

Midlands Voices: Housing inspectors play key role in health of Omaha housing stock

By Dennis Walsh, Aug 9, 2018

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After last week's city budget hearing, Emily Nohr's article, "Omaha Mayor Jean Stothert's \$1 billion city budget plan wins praise at public hearing," quoted a representative from the Planning Department as saying that inspecting housing code violations is "not a glamorous job." That is a shame. When it comes to safe and healthy living conditions, housing code inspectors are the true first responders, according to Joseph Schilling of the Urban Institute.

If housing code violations are not fixed, properties often deteriorate, are abandoned and ultimately are demolished. Abandoned properties spread blight and generate calls to animal control, police and fire. Abandoned properties also reduce neighboring property values.

Yet in eight of the last 10 years, the city has failed to fill all budgeted inspector positions. For example, in 2012 the city filled only eight of the 12 positions; in 2017, only seven of 10. Online city budgets show that in the last decade, the number of inspectors has declined from 10 to seven.

The American Community Survey shows the number of renter-occupied households in Douglas County has grown by 15 percent since 2008. This includes older owner-occupied units that have been converted to rental properties. This adds to code enforcement's responsibilities, as two-thirds of code violations involve rental properties, which have a rate of violations twice as high as owner-occupied properties.

The cumulative effect since 2008 of a decrease in inspectors and an increase in rental properties is a 68 percent jump in rental properties per inspector, from 6,500 to 10,900. These decade-long trends have weakened the city's ability to protect the health and safety of renters, owners and neighbors. OTOC was shocked to find that 23 percent of valid code complaints made in 2015 remained unsolved as of May 2018. That is unacceptable.

Fully staffing the inspection program is really just a minimum request. The real problem is the complaint-based code enforcement system. Most violations are not reported. 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.

As an analogy, imagine a food safety system in which there are no random inspections of food processors or restaurants. Instead the government simply waits for diners, employees or medical personnel to call in complaints. We might call this the food poisoning pipeline. Such an approach seems obviously unsafe, and yet that is how we treat tenant and neighborhood safety in rental housing.

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. Proactive systems can be funded by registration fees on rental units. When Omaha-area landlords sued La Vista and lost, the Nebraska Supreme Court concluded that the city 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." The Supreme Court's statement applies doubly to Omaha because of Omaha's much older housing stock.

Omaha's future is likely to include an increase in renter-occupied households, as the trends of the last decade show no signs of slowing down. Beyond the current budget issue, Omaha needs to value its housing inspectors as true first responders, pay sufficient wages to attract a fully staffed department and move forward with proactive rental inspections. Early intervention to identify and fix housing code violations holds the promise of breaking the cycle of housing deterioration, preserving rather than abandoning and demolishing homes.