walls are reinforced for installation of grab bars. Minneapolis’ ordinance also prohibits lenders from discriminating against applicants for financial assistance and prohibits discriminating on those who want to rent or buy property in certain areas of the city<sup>5</sup>.

In March 2017, Minneapolis passed a Civil Rights Ordinance, banning landlords from denying housing based on a prospective tenant having rental assistance vouchers. This new law brings Section 8 Housing Choice vouchers and other voucher programs into protected class status. Although a legal battle continues, the city has begun enforcement.<sup>6</sup>

In 2019, Minneapolis prohibited Tenants from being denied for misdemeanor convictions older than 3 years, felony convictions older than 7 years, and serious offenses older than 10 years, with some exceptions. The ordinance also prohibits the use of a credit score to deny applicants and places a cap on security deposits.

The Minneapolis Civil Rights Department enforces Title 7. According to the Dept’s complaint investigations data dashboard, since 2017 the Dept has processed 42 housing discrimination charges

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<sup>4</sup> [Title 7 - CIVIL RIGHTS | Code of Ordinances | Minneapolis, MN | Municode Library](#)

<sup>5</sup> [Fair housing | Hennepin County](#), Twin Cities Regional Assessment of Fair Housing, June 202

<sup>6</sup> <https://www.startribune.com/minneapolis-to-investigate-landlords-for-section-8-rental-discrimination/600315469/>

based on race, 30 based on disability, 5 on gender, 2 on LGBTQ status, and 27 on another basis<sup>7</sup>.

It was explained that, in most cases, renter's complaints handled by Civil Rights center around charges of discrimination in and around securing housing (i.e., the pre-rental process) rather than the provision of housing maintenance (or lack thereof). Complaints can result in lawsuits which are brought to local, state, or federal courts depending upon the case. Landlords, real estate agents, and mortgage lenders are most often the defendants accused of fair housing discrimination.

See the 2020 Twin Cities Regional Assessment of Past Fair Housing Goals, Actions, and Strategies (implementation/enforcement actions listed by city): [Fair housing | Hennepin County twincities-a1-assessment-past-goals.pdf \(hennepin.us\)](#)

### *Metro Area*

From July 2020 through June 2025, a [Cooperative Funding Agreement](#) was established to fund a shared [Fair Housing Implementation Council](#) (FHIC) "to facilitate and initiate implementation of affirmative activities having metro-wide significance identified in regional Analyses of impediments to fair housing choice ("AI") and the related Fair Housing Action Guide." Parties to the agreement include Anoka, Carver, Scott, Hennepin, and Ramsey Counties; and the Cities of Bloomington, Eden Prairie, Minneapolis, Plymouth, St. Paul, and Woodbury; with [the Metropolitan Council](#) as a funding partner and Dakota County as contract manager and fiscal agent.

In 2020 the Lawyers' Committee for Civil Rights Under Law (Lawyers' Committee), in consultation with the Twin Cities Fair Housing Implementation Council (FHIC) prepared a [Twin Cities Regional Analysis of Impediments to Fair Housing choice](#), an examination of structural barriers to fair housing choice and access to opportunity for members of historically marginalized groups protected from discrimination by the federal Fair Housing Act. Among other recommendations the AI called on participating jurisdictions to:

- Develop "a program or policy to provide for regular review of local lending practices for fair housing issues".
- Establish policies that provide for analysis of potential fair housing impacts of new development in areas populated by low- and moderate income Black and Brown residents.
- Increase the capacity of existing fair housing enforcement agencies with additional funding for staff.
- Partner with community based fair housing organizations to conduct regular testing of potential discriminatory steering practices by realtors.

### *State-wide*

At the State level, between January 1 and June 30, 2023, the *Minnesota Dept of Human Rights* reported receiving 339 new charges of discrimination, 4.4% of which were related to housing/real property. The Dept closed 303 cases in this period, of which: 70% resulted in a favorable determination for the respondent, 11% resulted in a favorable determination for the charging party, and around 11% were settled through mediation, with a favorable resolution for both parties<sup>8</sup>.

