CITY OF ALBANY

Office of Audit and Control

Performance Audit
of the
Division of Building & Codes

Part 1
Code Enforcement Operations

Audit Report
September 2011

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PREFACE

The Office of Audit and Control exists to provide oversight, transparency and public accountability as a means to improve City services. This performance audit is a part of that function.

When the Office of Audit and Control takes on an audit client and, absent evidence of misconduct, that client addresses the audit's findings; it is our commitment to support and encourage their use of the audit process to improve their operations.

This audit was conducted with the cooperation of the Division of Building and Codes' Staff. Additionally, their Director has committed to addressing each of its findings.

The proper use of the audit findings in these circumstances is to provide for oversight of the resulting changes and as the basis for informed public policy discussions.

Under current conditions, it would be unfair and damaging to the audit process for this audit's findings to be used for political gain. As such, the Office of Audit and Control will view the political use of this audit's findings as detrimental to our mission.

We thank the Division of Building and Codes for their cooperation and commitment. We look forward to reviewing their progress in our one-year follow-up.

Pictures are included throughout this report to emphasize the City's important assets that are protected by code enforcement.

Executive Summary 1

Introduction 4

Scope, Objectives and Methodology 10

Audit Results 14

Finding 1- Division was not able to produce a rental registry during the scope of this audit. 14

Finding 2- Many rental inspections are not being scheduled on a timely basis. 16

Finding 3- Many non-residential inspections required by City and State laws are not being done. 17

Finding 4- Data entry into the computer system is inconsistent 18

Finding 5- A lack of quality assurance has led to incomplete and inconsistent inspections. 19

Finding 6- Some firefighter-owned properties are being inspected by firefighters. 20

Finding 7- The current operations do not provide for consistent compliance with the Rental Registry and other requirements. 21

Finding 8- The Division did not produce written procedures for the code enforcement process. 23

Finding 9- No outcome-based performance measures are being tracked or used for strategic planning. 23

Management Response Appendix 1-A

BSCA Report Appendix 1-B

Report Highlights…

This audit found severe data limitations and an absence of performance measures which limited our team's analysis, but we were able to reach the following conclusions:

- ☑ ***The Division is in need of a clear mission and written policies and procedures designed to advance that mission.***
- ☑ ***The information management system is an impediment to the Division's success.***
- ☑ ***The Division needs to develop performance measurements to evaluate its success in achieving its mission.***
- ☑ ***The Division needs to develop better quality assurance programs to encourage thorough, consistent inspections and accurate, effective record-keeping.***

Executive Summary

This audit found that the Division of Building and Codes (the Division) is not conducting all of its required inspections, has difficulty producing important data, and needs to improve its quality assurance. The findings brought the audit team to the conclusion that the Division should rethink its procedures and initiate a process to implement a new information system.

The Division is charged with enforcing the City and State building codes in order to improve living conditions, prevent the deterioration of the City's buildings, and protect the health, safety, and welfare of the residents. Effective code enforcement is also critical to the maintenance of the City's buildings and the integrity of the City's neighborhoods, especially in the historic City of Albany where 63% of the housing units are rentals.

Code enforcement is a complex and difficult undertaking even in the best of circumstances. In the City of Albany with an aging housing stock and a myriad of socioeconomic challenges, that undertaking is downright daunting. In fact, a number of studies have shown that code enforcement programs have the potential to have a negative impact on urban neighborhoods. The potential to do harm makes it all the more important for code enforcement to be implemented strategically and its performance monitored closely.

Information management is at the core of effective code enforcement. The City of Albany has over 24,000 rental units (2010 Census) and enforcing the maintenance of each unit and each rental building requires a high level of organization. Monitoring the performance of the Division and the outcomes of those efforts requires an even higher level of organization.

The Division is missing the following two elements:

1. Comprehensive, written, and widely disseminated policies and procedures including a mission statement.
2. An adequate real property database for use by all related departments.

These elements would significantly enhance the Division's ability to strategically plan and monitor the results of its work.

The Division currently uses a collection of data systems that is not serving the day-to-day needs of the inspectors and administrators, much less providing a platform for strategic planning and

As those who attend neighborhood association meetings can attest, there is no question about the effort the Division personnel put into code enforcement. The Division's data also shows that 2008 and 2009 saw a marked increase in enforcement activity.

The audit recommendations are intended to enable the Division to gain traction and direction in its considerable efforts.

evaluation. The primary database is a module of the City's AS400 computer system, which was installed in 1998 by the vendor, New World Systems (NWS). AS400 is maintained by NWS and the City Treasurer's Data Processing office.

The audit team had such difficulty retrieving correct and complete information from the Division's computer systems that we decided to contract with a consultant to do an analysis of the systems. The resulting report from BSCA concluded that the Division's collection of information systems is poorly serving the Division's needs and that a new system is needed. The need for a new code enforcement information system is also a recommendation of the City's draft 2030 Comprehensive Plan and the city-wide Electronic Records Management Assessment report that was completed in June by Access Systems for the Treasurer's Office.

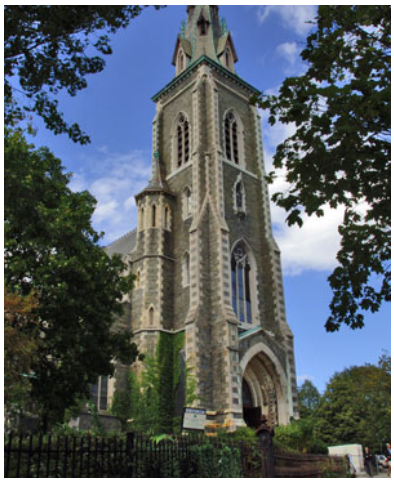
With clearer direction and a well implemented information system, the Division will be in a much better position to strategically plan and track its efforts. The Division's ability to monitor its performance and plan its operations strategically will determine the future effectiveness of this critical program.

Findings

The audit of code enforcement operations produced nine significant findings that support the audit's conclusions. The findings, shown below, demonstrate the need to improve information management, quality assurance, and compliance with City and State laws.

Part 1 Findings:

1. The Division was not able to produce a rental registry during the scope of this audit.
2. Many rental inspections are not being scheduled on a timely basis.
3. Many non-residential inspections required by City and State laws are not being done.
4. Data entry into the computer system is inconsistent.
5. A lack of quality assurance has led to incomplete and inconsistent inspections.
6. Some firefighter-owned properties are being inspected by firefighters.
7. The current operations do not provide for consistent compliance with the Rental Registry and other requirements.
8. The Division did not produce written procedures for the code enforcement process.
9. No outcome-based performance measures are being tracked or used for strategic planning.



