

*Management Strategies for Continuous
Improvement*

NEIGHBORHOOD LIVABILITY PROGRAM

CITY OF RIVERSIDE



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CITY OF RIVERSIDE, CALIFORNIA NEIGHBORHOOD LIVABILITY PROGRAM

PROGRAM SYNOPOSIS

Quality of life is central to the expectations of the residents of the City of Riverside and indeed, to those in communities throughout the nation. The key quality of life issues identified by Riverside residents is the preservation and protection of livability within their neighborhoods. The Mayor and Members of the City Council have identified the importance of preserving and improving the quality of life in Riverside neighborhoods as one of its key strategic initiatives. The City of Riverside expends significant resources on combating problems that impair the quality of life. Like most cities, the City has principally dealt with these problems in a *reactive* way by responding to citizen complaints and then employing traditional policing and code enforcement methods. Many times, these traditional methods proved unsuccessful.

In 2003, the City Attorney's Office, at the request of the Mayor and City Council, proposed the creation of a Neighborhood Livability Program. The Program employs a more organized, focused, proactive and sustained effort to address serious and persistent quality of life issues and to maintain, restore and/or revitalize community livability within our neighborhoods. The Program is implemented by a Neighborhood Livability Task Force, a multi-departmental effort with the City Attorney's Office taking the lead role. The Code Enforcement Division and the Building and Safety Division of the Community Development Department, along with the Police and Fire Departments play critical roles depending on the nature of the livability problem to be solved. The Development Department, through its division of Housing and Neighborhoods, also supports the Task Force through acquisition, rehabilitation, and development of additional low and moderate income housing for families.

The Task Force gathers information from residents and business owners, the Mayor, and members of the City Council on relevant quality of life issues throughout the City. The Task Force prioritizes and targets a limited number of serious quality of life problems. A target problem could be a geographically defined area with chronic and multiple quality of life problems, like a several block area with a problem liquor store, boarding homes and drug activities; or, a single problematic building or property; or, a single type of problem found in multiple locations in the City, such as graffiti, illegal dumping, trash and debris and inoperative vehicles. The Task Force chooses the most effective enforcement tool(s) for a particular targeted problem. Enforcement tools include criminal, civil and administrative actions. Civil actions include injunctive relief. Administrative actions include abatement and monetary fines and penalties. The Task Force then proceeds in an organized, proactive and focused manner. Although enforcement of the law will be the primary tool, a focus on problem solving rather than routine enforcement has proven to be critical to the effectiveness of the Program.

Since the City Council's approval of the Program in the fall of 2003, the Neighborhood Livability Task Force has been responsible for successfully remediating hundreds of problem properties and eliminating blight, crime, and nuisance activities throughout our 26 neighborhoods. The Program has been and continues to be an unqualified success and has been considered a model for cities throughout the State of California.

The City Attorney's Office reports on the progress of the Program every six months to the Mayor and City Council at a regularly scheduled City Council meeting. This formal presentation to the Mayor and City Council details the specific properties that have been remediated and the quality of life issues which have been resolved.

Currently, the administrative fines, penalties and attorney's fees recovered by the Neighborhood Livability Program more than cover all of the Program's costs, including personnel and equipment costs. More importantly, the overall positive impact that this Program has had on the livability of our 26 neighborhoods, while not subject to a precise fiscal impact cannot be underestimated. Simply stated, the elimination of slum housing, reduction in criminal and nuisance activities, and the relocation of multiple registered sex offenders from homes near schools, day care centers, churches and parks has proven to be invaluable to the safety of the residents of the City of Riverside.

CITY OF RIVERSIDE, CALIFORNIA NEIGHBORHOOD LIVABILITY PROGRAM

Project Description:

In 2003, the Riverside City Council established the Neighborhood Livability Program (NLP) and a multi-departmental task force to enhance existing code enforcement efforts to maintain and improve the safety, cleanliness, and aesthetic appearance of Riverside's neighborhoods using a proactive, intensive and focused problem-solving approach with input from the community and involvement of state and county regulatory agencies when appropriate. The principal focus of the Program was to identify and prioritize quality of life issues or problems, targeting the "worst of the worst" or "the neighbor from hell" for appropriate, proactive and remedial action.

The City of Riverside was incorporated in 1883, has a current population of 300,000+ and comprises an area in excess of 80 square miles. The City is divided into seven wards and twenty-six (26) different neighborhoods. The geographical and demographic differences within the City create unique challenges in maintaining the City Council's goal of improving the quality of life for the City's residents.