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<sup>7</sup> [Civil Rights Investigations Dashboard - City of Minneapolis \(minneapolismn.gov\)](#)

<sup>8</sup> MN Dept of Human Rights [July 2023 Legislative Report tcm1061-585492.pdf \(mn.gov\)](#)

*Federal level* - According to the National Fair Housing Alliance, 2022 saw the highest number of fair housing complaints ever reported in a single year. 33,007 fair housing complaints received in 2022 by private non-profit fair housing organizations, HUD, FHAP agencies and the DOJ. This represents a 6% increase from complaints received in 2021. Data revealed a particular increase in complaints based on source of income and domestic violence<sup>9</sup>.

### **Housing maintenance code data and enforcement – Minneapolis**

Code enforcement has historically been *reactive*, responding to complaints from individual tenants or neighborhood residents through systems like 311.

Encouraged by scholars and advocates, cities are shifting to more *proactive* code enforcement, which rely on systematic and planned inspections rather than only responding to complaints

Given the cost and difficulty of proactive inspection models, cities, including Minneapolis, try and balance the two approaches. Minneapolis has regular inspections targeted to severe or repeat offenders, while retaining a system to respond to renters' complaints and offering legal aid to tenants.

Minneapolis has a selective pro-active inspection enforcement that requires landlords/housing providers to obtain rental licenses and then targets inspections to those with the worst compliance records. The rental licensing agreement signed by the housing provider specifies that the city can do an inspection at any time.

#### *Reactive enforcement – responding to renter complaints*

Minneapolis' Regulatory Services/Inspection Services has a public facing website that informs renters how to direct specific types of urgent and non-urgent complaints: [Help With Renter Issues - City of Minneapolis \(minneapolismn.gov\)](https://www.minneapolis.gov/help-with-renter-issues)

Depending on the nature of the complaint, renters are advised to call 311 and/or access legal services.

311 operators are trained to get as much detail as possible about the renter's complaint, entering all specifics into a system that interfaces with the city's inspection services data management software, Elms. 'Low or no heat' (or other particularly timely) complaints are handled immediately by the Director of Inspection Services, who texts/calls owner, landlord or property manager.

Software automatically directs all other complaints entered by 311 operators to staff covering the relevant 'complaint district'. The city is divided into 9 complaint districts. Each district is staffed by 3 investigators:

- 1 'housing one investigator' who mainly deals with nuisance-level complaints;
- 1 'housing two investigator', who handles complaints as well as doing pro-active license inspections; and
- 1 'lead investigator' who mainly does licensing inspections.

Complaint district staff are required to respond to renter's complaints either within 24 hours or 3 days (depending on classification). Staff respond by calling the tenant 'complainer', equipped through ELMS

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<sup>9</sup> [2023-Trends-Report-Final.pdf \(nationalfairhousing.org\)](https://www.nationalfairhousing.org/2023-trends-report-final.pdf)

software with info on the nature of the complaint, contact info of the housing provider (assuming provider has a license) and access to data from any prior inspections.

Depending on the nature of the complaint, staff either follow up by contacting the housing provider or by conducting 'sweeps' of outdoor areas noted in complaint.

It was explained, and demonstrated through a chart, that the city's 9 complaint districts vary in the number of renter's complaints received. District's roughly equivalent to the city's "North Side" received far more complaints. It was explained that staffing shortages and "burn out" has been an on-going challenge.

Renters tend to make complaints via 311 when the landlord/housing provider is either unresponsive or they fear retaliation. In speaking with the landlord/provider, inspectors do not reveal the name of the complainer, but in which case the tenant is afraid of being found out and retaliated against, staff direct the tenant to Minnesota legal aid services.

After two unsuccessful attempts to contact the landlord/housing provider (allowing 7-10 days response each time), the city can intervene to address the renter's complaint directly, for example, by contracting out for someone to remove garbage, fix leaking pipe etc. The cost of this service is then applied to the landlord's property taxes. Typically, it was explained, there is some degree of negotiation with the landlord before such intervention takes place (i.e., additional time, up to a point, may be provided to enable the owner to address complaint).

When investigators note that the same owner/housing provider has/is receiving multiple complaints, it was explained that the Inspection Services will run the data to see if the case merits escalation. Exceptional cases are referred to the Strategic Enforcement Group.