The most important recommendation:

The Division should rethink its procedures and objectives before implementing a new information system. This is the top priority for the following reasons:

- ☑ ***Many of the existing procedures are based on the limitations of the existing system.***
- ☑ ***If a new system is implemented using the existing procedures, data accuracy may be improved, but few efficiencies will be achieved.***
- ☑ ***New performance measures should be identified so they can be built into the new system.***
- ☑ ***The Division's relationship with other departments should be reevaluated so a new system can be used to enhance all of the City's real property-related activities.***

The findings and related recommendations are discussed in detail in the Audit Results section of this report. A detailed chart of Management's response to the recommendations is also in the Management Response section.

Recommendations

Part 1 Highlighted Recommendations:
The audit team has made a total of 22 recommendations, which are listed in the Audit Results section of this report. There are three core recommendations and they are listed below. The audit's recommendations are divided into short and long-term recommendations; with long term recommendations being completed after a new real property information system is implemented.

To improve operations effectiveness the Division should,
(ST=Short Term and LT=Long Term)

- ST: Rethink and document the Division's procedures and objectives in preparation to take full advantage of a new information system.
- ST: Work with Data Processing and related departments to implement a new real property information system as recommended in the attached BSCA report.
- ST and LT[1]: Develop a set of performance criteria including both output and outcome measurements.

Common Council
In addition to the audit recommendations above and in the Audit Results section, the Common Council has the opportunity to improve scheduling efficiency by adopting the following measure into the City Code:

- Make ROPs valid for 30 months from the date of the first scheduled inspection. Currently ROPs are valid for 30 months from the date the unit passes inspection.
  - The current law makes it impossible to schedule inspections for all units in the same building for the same day (unless they all pass their inspections on the same day).
  - Alternatively (or additionally), the City could consider applying ROPs to the entire building rather than to each apartment. This might also simplify administrative duties and provide more enforcement leverage.

[1] OAC has found a number of examples of performance measures used by other municipalities and will share them with the Division. Some of the measures cannot be developed with AS400 but should be built into any new information system.

The Division of Buildings and Codes (the Division) is part of the City's Fire, Emergency Services & Building Department. The Division is overseen by a Deputy Fire Chief and is comprised of two sections: Building, and Codes.

Introduction

Audit Background

This audit of the City's code enforcement efforts came about as the result of the Office of Audit and Control's (OAC) extensive citywide risk assessment conducted in 2010. Through OAC staff analysis, ten neighborhood and public meetings and many meetings with City management, it became clear that code enforcement is a high impact program with significant potential for improvement. At least one aspect of code enforcement topped the list of priorities at each of the ten public meetings.

This audit focuses on code enforcement for residential rental dwellings and vacant buildings and includes the Codes Section's communications and coordination with other departments. The Building Section's operations, described below, were not examined.

Organizational Structure

The Division of Buildings and Codes (the Division) is part of the City's Fire, Emergency Services & Building Department. The Division is overseen by a Deputy Fire Chief and is comprised of two sections: Building, and Codes. The Fire Investigation Unit (FIU) also reports to the Division's Deputy Chief and consists of a Captain, Lieutenant, and three Firefighters.

The Building Section is responsible for enforcing building code and zoning compliance for new construction and renovations to existing buildings. The Codes Section is charged with conducting existing building maintenance inspections of rental housing, commercial buildings, and vacant buildings. Codes Section is also charged with investigating complaints related to property maintenance and safety code violations.

With the exception of one Senior Building Inspector, who is in charge of Division training, all the Codes Section inspections are completed by uniformed Firefighters. Depending on the year, approximately half of the Codes Section inspections are conducted by the FIU and the other half by Fire Companies. Over 200 Firefighters conduct Codes Section inspections.

Organizational History

From the 1980's through 1996, the Division's duties were carried out by the Building Department, which reported directly to the Mayor. In 1996, the Building Section's duties were transferred to the Planning Department while the Codes Section's duties were taken

The City Code instructs the Division to enforce laws intended to protect the health, safety and welfare of residents, to protect the City's buildings from deterioration, and to maintain the value of nearby properties.

over by the Fire Department. Also in 1996, Firefighters began receiving a Code Stipend and doing inspections. In 1999, the Division's current duties were consolidated under the new Department of Fire, Emergency and Building Services, where they have remained.

Mission

The Division does not have a written mission statement, but the laws it enforces have clear purpose statements. To summarize the many purpose statements within the different laws: The Division is instructed to carry out its duties in order to protect the health, safety and welfare of residents, to protect the City's buildings from deterioration, and to maintain the value of nearby properties.

The benefits of effective code enforcement are well established. Each of the summarized purposes stated above can be advanced with effective code enforcement. A recent study has also shown that cleaning and maintaining a high-crime area does lower its crime rate.

Responsibilities

State and City laws charge the Division with enforcement of the NYS Uniform Fire Prevention & Building Code.

The City Commercial Standards and Housing Codes along with State rules and regulations direct the Division in how to organize its enforcement. Highlights of the State's regulations and City's Codes relevant to Part 1 of this audit are as follows:

- City Code requires the Division to maintain and secure compliance with a Rental Registry of all rental units in the City.
- In order to comply with Rental Registry requirements, landlords are required to maintain a Residential Occupancy Permit (ROP) for each rental unit. ROPs are valid for 30 months from date of issuance.
- In order to obtain an ROP, a unit must first pass a fire safety and property maintenance inspection.
- State regulations require the City to do a fire safety and property maintenance inspection of all multiple dwelling (more than two units) and all nonresidential occupancies at least every 36 months.
- State regulations require the City to do a fire safety and property maintenance inspection of all areas of public assembly (capacity >50 people) at least every year.
- City Code and State regulations require the Division to investigate all code complaints and keep records of each.

- City Code instructs the Division to maintain a Vacant Building Registry (VBR) and issue a quarterly report listing the registered buildings. The code places the onus on the property owner to comply, but does not require the Division to secure compliance.
- The VBR carries escalating fees for registration starting at $250 the first year and topping out at $2000 for every year after the fourth year.

Operations

As noted above, the Division has a Building Section, which inspects construction and enforces zoning, and a Codes Section charged with conducting existing building maintenance inspections. The Building Section's operations did not fall within the scope of this audit and the following is a description of the Codes Section's operations.

The Codes Section conducts Rental Registry/ROP, vacant building, and complaint driven activities to encourage compliance with City and State codes.

Rental Registry and ROP Inspections

The ROP activities can be initiated by a new rental registration, a request for inspection from a landlord, or an inspection schedule generated by the AS400 computer system. For inspections scheduled by AS400, a certified letter is sent to the landlord or agent notifying them of the date and time.