A major component of the NLP is dealing with housing issues within the City, particularly:

1. Vacant and unmaintained or substandard structures in the City.
2. Vacant buildings constituting blight in residential neighborhoods.
3. Transitional and Group Housing.

According to Irvine-based Realty-Trac, the sixth highest foreclosure rate in the State of California was documented by Riverside County, where one in every 107 housing units received a foreclosure filing — twice the state average and 4.5 times the national average. The San Bernardino-Riverside Metro area continues to be particularly hard hit, with an unemployment rate that is almost 3 percent above the national average, double-digit home price depreciation, lackluster home sales and an overabundance of foreclosures in its housing inventory." It is likely that the foreclosure rates will continue to rise as more homeowners opt to simply walk away over the next several years. The dramatic increase in foreclosure activity has and will continue to result in vacant and unkempt properties.

The City of Riverside has taken several significant and proactive steps in response to the increased foreclosure activity to prevent vacant homes from deteriorating or becoming public nuisances. One vacant property, not actively well-maintained and managed, can be the core and cause of spreading blight and attracting nuisance and criminal activity. Vacant buildings (1) discourage economic development and hamper appreciation of property values, (2) attract vagrants, gang members and other criminals as prime locations to conduct illegal criminal activities, and (3) are extremely vulnerable to being set on fire by transients and others using the property illegally. Consequently, vacant buildings pose serious threats to the public's health and safety and constitute public nuisances.

On November 27, 2007, the City Council adopted a Maintenance and Rehabilitation of Vacant and Neglected Buildings ordinance adding a new chapter to the Riverside Municipal Code to clearly delineate a property owner's responsibilities with respect to a vacant building and require the property owner to maintain and rehabilitate the property to avoid a declaration of a continuous public nuisance. For those properties that become and remain public nuisances, the tools to bring the properties into compliance include administrative fines, administrative civil penalties of \$1,000 per day up to \$100,000 per property, receivership actions to rehabilitate the property and court-approved demolitions. For example, the City has collected over \$3 million in fines and penalties associated with the remediation of neglected properties since July 1, 2008.

Status reports are provided to the Mayor and the City Council biannually as part of the Discussion Calendar at a Regular Meeting of the City Council. Input and direction is sought from the community as well as the Elected Officials.

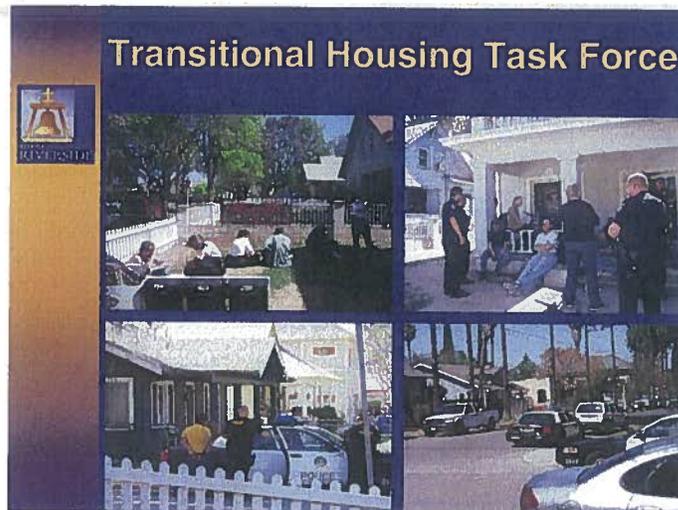
The geographical and demographic differences within the City create unique challenges in maintaining the City Council's goals of preserving, protecting and enhancing neighborhood livability.

The challenge facing the City of Riverside was reaching beyond traditional enforcement methods to address specific, serious and persistent quality of life problems and to restore or vitalize community livability. Adding to the challenge's complexity was the necessity of developing a program that would use existing staff without supplemental funding. The Program simply utilizes current budgeted resources and staff. No consultants have been required either in the development or implementation of the Program.

The NLP uses a multi-department team, including community input, focused on the most serious problems and properties. In addition to City staff, the NLP task force collaborates with neighborhood residents and merchants to identify the critical quality of life problems in specific areas or particular properties. The focused activity may also involve regulatory jurisdiction of state or county agencies, including the District Attorney's Office, Alcoholic Beverage Control, the Riverside County Probation Department, the Parole and Community Services Division of the California Department of Corrections. Private and non-profit organizations, as well as private citizens, have been used to provide information or services in the resolution of problem conditions.