#### *Proactive Enforcement – Housing Inspection*

Renter's complaints can count against a housing provider in the city's 'Tiering system'<sup>10</sup>. Housing providers, with rental licenses, are grouped into 3 tiers, based on violations found during inspection (or in follow up to rental complaints).

Tier 3 rentals are inspected every year,

Tier 2 rentals are inspected every five years, and

Tier 1 rentals are inspected every eight years.

The City charges more in fees to housing providers that are higher on the tier. Tiering is based on a point system explained here: [Tiering-FAQ---Owner-Copy.pdf \(minneapolismn.gov\)](#)

Housing providers must have rental licenses to be legal and on the radar of the city's inspection services. It was explained that 'illegal rentals' were discovered frequently, although, weekly data shared with Inspection Services from the water company, has helped crack down on illegal rentals.

Owners are incentivized to attend rental property management workshops offered through the city, with the prospect of reducing fees. The Minneapolis Community Planning and Economic Department can provide [home improvement financing options](#) for owner occupied properties as well as grant

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<sup>10</sup> [Tiering - City of Minneapolis \(minneapolismn.gov\)](#)

incentives for code repairs. Minneapolis Homes is currently only offering loan products to households below 30% AMI (area median income). City funded products with an income limit of 80% AMI or below are expected to open for application in February 2024.

### **Inequitable Enforcement of Municipal Housing Code: Lawsuit Against the City of Minneapolis**

A Lawsuit was filed on Oct 24<sup>th</sup> 2023 by a group of current and former north Minneapolis residents, claiming the government discriminated against them by inequitably enforcing the municipal housing code. 8 people, including former City Council and school board member Don Samuels, brought the action against Minneapolis in Hennepin County District Court to try to force the city to assign more housing code inspectors to the North Side, where residents have long complained of landlords who allow their properties to fall into disrepair with little consequence.

The plaintiffs claim the city is violating the Minnesota Human Rights Act, which prohibits discrimination in housing and public services because of someone's race and other protected classes. Most rental properties on the North Side are inhabited by low-income people of color. The group is not demanding a financial settlement; it is seeking a court action requiring the city to enforce the housing code<sup>11</sup>.

Plaintiffs calculated that in the two wards representing north Minneapolis, there were 4,629 complaints in a recent five-year period about the types of rental properties that must be inspected annually or every five years based on past violations. That area — where most renters are people of color — has just 16% of the city's residents but accounts for 45% of complaints at such properties.

The suit says that roughly 7 inspectors are assigned to north Minneapolis from a total pool of 30 district-based inspectors (excluding inspectors who work citywide). That's about the same number of inspectors as three wealthier, whiter wards covering south Minneapolis, which has 25 % of the city population and just 495 complaints for the same period — less than 5% of total complaints. The lawsuit says that the assignment of inspectors does not mirror inspection demands<sup>12</sup>.

### **Proactive enforcement of the Fair Housing Act – Context and Examples outside Minneapolis**

According to [Local Housing Solutions](#) robust enforcement involves proactive measures to ensure real estate professionals and other stakeholders are acting in compliance with fair housing laws. Proactive measures include:

- *Testing*: Some cities, towns, and counties conduct periodic testing to compare how landlords respond to two otherwise identical applicants when one is a member of a racial or ethnic minority group, has a disability, or has other protected characteristics. Tests are often done to follow up on a specific claim. Alternatively, a wider program of systematic testing can identify where discrimination may be present. If discrimination is found, it can provide evidence that forms the basis for an enforcement action or suit against a specific property owner or large-scale suit.
- *Education and Training*: Providing education and training to real estate professionals about the Fair Housing Act.
- *Audits and Inspections*: Regular audits and inspections of real estate agencies and landlords can

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<sup>11</sup> [Lawsuit: North Minneapolis residents claim discrimination in unfair housing code enforcement by the city \(startribune.com\)](#), Oct 24, 2023

<sup>12</sup> Ibid

help ensure compliance with the Fair Housing Act.

- *Community Outreach:* Conducting community outreach programs to educate the public about their rights under the Fair Housing Act can help individuals recognize and report violations.