An FIU inspector or fire company is sent to conduct the inspection on that date. Upon completion the inspector enters the resulting information into a fill-in-the-blanks AS400 form. The form is then reviewed for errors by the Battalion Chief and a Codes clerk.

If a unit passes inspection, the landlord is given a receipt and mailed a rental registry bill for a maximum of $30 per unit depending on how many units are in the building. If the unit has violations, the landlord is cited and given a time frame in which to fix the violation, depending on the severity and circumstances. There is no charge for the initial inspection and the first reinspection. If the unit does not pass the second inspection, the landlord is mailed a notice and court date and the case works its way through the City Court system until resolved.

If the landlord does not show for the inspection, headquarters is notified and the clerk checks to see if the certified scheduling letter was returned.[2]

[2] While it is not an objective of this audit to review the efficiency of the Division's many procedures, this obvious inefficiency in scheduling gives additional credence to our conclusion that the Division needs to rethink its procedures.

Registration of a vacant building requires one of the following:

- ☑ ***A demolition plan with a proposed time frame for demolition***
- ☑ ***If the building is to remain vacant, the reason why, a plan for securing the building in accordance with standards provided in City Code, along with procedure that will be used to maintain the property***
- ☑ ***A rehabilitation plan for the property***

The vacant building registration fee schedule is:

- ☑ ***$250 first year***
- ☑ ***$500 second year***
- ☑ ***$1,000 third year***
- ☑ ***$1,500 fourth year***
- ☑ ***$2,000 each following year***

There is no city-wide database or protocol for interdepartmental complaint tracking. Interdepartmental referrals are usually made by phone.

Vacant Building Registry and Inspections

The City Code requires owners of all vacant buildings register them with the Division, no later than 30 days after the building has become vacant and pay the annual registration fee. If a vacant building is discovered (as a result of a complaint call or other means), the owner is notified of the requirement to register. There is no requirement for the Division to secure compliance

Buildings left vacant must be secured and maintained. There is no set scheduled for vacant building inspections, but the City Code empowers the Division to inspect vacant buildings to ensure compliance with standards. If a vacant building is not maintained to the standards set forth, the owner is notified of the corrective action needed. If after notification, nothing is done, the work may be done by the City at the expense of the owner, in addition to a fine of up to $1000 per day.

Complaint Inspections

It is the Division's policy to investigate all complaints. Upon inspection, if a violation is found, the owner will be cited and given a time frame in which to fix the violation, depending on the severity and circumstances. (ex. extensions could be granted for exterior painting issues in the winter)

Complaints are called in by a variety of citizens, the majority being tenants making complaints about their apartment. Neighbors often file complaints about the upkeep of their neighbor's property or a possible vacant building.

When a complaint is called into the Division, an inspection is set up at the time the call is received. In AS400, there is no record of the date of the complaint, making it impossible to track the Division's record of resolving cases from complaint to inspection to resolution.

If a complaint does not fall under the Division's purview, it is referred to the responsible department. The Department of General Services is responsible for responding to complaints about overgrown weeds, snow removal, and trash/junk. Water main and sewer problems are referred to the Water Department. Noise and similar issues are referred to the Police.

There is no city-wide database or protocol for interdepartmental complaint tracking. Interdepartmental referrals are usually made by phone or by providing the complainant with the correct phone number. Sometimes an email or note is sent.

"The current codes enforcement module in New World does not provide the functionality required by the department. It is particularly difficult to produce any meaningful reports as there are only three included with the software and none of them are useful to department staff."

City of Albany's Electronic Records Management Assessment Report by Access Systems, Inc.

AS400 Computer System

Installed in 1998, the AS400 computer system primarily serves as the City's financial computer system with some additional modules. The Division utilizes AS400's code enforcement module as its principal database for residential and vacant building maintenance code enforcement. All other recordkeeping is done using Microsoft Office programs and scanned documents.

The Division relies on AS400 to schedule ROP renewal inspections. What would seem to be a fairly simple function (scheduling an inspection 30 months after generating an ROP) appears to be quite complex. Division staff report having worked with NWS many times recently and over the years to generate a timely and accurate schedule to limited success.

The AS400 code enforcement module has a very limited number of built in reports which provide limited information. Other than looking up individual records, extracting any other information from the module requires a query that will allow data to be loaded into a different program for analysis. Processing queries in AS400 is a complex process. Very few City employees know the process and even fewer are proficient at it.

Once information has been extracted from the AS400 code enforcement module for analysis, it is impossible to make corrections to the data and load it back into the module. Records need to be corrected one entry at a time.

This audit, the recent Access Systems report, and the Draft Albany 2030 Comprehensive Plan all recommend updating the code enforcement computer system.

Recent Initiatives

In the past five years, the City has seen a marked increase in code enforcement activity. Inspectors began attending neighborhood association meetings on a regular basis, vacant building court was initiated, and the interdepartmental Block by Block program was started. In 2011, inspectors stopped attending neighborhood association meetings due to budget constraints, but continue to communicate with neighborhood boards to respond to their needs.

In the fourth quarter of 2007, the Block by Block program was started in an effort to move towards a more proactive approach to code enforcement. Defined in the Block By Block report released in 2008, "Block By Block used the City code to look systematically at defined zones within the City of Albany Starting with blocks that have the highest level of crime and blight, representatives from all

City departments review the code compliance of all buildings in the zones...The Block by Block team handles everything from litter and noise complaints to broken street lights and abandoned buildings."

The 2008 report for the first Block By Block zone found that only 40% of the rental units in the zone were under active inspection. As a result of that information, Division staff went through an intensive process to identify rental properties that were not in the Rental Registry program.

Table 1.1, using data from AS400, shows the increase in code enforcement activity that resulted from the Block by Block initiative. Between 2007 and 2009, prosecutions nearly doubled, overall entries into the code enforcement module increased by 40% and the number of initial ROP inspections increased by 18%.

Table 1.1 – Code Enforcement Activity

Year	Number of First ROP Inspections	Cases Referred for Prosecution	Total of All Code Entries into AS400
2006	6,149	1,254	16,880
2007	5,931	1,278	16,858
2008	6,371	2,297	20,508
2009	6,989	1,772	23,669
2010	4,269	1,308	16,721

Table 1 also shows that activity dropped off sharply in 2010. In fact there were 39% fewer initial ROP inspections in 2010 than in 2009. The 2010 total was also significantly lower than the 2007 total. One might initially infer that the Division had identified and inspected so many rental properties in 2008 and 2009 that there were fewer properties with expiring ROPs. With a closer look at the scheduling data (as explained in Finding 2) the audit team came to the conclusion that the decline in activity is a result of flaws in the scheduling program that were made worse by the increase in prosecution activity.

