# Diane Silva-Martinez Code Enforcement Unit San Diego City Attorney's Office

Saturday, February 6, 2010



#### **CODE ENFORCEMENT**

- A necessary partner
- Stabilize nuisance activity/"stop the bleeding"
- What type of program/strategy best fits your jurisdiction?

## Strengths of San Diego's VP Program

- Vacant Property Coordinator
- Effective abatement policies, procedures, and funds to clean and secure vacant properties
- There is an overall assessment of property (scope of work needed for rehab, structural integrity, zoning or building issues)

#### Strength of SD's Program

- Coordinator assists with Financial or Legal Issues – probate action? taxes paid? Does owner qualify for grants? title issues?
- Refers Owner to Appropriate Agencies or Resources, e.g., public guardian, is conservator needed?
- Coordinates efforts between Police, Fire, Development Services, code inspectors, City Attorney, other agencies
- Reports out to Community Groups

## Strengths of San Diego's VP Program

There exists a coordinated interagency and interdepartmental approach to

- Stabilize nuisance conditions
- Remove impediments to prompt rehabilitation
- Statement of Intent required
- "Carrot and stick" approach (dialogue, referrals, administrative remedies, prosecution)

#### Which Remedy is Appropriate?

### Profile of owner is key/may think criminal when:

- Want quick result
- Owner doesn't own multiple properties; no great assets;
- Prior record, bad attitude
- Downside: only 3 years probation,
   \$1,000 fine per violation may be cost of doing business

#### Which Remedy is Appropriate?

#### Profile of owner key/may think civil when:

- Owner has assets, making high penalties meaningful
- Often civil stipulation (settlement) reached
- Suspend part of fine to ensure compliance; creative sentencing terms
- Advantage: permanent injunction/contempt
- Or...is receivership necessary????

#### **FORECLOSURES**





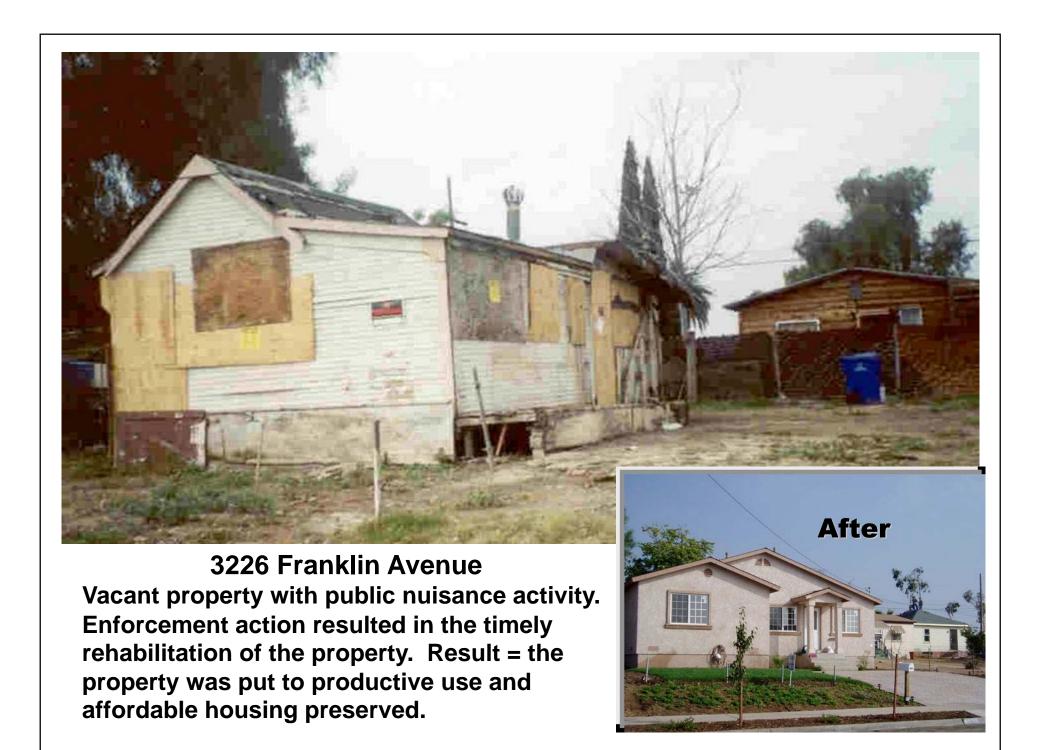
#### Fast track certain cases

- Properties referred by Police, Fire
- Properties located along a mass transit route, a transient corridor or a homeless shelter
- Properties near schools and public facilities
- Properties with long history of vacancy

#### Other Tools/Strategies

- Nuisance Letters to Financial Institutions and Property Owners
- Checklist to Assess Vacant Property
- Educate Community
- Employ Volunteers
- Establish Partnerships





#### Questions?

Diane Silva-Martinez, Chief Deputy Code Enforcement Unit San Diego City Attorney's Office (619) 533-5655 dsilvamtz@sandiego.gov