When states or localities have a fair housing law that HUD deems to be “substantially equivalent” to federal fair housing law, the agencies charged with enforcing these laws may request certification from HUD. HUD directs complaints that it receives to these certified agencies and these groups can also be eligible for federal funding under the Federal Fair Housing Assistance Program (FHAP).<sup>13</sup>

Testing and education are often done in partnership with private non-profit fair housing organizations. While some fair housing organizations receive HUD funding through the Fair Housing Initiatives Program (FHIP), many do not, and even those that do often require additional funds. Local governments can help advance fair housing efforts by funding these organizations.<sup>14</sup>

HUD requires local jurisdictions receiving certain HUD funds to prepare Assessments of Fair Housing Impediments (AI) documenting levels of segregation and disparities in access to key opportunity factors and the factors that contribute to these and other fair housing issues.

*Examples of Proactive Enforcement:*

**Alexandria, VA** conducts fair housing testing annually using paired testers to proactively identify housing discrimination in rental, housing sales and mortgage lending. The city’s [2021 Fair Housing Testing report](#) provides information about the testing program and its results.

In **Seattle, WA** local ordinances include political ideology, gender identity and recently incarcerated individuals as protected classes, in addition to those protected by state and federal fair housing laws. In 2015, the city contracted with the Northwest Fair Housing Alliance to conduct fair housing testing which resulted in 23 charges of housing discrimination against rental property owners. The office also developed its [own fair housing testing program](#) in 2017, which released a [report](#) in 2018.

**Milwaukee, WI** - Since 1977, the Metropolitan Milwaukee Fair Housing Council (MMFHC) has worked to combat discrimination in housing. Between 1977 and 2008, MMFHC handled 6,000 complaints and performed more than 10,000 tests. In 2012, MMFHC handled 171 complaints, referring 21 cases to an attorney, the Wisconsin Equal Rights Division, a Fair Housing Assistance Agency, or HUD.

MMFHC’s enforcement activities are funded primarily by HUD’s Fair Housing Initiatives Program (FHIP) enforcement grants, received every year since 2008. MMFHC also receives funds from state and local governments, philanthropic groups, and court settlements with housing providers.

MMFHC uses paired tests in which equally qualified white and minority testers seek housing and document the results. This method may be less successful when landlords block testers from viewing units. Some landlords make excuses for not showing an apartment when speaking with someone who has a voice identifiable as African American or Hispanic. Other landlords may skip a scheduled appointment when they see that the applicant is a member of a minority group. To force a meeting, the organization uses a decoy test. A decoy test is initiated with a white tester scheduling an

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<sup>13</sup> [Enforcement of fair housing laws - Local Housing Solutions](#)

<sup>14</sup> Ibid



appointment with the landlord. As the landlord and white tester are leaving the unit, the minority tester intercepts them, preventing the landlord from evading a viewing to the minority tester.

Between 1990 and 2008, MMFHC helped litigate 16 cases of systemic discrimination, including a multistate investigation into insurance redlining. Through repeated paired testing of insurance providers, fair housing organizations (FHOs) gathered sufficient evidence to generate HUD complaints against Allstate, State Farm, National Mutual Insurance, Travelers, Aetna, Prudential, and Liberty Mutual. To carry out such “systemic testing”, the MMFHC trained 33 testing volunteers to specialize in the investigation of discriminatory barriers to homeownership. In addition to matching the financial characteristics of the volunteers, MMFHC matched the characteristics of the tested homes — structure, age, and size — to compare how the companies treated white and nonwhite neighborhoods.

Testing in systemic investigations can be improved with geographic information system (GIS) mapping techniques and other data. The Fair Housing Justice Center (FHJC) in **New York**, for example, uses a GIS mapping tool to identify areas that the data suggest are likely to yield evidence of discrimination. By targeting its resources in these “areas of interest,” FHJC can more effectively document and eliminate illegal housing discrimination, change discriminatory behavior, and open communities<sup>15</sup>.

**Spokane, WA** - The Northwest Fair Housing Alliance (NWFHA), developed a fair *lending* enforcement program to investigate lending institutions that violate fair housing law. In 2011, NWFHA received an enabling HUD capacity building grant to fund this work.