The Corporation Counsel and City Court process is outside the scope of this audit, but they play a crucial role in achieving compliance. Corporation Counsel should be closely consulted in any initiative to improve compliance.

Data Difficulties:

While AS400 would not allow Data Processing to produce a complete list of rental units, after months of trial and error they were able to provide us with the Division's complete inspection history.

We thank the Data Processing staff for their patience and diligent efforts.

Scope, Objectives, and Methodology

Scope

The scope of this audit includes code enforcement operations related to the rental registry, the rental occupancy permit program, and the vacant building registry for the time period of January 2007 through June 2011.

Limitations on Scope

To perform most of the sample tests for this audit, we required a database of all rental properties in the city with residential occupancy permits. We asked the Division of Buildings and Codes to provide us with the Rental Registry. They were unable to produce this for us. We then asked the City's Data Processing Division to produce a database of rental units and the inspection history for those units using the AS400 Code Enforcement module. While they could not produce an accurate and complete list of rental units they were able to provide us with the Division's code enforcement inspection history after months of trial and error. By using a number of quality control checks on different versions of the data, we have reasonable certainty that the database produced is accurate and complete.

We requested a list of commercial properties, but were not provided with one. The Division stated that they were not performing commercial inspections at this time and is developing a commercial inspection program that is in line with new State requirements.

Criteria

This audit was based on City Code, New York State Uniform Fire Prevention and Building Codes (Uniform Code), and policies and procedures of the Division of Buildings and Codes.

Objectives and Methodology

This audit was conducted in compliance with generally accepted government auditing standards issued by the U.S. Government Accountability Office (GAO.)

The overall audit methodology consisted of the following:

- Identifying, reviewing, and clarifying the City and State administrative requirements for the Division, as well as Division policies and procedures.
- Collecting, reviewing, testing, and evaluating Division data and documentation in light of the requirements, policies, and procedures.

- Conducting interviews with personnel from the Division, the City Assessor's Office, City Attorneys, and Data Processing.

Some of the methodologies used to achieve the specific objectives are outlined below each of the following objectives.

The objectives of this audit were:

1. Determine the Division's level of compliance with State and City laws and regulations.
To achieve this objective, the audit team:
- Reviewed regulatory requirements with the Division Staff and asked about efforts made to achieve compliance.
- Tested compliance using a sample list of rental and commercial properties.
- Inquired as to the status of planning to initiate compliance in non-compliant areas.
- Asked for the process used to update owner information when properties change hands.

2. Determine whether the Division has adequate procedures in place to ensure high quality inspections.
To achieve this objective, the audit team:
- Reviewed the Division's procedures and documents to determine whether there are adequate instructions for the proper and consistent completion of each step of the ROP and complaint inspection processes.
- OAC contracted with a computer systems consultant (BSCA) to determine whether the Division has the capability to efficiently disseminate property information to the inspectors, and record the resulting information for use in future inspections.
- Identified properties that received ROPs in 2011 (past 4 months) and examined the exterior of the properties to look for significant peeling paint or other obvious external code violations.
- Conducted a survey of CDARPO members who own multiple properties in the City. The survey asked them to rate their experience with and opinion of the consistency of ROP inspections.
  - Did not receive enough responses or enough consistency within the responses to draw any reliable conclusions.
- Assessed and tested the controls to prevent conflicts of interest.
- Asked whether the division has quality assurance programs.

OAC contracted with a municipal computer systems consultant (BSCA) to determine whether the Division has the capability to efficiently disseminate property information to the inspectors, and record the resulting information for future use.

The resulting report is attached.

3. Determine the level of compliance achieved by the Rental Registry, Residential Occupancy Permit (ROP), and Vacant Building Registry programs.
   To achieve this objective, the audit team:
   - Analyzed the Code Enforcement and Assessor's data to determine whether all properties with 2 or more units, no STAR exemption, and the owner address at a non-Albany zip code are in the AS400 Code Enforcement Module.
   - Analyzed the data to determine whether registered properties are being inspected on schedule.
   - Asked the Division staff whether there is a program to confirm and document the number of units in a building being inspected.

4. Determine whether the Vacant Building and ROP processes follow Division guidelines and whether the resulting information is properly recorded and utilized.
   To achieve this objective, the audit team:
   - Reviewed the Division's verbal procedures and observed the process.
   - Identified a set of properties that had recent ROP inspections and checked the unit identification entries against other recent entries to determine consistency in data entry and unit ID.

The audit team was unable to determine whether complaints are responded to promptly because the date the Division receives the complaint is not recorded.

5. Determine whether code complaints received by the Division and the Department of General Services (DGS) are tracked, responded to promptly, properly resolved and recorded.
   To achieve this objective, the audit team:
   - Reviewed the Division's procedures for processing complaints and compare sampled records resulting from complaints to those procedures.
     - Unable to complete due to lack of data. When complaints are made, inspections are scheduled in AS400, but the date of the complaint is not recorded.

6. Determine whether the Division is measuring and evaluating its performance using outcome-based criteria.
   To achieve this objective, the audit team:
   - Asked the Division management if there are any such evaluation programs.
   - Engaged BSCA to determine the feasibility of such programs with the current information systems.

7. Determine whether the Division's fees are covering expenses as required by City law and whether hiring full time Code Compliance Officers would be more cost effective than having

fire fighters perform the inspections. **This objective is the topic of Part 2 of this report.**

8. Determine whether the Division's fees, fines, and timelines for payment are consistent with Division Guidelines. **This objective is the topic of Part 2 of this report.**

9. Determine whether the Division effectively communicates with other departments to receive and provide information that helps the departments operate effectively.
   To achieve this objective, the audit team:
   - Asked Division management what Code Enforcement procedures ensure coordination and communication between Codes and other departments.
   - Asked Division management what tools are currently used to enable coordination and communication between Codes and other departments.

10. Review the 1999 Code Enforcement Audit recommendations and determine whether the findings have been addressed.
    To achieve this objective, the audit team:
    - Reviewed with Division management the findings and recommendations from the 1999 Code Enforcement audit that are within the scope of this audit.
    - Performed a check on firefighter owned properties to see if a specific recommendation had been implemented.

Audit Results

For Part 1 of the audit, the audit team identified nine findings and made a total of 22 recommendations. The audit's recommendations are divided into short and long term recommendations; with long term recommendations being completed after a new real property information system is implemented. (ST=Short Term and LT=Long Term)

As noted in the Executive Summary, there are three core recommendations that resulted from many of the different findings. These core recommendations are listed here and are not repeated in the recommendations for each finding. Each finding is numbered 1 through 22.