The Neighborhood Livability Program task force continues to examine specific problem properties and neighborhoods to determine the most effective investigative approach and enforcement tools.

As part of an effort to address problem properties, a Transitional Housing Task Force (THTF) was created as part of the Neighborhood Livability Program, and entails a joint effort of Code Enforcement officers, Building Inspectors, Fire Investigators, and Riverside Police Department officers, led by members of the City Attorney's Office.



The THTF was originally developed in May, 2005, to address the sudden increase in public complaints regarding so-called “group homes.” As cases were investigated, it became clear the common thread to the complaints was the existence of serious, substandard housing conditions at those locations. Accordingly, investigation procedures and enforcement actions were developed and implemented to address those problems.

Something to Consider. . . .

- 97% of inmates in California’s prisons will be eligible for parole.
- **Currently, 60,000 California inmates are serving the final 0-3 years of their sentences.**
- 1/3 of those inmates being released have a substance abuse problem.
- **There are presently 170,000 parolees in California.**
- 70% are re-arrested within 3 years of release; the highest recidivism rate in the country
- **These offenders are coming back to our cities and towns whether they are rehabilitated or not.**
- We have to be prepared to protect our citizens and assist in their successful re-entry to our communities.

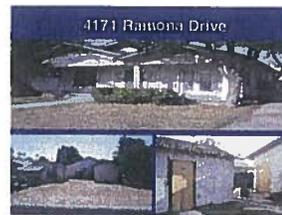
To date, 125 transitional housing/group home cases have been resolved, of which eighty percent (80%) of the properties were voluntarily brought into compliance by the owners after issuance of the notice of violation. These actions include the elimination of “parolee flop houses” housing multiple convicted sex offenders.

The City of Riverside’s Neighborhood Livability Program was recently added to the National League of Cities “Best Practices” Database (which addresses a wide range of issues for its 18,000 member cities) as a proven city solution for combating blight, crime and nuisance activities. Riverside County Supervisor Tavaglione is leading a pilot program in District 2 based upon the City’s Transitional Housing Task Force.

Another component of the Neighborhood Livability Program is the use of receiverships and judicial foreclosures to address nuisance property or building code violations that substantially endanger the health and safety of the residents or the public. Typically, Administrative Civil Penalty Notices and Orders are served on owners who demonstrate a continued unwillingness to bring the properties into compliance. The City has successfully litigated over 10 judicial foreclosures and complaints for appointment of a receiver to rehabilitate distressed properties.

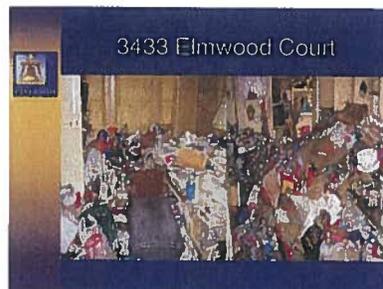
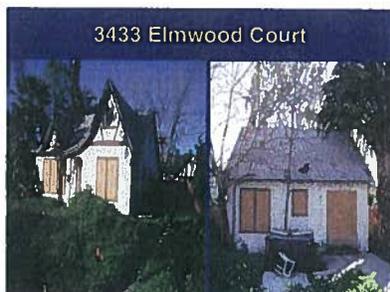
The following are examples of the effectiveness of receiverships and judicial foreclosures:

1. The City initiated a judicial foreclosure action against 4171 Ramona Drive because the property owner refused to correct the substandard conditions on the property. The City of Riverside Housing Authority then purchased the property at auction for \$135,000. The City recovered its attorney's fees of \$8,100 along with \$76,933 in administrative civil penalties and costs from the proceeds of the sale. The City completely rehabilitated the home through the use of federal Neighborhood Stabilization funds and sold it to a low/moderate income family.

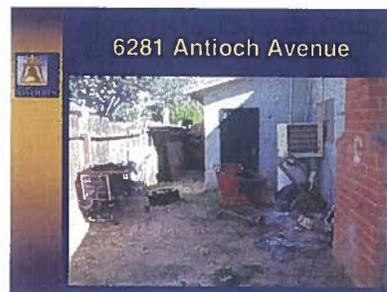
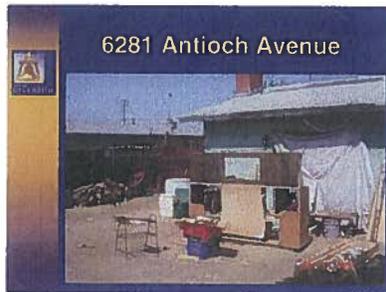


2. The City commenced code enforcement actions against 3433 Elmwood to address substandard violations on the property. The City was unable to gain compliance. A judicial foreclosure was initiated to recover approximately \$100,000 in administrative civil penalties assessed against the property. The court appointed a receiver to auction the property and distribute the proceeds.