NWFHA recruited 16 testers who received extensive training. Given the complexity of the lending process, testers must be particularly dedicated and competent to collect sufficient evidence.

Using HMDA, census data and market research, NWFHA identified subjects for investigation. NWFHA then used paired testing to see if the treatment of minority loan applicants differed from nonminority applicants. Tester applicants were matched with similar credit scores, incomes, and occupations.

The tests were used to determine whether minority and nonminority testers were offered similar rates, fees, and levels of coaching. Tests can also uncover racial steering toward different loan products.

NWFHA pointed to the importance of an “ongoing discussion” between leadership and investigators. When significant disparities were found in the treatment of testers, NWFHA often retested.

At the conclusion of the grant, NWFHA completed 55 paired, onsite lending tests of 32 lending originators. They submitted 9 cases to HUD. 3 additional cases showed possible discrimination but required further testing. Fair *lending* investigations rarely have a complainant, so organizations seek smaller monetary damage awards. Fair lending testing has more flexibility to proactively push for systemic changes in companies’ policies.<sup>16</sup>

**Memphis, Tennessee** –The Legal Defense Fund (LDF) and the National Fair Housing Alliance (NFHA) conducted [a fair housing testing audit](#) of housing providers to assess attitudes and identify policies and practices that impede the ability of voucher holders to secure safe and affordable housing. The audit sought to determine, at the pre-application stage of the rental process, whether potential tenants with

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<sup>15</sup> [Fair Housing Enforcement Organizations Use Testing To Expose Discrimination | HUD USER](#)

<sup>16</sup> Ibid



Housing Choice Vouchers (HCVs) were subject to discrimination because of their status as voucher holders and whether Black testers were treated differently from White testers because of their race.

### **Proactive enforcement of housing maintenance codes – Context and Examples outside Minneapolis**

*Reactive vs. proactive enforcement*—Reactive enforcement of housing maintenance codes (i.e., inviting renters' complaints) assume the most urgent housing violations will generate complaints. In practice, however, reactive code enforcement risks favoring those more likely to make complaints—often wealthier, white residents. More marginalized tenants, meanwhile, may not be aware of their rights or know how to file complaints. Individuals who are wary of law enforcement or fearful of landlord retaliation may be less likely to report code violations, even when suffering from the effects of substandard housing.

Proactive regimes (i.e., systematic inspections) also run the risk of bringing increased enforcement to communities where government attention may have unintended or adverse consequences—such as the closure of low-cost housing for immigrant or other marginalized communities who may not be able to find other affordable places to live<sup>17</sup>.

Code provisions that nominally punish landlords can end up burdening tenants— for instance, when landlords shift the costs of compliance onto tenants or screen tenants to minimize their own obligations under the housing code. For example, unscrupulous landlords may rent to families in violation of occupancy limits but tell them to sign the lease in such a way that does not disclose the violation. If a code enforcement official discovers a violation, the landlord may then evict the tenants alleging that they broke the lease.

Cooperative approaches include aiding landlords as well as providing landlords with non-financial resources, such as training programs, to facilitate compliance. Carrot-based approaches can aid landlords who are motivated to comply but lack resources; identifying these landlords without inducing moral hazard is a key design challenge.

Making reliable determinations about which property owners to target for subsidies or discounts requires keeping detailed and accurate information on landlords—a capacity many jurisdictions currently lack—and may require tracking violations and police service calls and classifying landlords accordingly.

Evidence from **New York** suggests that informational programs may be especially helpful to small landlords. Training programs can ensure landlords both understand and can connect to resources that will help them meet their obligations. More broadly, evidence suggests that communicating with landlords early and effectively can boost compliance and reduce the administrative burden on cities.

A randomized study<sup>18</sup> by the San Diego Police Department found that landlords who were threatened with a nuisance violation by a police officer were more likely to comply than others who were offered information and assistance. Typically, such measures are reserved for severe or repeat offenders.