For Part 1 of this report, there are:
- ☑ ***9 findings***
- ☑ ***3 core recommendations***
- ☑ ***22 total recommendations***

Core Recommendations:
To improve operational effectiveness and efficiency the Division should,

1. ST: Rethink and document the Division's procedures and objectives in preparation to take full advantage of a new information system. *(Findings 1through 9)*
2. ST: Work with Data Processing and related departments to implement a new real property information system as recommended in the attached BSCA report. The BSCA Report is also in agreement with the recommendations of the Draft 2030 Comprehensive Plan and the Access Systems Report on Records Management. *(Findings 1,2,4,6 &9)*
3. ST and LT[3]: Develop a set of performance criteria including both output and outcome measurements. *(Findings 2,5,7,8,9)*

Audit Findings and Recommendations

Finding 1: The Division was not able to supply a Rental Registry during the scope of this audit.
One of the audit team's first requests of the Division was to provide us with a copy of the formal Rental Registry. We were not provided with this, and we were we not given a reason as to why. We were informed by the chair of the Block By Block program that he had, on behalf of the Mayor's office, also requested a copy and was not provided with it, but that one was close to being completed. This

[3] OAC has found a number of examples of performance measures used by other municipalities and will share them with the Division. Some of the measures would be difficult to develop using AS400 but should be built into any new information system.

would indicate that a Rental Registry did not exist and was not being maintained as required by City Code.

The City Code requires the Division to maintain a registry of all rental dwellings and rental units. The City Code states that the purpose of the Rental Registry is to protect the health, safety and welfare of residents, to protect a diverse housing stock from deterioration. The law is also intended to ensure that rental property owners and prospective rental property owners are informed of, and adhere to, code provisions governing the use and maintenance of rental properties, including provisions limiting the maximum occupancy for a rental dwelling unit. Beyond the legal intent of the City Code, the registry is a critical tool in effectively meeting the objectives of all of the City and State property maintenance laws.

As far as OAC is able to determine, the current computer system, AS400, is not equipped to run a report that would make up a comprehensive Rental Registry. Though the Division uses Access databases to maintain permit records and a Vacant Building Registry, they have not done so for the Rental Registry.

Finding 1 Recommendations (ST=Short Term and LT=Long Term)

To improve compliance with City requirements the Division should:

4. ST: Work with New World Systems and Data Processing to institute a viable registry within AS400 or institute a registry using a different program.

To improve information accuracy and operations effectiveness, the Division should,

5. ST: Require a new registry form with each ROP issued and maintain a paper or scanned backup file of registry forms organized by the date of issuance.
   - This can be used as a back-up and quality control for scheduling inspections.
6. LT: Ensure that any new computer system will allow an accurate rental registry to be kept and shared with the public online.
   - Sharing the information online allows members of the public to act as an additional level of quality control to promote the registry of all rental units.

Finding 2: Many Rental inspections are not being scheduled on a timely basis.

Approximately 25% of rental units that passed ROP inspections in January 2008[4] were not scheduled for a new ROP inspection as of June 2011 (42 months after issuance and 1 year late). A significant portion of those not scheduled have had serious lack-of-compliance issues in the past; indicating that many of the properties that need the most attention are not getting it.

City Code makes ROPs for rental units valid for 30 months and it designates the Division to secure compliance. The timely inspection of rental units is another key element in maintaining the housing stock and ensuring the safety of inhabitants. It encourages rental property owners to stay aware of their properties' issues and keep them up to code.

The audit team conducted a second test of the Division's scheduling in which we used the Real Property System to create a list of easily identifiable private rental units. This created a list of properties that clearly should have inspections performed on them once every 30 months (2.5 years). By statistically sampling this list, we established that 10%-13% of these properties did not have ROP inspections scheduled in the 4.5 years leading up to June 2011. Additionally, approximately 22% of the easily identifiable properties did not have an ROP inspection scheduled in the 3 years leading up to June 2011.

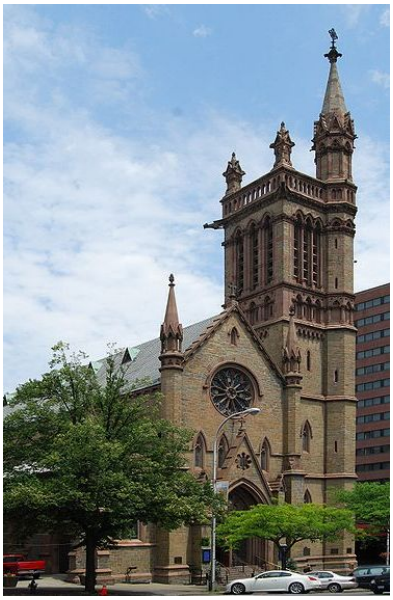
When asked about the scheduling errors, Division management acknowledged that they had been working with NWS to try to address programming problems with AS400's scheduling function. It appeared, though not conclusively, that properties that had received an official notice of violations or that had been prosecuted for a violation seemed more likely to fall off the ROP inspection schedule. This may be part of the flaw in the programming.

Finding 2 Recommendations (ST=Short Term and LT=Long Term)

To improve inspection scheduling the Division should,

7. ST: Request that the Common Council make ROPs valid for 30 months from the date of the first scheduled inspection. Currently ROPs are valid for 30 months from the date the unit passes inspection.

[4] We are confident that all the rental units tested passed inspection in January 2008, but we are not positive that we tested all the units that passed that month. 350 units were tested.



- The current law makes it impossible to schedule inspections for all units in the same building for the same day (unless they all pass their inspections on the same day).
- Alternatively, the City could consider applying ROPs to the entire building rather than to each apartment. This might also simplify administrative duties and make enforcement easier.

To improve compliance with City and State requirements the Division should,

8. ST: Conduct regular quality control checks and take action to ensure that properties that passed ROP inspections 30 months prior have been scheduled for re-inspection.
9. ST: Work with Data Processing and New World Systems to correct the programming flaws.
10. ST: Review the records of all rental properties that have not had an ROP inspection in the past 30 months and make a work plan to inspect those properties within the next 12 months.

Finding 3: Many non-residential inspections required by City and State laws are not being done.

Regular inspections of most commercial buildings are not currently being performed. The Fire Department's staff does conduct annual fire safety inspections for movie theaters, nightclubs and similar establishments, but commercial buildings and some other places of assembly are not inspected. The Division does inspect non-residential occupancies in response to complaints or requests.