The court then approved the sale of the property as well as payment of \$8,775 in attorney's fees and \$75,000 in administrative civil penalties to the City. The property has been completely rehabilitated and returned to its single-family residential status.



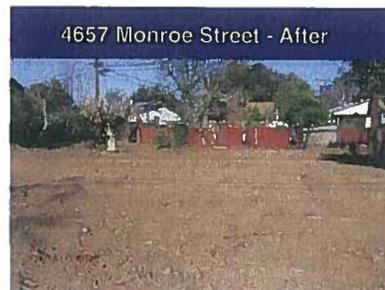
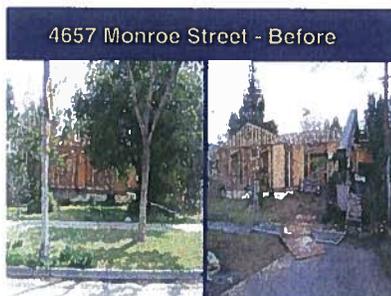
3. The City initiated a judicial foreclosure action to recover unpaid administrative civil penalties and costs levied against the property at 6281 Antioch because of its operation as an illegal parolee and boarding house, as well as numerous calls for service to the Riverside Police Department. The City obtained a judgment for \$19,350 in attorney's fees and \$96,015 in administrative civil penalties. The court appointed a receiver who then sold the property. It has subsequently been completely rehabilitated and returned to its single-family residential status.



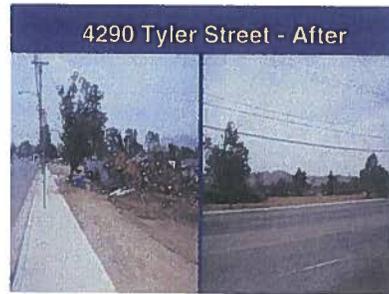
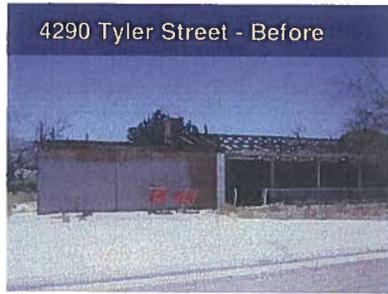
4. The City successfully litigated a nuisance abatement/drug abatement action against the owner of 6358 Antioch Avenue. The City obtained an injunction prohibiting the property owner from allowing the home to be used to sell illegal drugs and as an illegal parolee home/boarding home in response to nearly 100 calls for service to the Riverside Police Department. As a result of the injunction, all criminal and nuisance activity was permanently abated. The City is in the process of obtaining a judgment against the owner for its attorney's fees and unpaid civil penalties.

A third component of the Neighborhood Livability Program is the use of Notice and Orders issued by the City's Building Official to repair or demolish dangerous and substandard structures. To date, sixty-five (65) vacant, problem, boarded-up structures have been abated through demolition by the City or the property owner in lieu of further enforcement action.

This fire-damaged structure was abated through demolition.



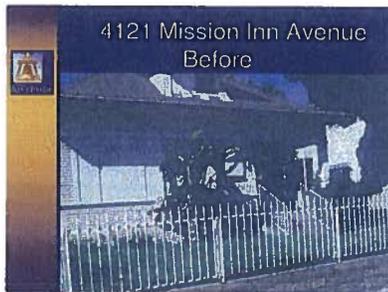
The following property was declared a public nuisance due to criminal activity and the nuisance was abated through demolition.



