



PROBLEM: OMAHA'S COMPLAINT-BASED HOUSING CODE

ENFORCEMENT SYSTEM IS BROKEN



- Most housing code violations are not reported. The Nebraska Supreme Court found that tenants are often afraid to make complaints due to fear of retaliatory evictions or rent increases.
- Tenants generally are not qualified to complain about electrical and mechanical issues.
- The most vulnerable tenants, in the most poorly maintained properties, are often ones least likely to file a complaint.
- These unidentified violations can grow in severity. Too often the first complaint is made after damage is irreversible, leading to abandonment and eventual demolition. OTOC calls this the “demolition pipeline.”
- Complaints that are reported too often remain unfixed. 1 of 5 valid code complaints in Omaha made in 2015 remained unresolved as of September 16, 2018.
- Most code violations involve rental properties, which have a rate of violations over twice as high as owner-occupied properties. The last decade has seen an increasing percentage of Omaha households renting rather than owning. In North Omaha that trend goes back several decades.

SOLUTION: PROACTIVE REGISTRATION AND INSPECTION

- In the last decade La Vista, Council Bluffs and Carter Lake have adopted proactive rental inspection ordinances, setting up regular cycles of inspections of rental properties to identify and fix code violations. **In Omaha, OTOC would like to see city inspectors begin a three-year cycle of inspecting all rental properties. Properties that do not promptly fix violations will shift to annual inspections.**
- The new system would be funded by an annual fee imposed on landlords. Council Bluffs charges \$35 for single-family properties, and \$25 for multi-unit properties plus \$17.50 for each additional unit.
- Fees could generate about \$2 million per year to the city of Omaha, which the city would use to pay sufficient wages to hire enough employees to implement the proactive inspection system.
- Rent increases will be a non-issue, as city fees would average about \$2 per unit per month. Since La Vista has instituted their system, their rents have gone up at half the rate of Omaha.
- Landlords should be required to post key phone numbers in common areas so that tenants would know who to call to get help with housing code complaints, health department complaints, legalaid.

BENEFITS: SAFER AND HEALTHIER RESIDENTS AND NEIGHBORHOODS

- The Nebraska Supreme Court concluded that La Vista was justified in focusing its regulations on rental properties: “Intervention through the rental housing inspection program was clearly in the public’s interest of maintaining safe housing for tenants and safe and livable neighborhoods for La Vista’s residents.”
- Early intervention to identify and fix housing code violations can break the cycle of housing deterioration, preserving rather than abandoning and demolishing homes.

For more detailed information about how to solve this problem, go to www.otoc.org or contact OTOC at otocfornebraska@gmail.com or 402-344-4401