There are obvious public safety and building maintenance concerns with so many different types of commercial space going uninspected.

According to the NYS Uniform Code, Title 19, Part 1203, fire safety and property maintenance inspections for places of assembly (exceeding 50 people) are required to be performed at least once a year. Part 1203 also says the same inspections must be performed at least once every three years for all other non-residential occupancies. Beyond the legal requirements, there are obvious public safety and building maintenance concerns with so many different types of commercial space going uninspected.

In response to our questions as to whether or not these inspections are being performed, we were told that the State had changed the inspection schedule requirement and the Division was now waiting for the Common Council to pass new legislation before implementing a commercial inspection program. In checking the City Code, State regulations, and Corporation Counsel, the audit team found no legal reason or conflict that would prevent the Division from meeting the State requirements.

Similar to the ROP inspections, regular inspections need to be performed on non-residential properties. Commercial inspections are as critical to carrying out the Division's mission (as stated in City Code and discussed throughout this report) as the ROP inspections.

Finding 3 Recommendation (ST=Short Term and LT=Long Term)
To improve compliance with City and State requirements the Division should,

11. ST: Initiate a program of commercial property inspections before 2012.
    - The City Code provides for this process to be done with private inspectors, but does not provide a means for the Division to generate revenues to offset administrative costs. This issue is discussed in Part 2 of this report.

Finding 4: Data entry in the computer system is inconsistent.
Of 30 properties sampled in AS400, seven were found to have inconsistent Unit IDs for entries made since 2007. For example, at a single address, the unit ID of APT 1, FL 1, and Apart 1 were all used for the same unit. Another inconsistency noted was for exterior violations i.e. peeling paint, often times were entered under the unit ID for the first floor apartment. *(A complicating factor is that during an ROP inspection, the inspector needs to attach an exterior or common area violation to an apartment in order to deny an ROP. This is another reason to rethink the City Code and the Division's policies and procedures.)*

Uniform and consistent data entry is important to the efficient, effective operations of the Division. Consistent data allows for complete reports to be run, without the risk of entries being omitted. It is especially important to maintain the same identifier for each apartment, common area, and exterior. This allows for better inspection follow-ups, scheduling, legal action, and analysis.

Beyond the operational benefits, consistent data sets are much easier to transfer from one format and software package to another. Correcting inconsistent and erroneous data is time-consuming and expensive, particularly with AS400.

When discussing these issues, we were informed by Division management that AS400 will remove existing uncorrected violations from the "active" file when a new set of violations are entered for the same apartment. This often requires them to enter a different Unit ID for the same apartment. Additionally, there are over 200 firefighters on the force, most of who perform inspections and enter data. There is no drop-down menu for entries such as unit ID, and this

leaves room for error in how the unit is identified and also in how addresses, owners, and other data are spelled.

Finding 4 Recommendations (ST=Short Term and LT=Long Term)
To improve information accuracy, the Division should,

12. ST: Consult with NWS and Data Processing on a means to correct the database and correct the malfunction that sometimes requires inconsistent data to be entered.
13. ST: Distribute instructions outlining data entry protocols to be given to each inspector and posted at each computer terminal.
14. LT: Work with the vendor of a new information system to institute drop-down menus to limit errors and a system of unique identifiers for each rental unit.

Finding 5: A lack of quality assurance has led to incomplete and inconsistent inspections.

Quality Assurance: a program for the systematic monitoring and evaluation of the various aspects of a project, service, or facility to ensure that standards of quality are being met.
Miriam Webster Dictionary

The Division does not have a quality assurance program in place. When we asked what forms of quality assurance are in use for inspections, we were told the firefighters are given classroom training and that if a complaint is called in about an inspection, a "blind" re-inspection is performed by a new inspector.

To test the consistency and quality of the City's inspections, OAC staff performed a sample test of 74 properties that had recently passed an ROP inspection. We did a visual exterior check of each property, and found that 31 of the properties had exterior conditions that most likely should have been cause for a failure and re-inspection. These included peeling paint, missing spindles on porches, missing siding, and deteriorated condition of the structure.

Maintaining consistency is a challenge because there is significant subjectivity in determining what constitutes a violation. With 200 different firefighters conducting inspections, there is naturally an additional risk of inconsistency. While firefighters may place a high priority on safety violations, building maintenance violations may not be a high priority for some members of a workforce primarily focused on saving lives. As such, maintaining a consistent level of enforcement across so many inspectors is unlikely without regular supervisory feedback.

Effective organizations use structured quality assurance programs to monitor and improve their operations. A good quality assurance program for code enforcement inspections would monitor and evaluate the outcomes of the inspections as well as the performance of each inspector. This would create a more reliable environment for

real estate investment along with enhancing the other benefits of effective code enforcement discussed in this report.

There is an inspection checklist with all the potential violations. This provides the inspectors with a guide for their inspections, but there is nothing in place that confirms that the inspections are in fact consistent and thorough.

Given Albany's somewhat unique use of firefighters for this work; a strong quality assurance program is warranted. The recommendations for this finding are drawn from existing HUD and AHA programs.

Finding 5 Recommendations (ST=Short Term and LT=Long Term)
To encourage consistent and complete inspections, the Division should,

15. ST: Institute an inspection quality assurance program using complaint inspections to evaluate recent inspections and also using trainer shadowing during inspections.
- When the Division receives code complaints about rental units that recently received ROP inspections, it can use them as an opportunity to conduct a formal evaluation of the ROP inspections. That evaluation should also be used to provide positive and/or instructive feedback to the inspectors.
- The Division should institute a program of inspection shadowing with a trainer following each unit during a few inspections to ensure the inspectors understand their duties.

Finding 6: Some firefighter-owned properties are being inspected by firefighters.

Of 55 rental properties that were listed on the city assessor's website as having an active firefighter as the current or previous owner, 16 had inspections performed by a fire company while under firefighter ownership.

The 1999 audit of code enforcement recommended that firefighter-owned properties be inspected by headquarters inspectors. While this policy has been adopted by the Division, the audit team determined that the policy is not always followed.

The 1999 audit of code enforcement recommended that firefighter-owned properties be inspected by headquarters inspectors. While this policy has been adopted by the Division, the audit team determined that the policy is not always followed.

Maintaining the integrity of the Division through internal controls is important to the success of the Division. In code enforcement, there is always the possibility of collusion and favoritism. To combat this, the Division's policy on employee owned rental properties must be clearly communicated and a formal procedure implemented.