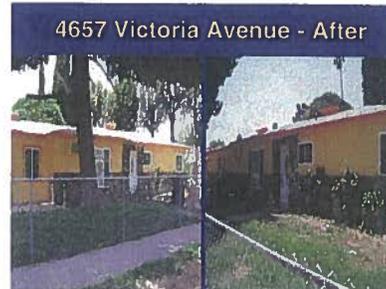
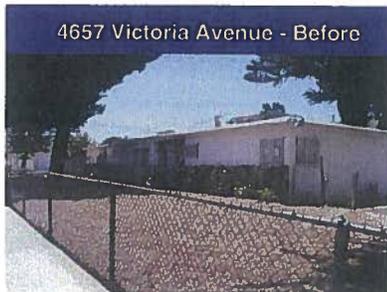
Vacant buildings are a major cause of blight in residential neighborhoods, especially when the property owner fails to actively maintain the property. Additionally, vacant buildings attract vagrants, gangs, and are prime locations to conduct illegal activities. To proactively address this problem, on December 10, 2007, the City Council adopted an ordinance which requires vacant properties to be: the subject of a valid building permit, or compliant with all codes adopted by the City of Riverside and actively offered for sale or rent; or the property does not constitute and is not likely to become a nuisance property (that is, the property is being maintained).

The following are examples of the effectiveness of the Vacant and Neglected Building ordinance:

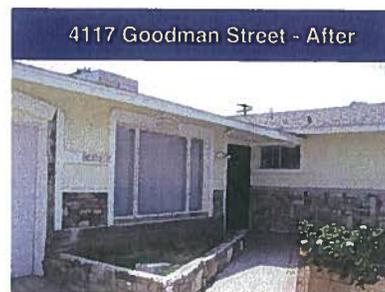
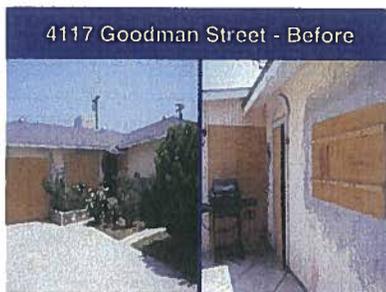
1. The property owner of 4121 Mission Inn Avenue voluntarily corrected the substandard violations within a week of receiving a citation under this ordinance. The property has been transformed from a blight on the neighborhood to a house any neighbor would be proud to live next door to.



2. The City received a complaint that the property at 4657 Victoria Avenue was open/vacant. The property was boarded up and citations were issued. Shortly after issuing a citation against the property owner, the property was brought into compliance.



3. The City received a complaint that the property at 4117 Goodman Street was open/vacant. The property was boarded up and citations were issued. The substandard housing violations were corrected by the property owner and the home is now occupied as a single family residence.



Overall, the Neighborhood Livability Program has been an unqualified success and has significantly furthered the City Council's goals of preserving, protecting and enhancing the safety and livability of its neighborhoods. Entire neighborhoods have been transformed as a direct result of this Program.

Lastly, the City's case study presentation will include a Powerpoint presentation by Councilmember Steve Adams and City Attorney Gregory Priamos. The presentation will provide practical advice and recommendations on how to develop and implement such a program through the re-direction of existing resources. The presentation will also detail some of the most difficult livability issues that have faced the City and the tools that were utilized to solve them.

A task force comprised of representatives of key departments was established. The Task Force's role was to begin identifying and prioritizing specific problems, targeting the "worst of the worst" for appropriate, *proactive*, and remedial action.

The Task Force has made a substantial effort to gather information from residents and businesses, the Mayor, the City Council, the City Manager, and City staff, and to identify and prioritize the properties presenting the most serious quality of life issues in the City. Such properties have been identified in terms of geographically defined area(s) with chronic and multiple quality of life problems (i.e., "focus neighborhoods"); single, problematic properties (i.e., the "worst of the worst"); and specific problems occurring in multiple locations throughout the city.

B. Current Status of Program and Program Results for November 2009 – April 2010

As explained in the prior report, the Task Force continues to examine specific problem properties and neighborhoods to determine the most effective investigative approach and enforcement tool(s).

1. Transitional Housing Task Force

One primary focus of the Neighborhood Livability Program's efforts has been the Transitional Housing Task Force. This effort was originally developed to address the sudden increase in public complaints regarding so-called "group homes." As cases were investigated, it became clear the common thread to the complaints was the existence of serious, substandard housing conditions at these locations. Accordingly, investigation procedures and enforcement actions were developed and implemented to address these problems.

Approximately 9 cases have been resolved during this reporting period. Of these, over half of the properties were voluntarily brought into compliance by the owners after issuance of the notice of violation. Three homes have been listed for sale. The City will be re-inspecting these properties for compliance with the Hearing Officer's orders.

