



Rashi Kesarwani  
Councilmember District 1

CONSENT CALENDAR  
October 29, 2019

To: Honorable Mayor and Members of the City Council  
From: Councilmember Rashi Kesarwani  
Subject: Information on the City's Existing Code Enforcement Practices for Residential Properties

### RECOMMENDATION

Request the City Manager provide a brief report or presentation on the City's code enforcement practices for residential properties for the purposes of educating the City Council and the public on current practice. The requested information may include:

- Reporting on the various ways in which code enforcement issues have been brought to the attention of the City over the last five years (i.e., neighbor complaint, 911 call to the property, etc.)
- How various code enforcement issues at residential properties are currently handled (i.e., which City departments and which type of staff are involved, what they do, etc.)
- Timeframe and mechanisms for achieving code compliance at residential properties
- Any existing assistance programs available to support property owners found to have code violations, such as financial assistance, mental health services, technical advice, etc.
- Specific learnings/change in City practices resulting from the Leonard Powell receivership case
- Other information deemed relevant and appropriate to understand the City's current code enforcement practices for resident properties

### FISCAL IMPACTS OF RECOMMENDATION

Staff time.

### BACKGROUND

The proposed recommendation is made in partial response to a June 11, 2019 referral from the City Council to the Health, Life Enrichment, Equity & Community Committee on recommendations from the Housing Advisory Commission and Peace and Justice Commission related to the Leonard Powell case. This portion of the referral response was discussed by the Health, Life Enrichment, Equity & Community Committee and is submitted in order for City staff to begin preparing the requested report on the City's existing code enforcement practices.

The referral to the Committee was in response to the receivership case of Mr. Leonard Powell, who in 2014 was ordered by the City to address the health and safety violations discovered on his property (1911 Harmon St.).<sup>1</sup> Despite some no-interest loans and fee waivers offered by the City and the assistance of Habitat for Humanity, over the ensuing years the costs for repairs, inspections, receivership and relocation fees spiraled to close to \$800,000. With assistance from local community groups and after some court and City involvement, Mr. Powell was able to return home in June 2019. This recommendation seeks to clarify City code enforcement practices and procedures.

#### RATIONALE FOR RECOMMENDATION

This request seeks to clarify for both the City Council and the general public existing code enforcement practices for residential properties.

#### CONTACT PERSON

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<sup>1</sup> See [March 5, 2019](#) Berkeleyside article "Berkeley Homeowner Caught in Costly Code Violation Sprial"; and [June 10, 2019](#) Berkeleyside article "Elderly Homeowner, Forced to Leave Home Because of Code Violations, Moves Back In."