When OAC inquired about the policy on employee owned properties, we were told that an inspection was flagged in AS400 with an asterisk (*) as needing to be inspected by headquarters personnel. The property itself is not flagged, just the particular inspection. There is also no formal database of employee owned properties. It appears to be a good faith system and firefighters are instructed to inform the Division when they make a purchase. If the department is not informed, the last line of control is the department liaison who schedules the inspections. If he identifies a property as being owned by a firefighter he will flag the inspection.

The root of this problem is that while there is a policy, there has never been a formal procedure put into place.

Finding 6 Recommendations (ST=Short Term and LT=Long Term)
To avoid even the appearance of unethical activity and to guard against favoritism for firefighter owned properties, the Division should:

16. ST: Create and maintain a list of Firefighters owned properties.
    - Each schedule should be checked against the list.
17. LT: Ensure that any new system includes the ability to flag properties for HQ inspections.

Finding 7: The current operations do not provide for consistent compliance with the Rental Registry and other requirements.
Outside of ad-hoc efforts, the most recent occurring in 2008, the Division primarily relies on rental property owners to voluntarily register their units and update their information with the Division.

Inspectors do conduct ad-hoc sweeps looking for vacant buildings and the Division participates in the Block by Block program, but neither of these activities constitutes a systematic effort to achieve widespread Rental Registry compliance.

When asked, Division management acknowledged that there are no ongoing, systematic efforts to bring all rental properties and vacant buildings into compliance with their registry requirements. Inspectors do conduct ad-hoc sweeps looking for vacant buildings and the Division does participate in the Block by Block program, but neither of these activities constitutes a systematic effort to achieve widespread compliance.

In 2008, the Block-By-Block program was started. It made "sweeps" of areas of the city that had high levels of crime and blight. One of the goals of the sweeps was to find non-compliant properties and bring them into compliance. The first Block by Block zone report found only 40% of the rental units in Zone 1 had ROPs. This finding initiated a flurry of activity in identifying unpermitted rental properties, but it did not result in an ongoing, systematic effort to maintain widespread compliance.

The following are some examples of ongoing proactive efforts in other cities:

- Rochester and Syracuse send rental registry notices to residential properties that do not have the STAR property tax exemption, which is only available to owner-occupied homes.
- Syracuse has initiated a "Compliant Landlord" program to encourage landlords to come into compliance.
- Cohoes School District requires families to show proof of home ownership or a rental permit before enrolling children in public school. *(Cohoes requires a new permit for each new tenant. This effort could not be used with Albany's system.)*

Aside from the Division's legal obligation to secure compliance with the Rental Registry, there is a need for a consistent and standardized effort to educate rental property and vacant building owners about their responsibilities.

Every week, the City has numerous employees on nearly every city street. This opens the door to a number of systematic proactive approaches to achieving better compliance.

Beyond the Rental Registry, there are many other opportunities for more proactive code enforcement. Every week, the City has numerous employees on nearly every city street. This opens the door to a number of systematic proactive approaches to achieving better compliance. If the Division were equipped to handle the additional information, some basic training and coordination of non-Division employees could yield dramatic improvements in the Division's information.

AS400 hinders the Division's ability to take on proactive efforts such as identifying properties with expired ROPs. It also limits their ability to track problem landlords who are frequent code violators. The Division is not able to run useful reports within in AS400 that would be the basis for any proactive program, meaning that data would need to be downloaded from the system and manually analyzed. Without the implementation of a new computer system, the execution of many proactive efforts will be labor intensive.

Finding 7 Recommendations (ST=Short Term and LT=Long Term)

To initiate and utilize proactive programs encouraging compliance, the Division should:

18. ST: Explore the feasibility of implementing a program modeled after Syracuse's "Compliant Landlord Program" encouraging owners to come into compliance with City Code.

19. ST: Work with Data Processing to receive/utilize timely updates on property sales and use that information to send out a "new property owner packet" each time a property changes hands.

20. ST: Compare the rental registry to the RPS database on a set schedule to identify properties that are out of compliance.

21. ST: Coordinate with the Police Department to give the Neighborhood Engagement Unit a current copy of the Vacant Building Inventory so they can notify the Division of vacant buildings that are not on the Vacant Building Inventory.

Finding 8: The Division did not produce written procedures for the code enforcement process.

OAC requested a copy of the Code Enforcement written procedures. The procedures were provided verbally during meetings with Division management and staff. We were never given a written copy of any procedures for the Division.

Written procedures are important for many reasons such as quality control, back-up staffing, and effective policy implementation.

Finding 8 Recommendation (ST=Short Term and LT=Long Term)

To improve operations effectiveness, the Division should,

22. ST: Develop written procedures for the code enforcement process.

Finding 9: No outcome–based performance measures are being tracked or used for strategic planning.

The City Code clearly states the reasons for conducting code enforcement and the Division has no effective method of determining whether its operations are advancing those purposes. Currently the only numbers that the Division seems to be tracking are the number of ROPs issued, complaint inspections performed, court inspections, and vacant building inspections.

Knowing how many complaint inspections were performed would be more useful if the Division tracked how long it took for the complaints to be resolved.

While tracking output numbers is important, they are not being put to use in a way that will yield better performance. Just knowing the number of ROPs issued is not as useful as comparing them to the number of ROPs that expired. Knowing how many complaint inspections were performed would be more useful if the Division tracked how long it took for the complaints to be resolved.

By not tracking outcome measures, the Division cannot fully understand or quantify their successes or identify where there is room for improvement. While there is no New York State guidance or "industry standard" for measuring Code Enforcement performance, there are many examples of its implementation. The audit team found a number of examples of performance measures used by other municipalities and will share them with the Division. Some of the measures would be difficult to develop using AS400 but should be built into any new information system.

Outcome performance measurements could include:

- ROP compliance rate
- Percentage of complaint violations resolved in a specified period of time
- Average number of violations per ROP inspection (once inspection consistency is improved)
- Periodic exterior surveys of specific areas to generate time-series data

Finding 9 Recommendation (ST=Short Term and LT=Long Term)

To improve operations effectiveness, the Division should,

3. (This is one of the three core recommendations) ST and LT: Develop a set of performance metrics including both output and outcome measurements.

APPENDIX 1-A

Management Response

Gerald D. Jennings
Mayor

Jeffery V. Jamison, Esq.
Director

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Division of Building and Codes
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MEMORANDUM

To: Hon. Leif Engstrom, Chief City Auditor
From: Jeffery V. Jamison, Director
Date: September 26, 2011
Re: Performance Audit of the Division of Building and Codes

The City of Albany Division of Building and Codes acknowledges receipt of the Performance Audit prepared by the City Auditor. I would like to thank you and your staff for your efforts on this project. I am encouraged and confident in the ability of the City to address your concerns and recommendations and to implement systems, processes and procedures that will result in a more effective and efficient code enforcement operation. The expectations and timing of the modifications and/or changes that are required must be reviewed in context of the current economic climate, including the finite resources and limited staffing.