2. Judicial Foreclosures and Receiverships

The property located at 4171 Woodvale Lane was the subject of a receivership action based on its substandard condition, which included structural breaches by unknown persons, fire hazards caused by overgrown and dried out weeds and a green pool. The City received a citizen complaint concerning the vacant unmaintained property in January of 2007. Code enforcement actions in the form of administrative citations and civil penalties were ineffective in gaining compliance. A motion for appointment of a receiver was filed on April 22, 2009 and granted on June 10, 2009. The court ordered receiver brought the subject property into compliance on February 19, 2010 and facilitated the sale of the property. The City recovered \$117,527.56 in civil penalties and \$8,325 in attorney's fees.

The City has initiated receivership actions against two vacant and neglected properties that have been declared continuous public nuisances. These court actions are currently pending in the Riverside County Superior Court.

Overall, the City Attorney's Office has recovered nearly \$200,000.00 in attorney's fees in 10 receivership cases.

3. Vacant Problem Properties

The Neglected Property Abatement (“NPA”) Team was created in October of 2008 to address the negative secondary affects (e.g., Neighborhood blight, transients, etc.) associated with open and vacant properties. Also, the City adopted Riverside Municipal Code Chapter 6.11, which declares substandard properties left vacant in excess of one hundred and eighty days and that are not the subject of an active building permit for repair, a continuous public nuisance. Through a combination of code enforcement actions (e.g., warning notices, citations, etc.), the NPA team has achieved approximately 97% voluntary compliance, prior to declaring properties permanent public nuisances.

One vacant, problem, partially constructed apartment structure was demolished voluntarily by the owner in lieu of City enforcement action. Owners have completed rehabilitation of 55 additional properties. Therefore, a total of 56 problem board-ups have been remediated since November of 2009.

4. Graffiti Abatement

California Civil Code Section 1714.1(b) provides that acts of defacement of property by paint or similar materials committed by minors are imputed to their parents who have custody and control of the minors. The City is entitled to recover up to \$25,000.00 per incident and including civil damages, police investigative cost, court costs, and attorney’s fees. The City Attorney’s Office initiates lawsuits against the parents of minor “taggers.”

Under the leadership of the City Council, the City has been very aggressive in seeking restitution for graffiti committed in the City of Riverside. To date, the City Attorney’s Office has initiated collection actions against 292 individuals and collected a total of \$177,420. Also, juvenile offenders have completed approximately 1,200 hours of community service.

5. Extraordinary Police Services or Responses

The City Council adopted Riverside Municipal Code Chapter 9.60 on December 8, 2008 in response to the disproportionate amount of public safety resources being expended to respond to certain properties and businesses. The criminal and/or nuisance activities associated with these properties resulted in the unreasonable diversion of vital and critical public safety resources.

The Purpose of the ordinance is to hold owners and occupants who utilize an extraordinary amount of police department service accountable for the additional costs arising out of the use of their property and deter further criminal and/ or nuisance activity in the future. An extraordinary police service or response occurs when: (1) three or more officers and a supervisor respond to a single emergency response; or (2) a second response to the same business or property within a thirty day period; or (3) a third emergency response to the same business or property within a ninety day period. An owner or occupant who is an individual person and is the victim of a crime shall not be liable for the extraordinary police service or response related to the crime.

Since inception, the City has initiated 13 actions to recover \$5,379.73 in extraordinary police services. The enforcement of this ordinance will likely prove to be a powerful deterrent to future incidents.

C. Neighborhood Livability Program: Progress to Date (Since Sept. of 2003)

- 65 problem board-up demolitions
- 84 voluntary property rehabilitations
- 10 judicial foreclosures/receiverships
- 292 graffiti cases and \$177,420 collected in settlements and judgments
- 125 "transitional housing/group home" complaints resolved
- 13 extraordinary emergency response reimbursements

Overall, The Neighborhood Livability Program has been an unqualified success and is considered a model for cities throughout the state. The program has been identified by the National League of Cities as a "proven solution for combating blight, crime and nuisance activities." The success of this program is a result of the leadership and support of the City Council and the hard work and dedication of the members of the Community Development, Fire, Police and Public Works Departments in addition to the staff of the City Attorney's Office.

FISCAL IMPACT:

Generally, none other than staff time. Grant funding opportunities will be pursued as they become available. The City's abatement costs are assessed as liens against the property owner or through sale of the property. The City also seeks reimbursement for all attorney's fees and costs associated with all nuisance abatement actions initiated by the City Attorney's Office.

Moreover, the overall positive impact that this Program has had on the livability of various neighborhoods outlined above, while not subject to a precise fiscal impact, cannot be underestimated.

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