

The Power of the Complainant

Since 2014, The City of Brooklyn Park's Code Enforcement & Public Health Division has been in a state of continuous improvement, analyzing our policies and procedures and redefining how we enforce code violations. We began this journey with the intent of standardizing all inspectors when responding to complaints. We learned that although city codes are designed to be uniform, our audience is not. Every case is a little different and we needed to take a closer look at the barriers facing our customers.

In recent years we have made incremental changes to our code enforcement procedure. Historically, cases that originated as a complaint were given a higher priority, even if the violation was minor. This approach **transferred a lot of power to the complainant**, dictating where staff expended its time and resources. We started to see a trend; a high percentage of complaint properties were occupied by people of color and these same violations were also occurring next door but no complaint was received.

So we asked ourselves....How can we balance this power and evaluate each violation through the same lens? The answer was in our process and how we responded to complaints.

Step 1 - Bringing uniformity (and equity) to ALL code enforcement cases

One of the first changes we made to our procedure was reducing the “*no same or similar*” policy from 24 months down to 12 months. The previous procedure allowed staff to issue citations immediately if there had been a similar violation within the previous 24-month period. This change was supported by the City Council and was in response to the issues we observed during the 2013 Special Assessment Hearing. If we could go back in time to that assessment hearing in 2013, we would see a council chambers filled with people of color, residents where English is a second language, and new immigrants facing a large financial hurdle imposed by our procedures.

Step 2 - Requiring an intentional step for outreach prior to any enforcement actions

In an effort to leverage our resource and education tools, an intentional step for outreach was added. Staff is now required to approach each property and attempt to make contact with the resident.

Step 3 - Establishing what the ultimate goal should be

The previous process was designed to be punitive. Enforcement actions were issued based on a system that was flawed and controlled by the complainant. Properties could easily fall into a state of “continuing non-compliance”. It has taken time to change the mindset of the inspector and to also balance the expectations the complainant had grown accustomed to – which is a swift, no tolerance approach. **The ultimate goal is voluntary long-term compliance.** Having an inspection staff that understands their role as a regulator/educator is important to delivering a universal message, regardless of how the case originated.

Step 4 - Identifying barriers during the early stages of a case

This is the most important step in advancing racial equity in our new code enforcement procedure. Identifying language barriers, resource and educational needs early facilitates voluntary compliance. We found that the more heavy-lifting we do on the front end, the more benefits we achieve long-term. Some of the early data that supports this philosophy:

- The rate of *voluntary compliance* is up and the number of citations issued is down.
- Reduced special assessment appeals from twenty-five in 2013, to nine in 2014!
- Early engagement with a resident facilitates a quicker compliance turnaround. A correction order (coupled with engagement), delivers a clear message in real-time that translates across multiple languages.

- Staff is able to work with residents to find the appropriate timeframe to achieve compliance.
- Staff is spending less time in administrative hearings. The time we are saving by not sitting in a hearing, means more time in the field. As a result, we have added capacity to our case load each year (2013=**2592**, 2014=**3259**, 2015=**3987**)

Step 5 - Updating educational and outreach/resource materials

- **Know the Code:** <https://youtu.be/N8YiaOHLlil>
This short video illustrates the new approach our inspectors have embraced. Regulators in our line of work can play an integral as a resource and not a hurdle for our community members. The video is available in English, Spanish and Hmong.
- **Common Codes Brochure**
The Safe, Healthy & Thriving Neighborhoods brochure was re-branded and updated in plain language. Our division has integrated the City's community engagement initiatives into our process.
- **Door-Hangers**
We designed new door hangers to be used by the inspector when they approach the property. The intent is to review the code standards with the resident in-person. These can also play an integral role connecting the resident with the inspector at the early stages of the case.
- **Correction Notices**
Plain language updates were made to the correction notices and translation services phone numbers were added to the top of the notice to bring attention to this available resource.

Final Step – Empowering staff to make a difference in advancing racial equity

The work we have dedicated to advancing racial equity has empowered staff to say **no** when they feel that race may be a motivator for a complaint. This transformation is evident during the courageous conversations we are having during staff meetings and while they are out in the field assisting our customers. The code enforcement procedure is just one example of how a process can impact change. If we truly want to live by our City's mission statement; "Brooklyn Park, a thriving community inspiring pride where opportunities exist for all", then identifying gaps in our processes that leave some of our customers on the outside looking in, should be a priority. We have learned that a "one size fits all" system is not an effective approach.