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<sup>17</sup> [Cracking Code Enforcement: How Cities Approach Housing Standards \(furmancenter.org\)](https://www.furmancenter.org/publications/cracking-code-enforcement-how-cities-approach-housing-standards), August 2021

<sup>18</sup> John E. Eck & Julie Wartell, Improving the Management of Rental Properties with Drug Problems: A Randomized Experiment, 9 Crime Prevention Stud. 161 (1998).

A NYU Furman study of housing code enforcement in 40 cities cited the following examples<sup>19</sup>:

- **Burlington, Vermont** – (Similar to Minneapolis) The timing of a unit’s next inspection depends on how many violations were found at its last inspection; if a unit has no violations, it gets inspected every five years, but the timeline gets progressively shorter the more violations a unit has—all the way down to annual inspections based on major violations.
- **Syracuse, New York** – In response to old and deteriorating housing stock, Syracuse revamped code enforcement by providing resources and tax incentives for landlords to revamp and rehabilitate housing, while simultaneously increasing penalties for non-compliance. In this regard, Syracuse implemented specific programs for *owner-occupied rental housing*, which tends to have fewer units and be in lower-income neighborhoods.

Most recently, Syracuse has made creative use of technology, by using tools such as machine learning and data mining to help the city target blight by identifying potential future vacancies.

- **Alameda, California**, trains code enforcement officers in a cooperative compliance model that seeks to help income-eligible owners with repairs and rehabilitation.
- **Milwaukee, Wisconsin** implemented a mandatory, free landlord training program that helps landlords learn the responsibilities that the code imposes on them.
- Cities such as **San Antonio** and **Washington, D.C.** approach code enforcement with a tiered strategy, prioritizing violations posing an imminent health and safety hazard but triaging lesser violations and encouraging voluntary compliance before the city inspects and certifies a violation.

Further innovations—such as the use of virtual inspections—will open new possibilities

**Los Angeles** – When an owner does not remedy housing code violations within a prescribed amount of time, the property may be placed into the Rent Escrow Account Program (REAP) program. While the property is in the REAP program, tenants are allowed to pay a reduced rental amount, as set by the City, and can pay that amount either to the owner or to an escrow account. The money in the escrow account can then be used for repairs.

**Greensboro, North Carolina** – Adopted a Rental Unit Certificate of Occupancy Ordinance that requires all rental units to be inspected before landlords rent the property to new tenants<sup>20</sup>. In 2013, the City created a formal partnership with the nonprofit advocacy organization Greensboro Housing Coalition (GHC). Together they advanced a public education campaign, which involved distributing multilingual educational materials about code requirements, meeting with community members to explain the code enforcement process, and facilitating code enforcement referrals. Greensboro code enforcement personnel collaborate with GHC counselors to prevent the displacement of residents and to solve other housing issues.

**Newark, New Jersey** - Has a referral system, through which city agencies that learn of substandard housing conditions can refer to the code enforcement agency. In 2014, the City established a taskforce, Newark’s Life Improvement Task Force, which sought to strengthen and refine the referral system to make code enforcement more effective.

**Chelsea, MA** collaborated with the Harvard Kennedy School’s Innovation Field Lab in 2019, resulting in an innovation that coupled code enforcement with social service provisions through a partnership with a local social service agency. This allowed inspectors to go beyond issuing citations and instead help address root causes of

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<sup>19</sup> Cracking Code Enforcement: How Cities Approach Housing Standards (furmancenter.org), August 2021

<sup>20</sup> Housing Code Enforcement, National Municipal Policy Network, [Final 2017 Policy Book.pdf \(localprogress.org\)](#)

housing problems by connecting residents with appropriate service providers. See: [On Further Inspection. Engaging housing inspectors to improve... | by Harvard Ash Center | Medium](#)

In **Seattle**, the Healthy Homes Initiative trains residents how to examine and identify triggers for child asthma, while involving community nurses, resources such as bed covers and cleaning supplies, and in-home outreach. Similar such programs in **Philadelphia, San Diego, and Boston**, involve training housing code inspectors to identify and instruct property owners to address health threats, such as how poor ventilation can lead to asthma<sup>21</sup>.

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<sup>21</sup> Patrick MacRoy, Dough Farquhar, Creating Healthier Housing Through Building Codes, May 2009.