The major finding within your audit expressed concerns with data technology and the ability to cross reference with other systems, retrieve data and generate reports. In response to this concern, I am pleased to announce that the Division, through collaborative efforts with the Mayor's Office, has partnered with the Center for Technology in Government (CTG). CTG is recognized as an international leader in digital government and has taken a leading role in building a community of practice for researchers and managers to advance knowledge about information technology and innovation in government. Through this partnership, the Division of Building and Codes shall implement the necessary processes to achieve an efficient and transparent operating system that will ensure compliance and be accessible to all citizens.

Specific responses to the findings and correlating recommendations are as follows:

Finding 1: The Division was not able to supply a Rental Registry during the scope of this audit.

Recommendation: Work with New World System and Data Processing to institute a viable registry within AS400 or institute a registry using a different program.

Require a new registry form with each Residential Occupancy Permit (ROP) issued and maintain a paper or scanned backup file of registry forms organized by the date of issuance. Ensure that any new computer system will allow an accurate rental to be kept and shared with the public online.

Division's Response: The Division of Building and Codes has provided the Auditor with a report that contains a list of properties and owners that were issued a ROP. The Division is working, and will continue to work with Data Processing, the Tax Assessor's Office, New World Systems, and our new partner CTG to receive and record all the necessary data required to create a Rental Registry that complies with the requirements of the City Code. The Division also agrees with the recommendation to update the registry form procedure. Additionally, the Division and the Mayor's Office considers transparency not only a laudable goal, but mandatory, as such, a web based version of the Rental Registry shall be assessable to all citizens.

Finding 2: Many rental inspections are not being scheduled on a timely basis.

Recommendation: Request the Common Council make ROPs valid for 30 months from the date of the first scheduled inspections of a unit within a building. Conduct regular quality control checks and take action to ensure that properties that passed ROP inspections 30 months prior have been scheduled for re-inspection. Work with Data Processing and New World Systems to correct the programming flaws. Review the records of all rental properties that have not had an ROP inspection in the past 30 months and make a work plan to inspect those properties within the next 12 months.

Division's Response: The Division shall meet with members of the Common Council Committee of Law, Buildings and Code Enforcement to discuss possible code revisions necessary to complete its mission. The Division recognizes current limitations with separate databases and the ability to merge information together, as well as the training and information technology knowledge that staff members possess. The Division is also cognizant of the economic environment and limited or finite resources the City has at its disposal. Accordingly, the Division shall continue to work with Data Processing and its partner CTG to implement a diary system, together with an automated letter and notice program. Additionally, the Division shall implement procedures for periodic and random sampling and review of properties.

The Division is in the process of creating a more thorough and updated Rental Registry list. Included in this list will not only be those units that have been registered, but also, premises that are identified as rental units by the Assessor's Office and have not been registered. This list, along with the implementation of a new diary system, shall provide the tools necessary to achieve compliance.

Finding 3: Many non-residential inspections required by City and State laws are not being done.

Recommendation: Initiate a program of commercial property inspections before 2012.

Division's Response: The Division agrees with the recommendation and is working with the Assessor's Office to compile a comprehensive and accurate list of all commercial establishments. It is expected that such list shall be forthcoming within a week. Upon receipt of said list, the Division shall work with Data Processing to implement a system that organizes, diaries and schedules commercial inspections. Additionally, the Division shall work to merge system data that will provide for a mail merge to send automated letters and notices at different time intervals to the operators of commercial establishments.

Finding 4: Data entry in the computer system is inconsistent.

Recommendation: Consult with NWS and Data Processing on a means to correct the database and correct malfunction that sometimes requires inconsistent data to be entered. Distribute instructions outlining data entry protocols to be given to each inspector and posted at each computer terminal. Work with a vendor of a new information system to institute drop-down menus to limit errors and system of unique identifiers for each rental unit.

Division's Response: The Division agrees that better procedures need to be in place regarding data entry. The Division shall make the necessary changes and implement these policy changes to provide for standard and uniform data entries. Additionally, the Division believes that staff members may need training in the use of the database systems, including data entry, running reports and scheduling inspections. Accordingly, the Division shall seek the assistance from Data Processing to coordinate said training. The Division also agrees that a field change in the database to provide for stricter error messages for noncompliance would be beneficial. Accordingly, the Division shall request the necessary changes be made to the system.

Finding 5: A lack of quality assurance has led to incomplete and inconsistent inspections.

Recommendation: Institute an inspection quality assurance program using complaint inspections to evaluate recent inspections and also using trainer shadowing during inspections.

Division's Response: Based upon the information provided, the Division cannot concur that incomplete or inconsistent inspections occurred. There is no indication in the audit that a qualified and certified inspector followed and completed a thorough inspection of the premises subsequent to the City's inspection. Under such circumstances, the finding is speculative. However, the Division does concur with the recommendation to implement an inspection quality assurance program. The Division shall review different quality assurance programs and take the appropriate steps toward implementation as soon as practicable.

Finding 6: Some firefighter-owned properties are being inspected by firefighters.

Recommendation: Create and maintain a list of firefighter owned properties. Check the schedule against the list to ensure that firefighters are not inspecting these properties. Ensure that any new system includes the ability to flag properties for headquarter inspections.

Division's Response: The Division agrees that a separate list should be maintained. Accordingly, the Division shall make the necessary inquires and cross references to create a list and implement a procedure to cross reference the inspection schedule list with the firefighter owned property list.

Finding 7: The current operations do not provide for consistent compliance with the Rental Registry and other requirements.

Recommendation: Explore the feasibility of implementing a program modeled after Syracuse's "Complaint Landlord Program" encouraging owners to come into compliance with the City Code. Work with Data Processing to receive/utilize timely updates on property sales and use that information to send out a "new property owner packet" each time a property change hands. Compare the rental registry to the RPS database on a set schedule to identify properties that are out of compliance. Coordinate with the Police Department to give the Neighborhood Engagement Unit a current copy of the Vacant Building Inventory so they can notify the Division of vacant building that are not on the vacant building inventory.

Division's Response: The Division cannot specifically comment on the City of Syracuse plan, as there is no data present to indicate its effectiveness. A recent review of the Syracuse website indicates that registration has only begun this year and that all rental units have not been required to register. The Division is working with the RPS database and the Assessor's Office data to compare and identify properties that are not included in the Division's database. The Division is confident that this will lead to a thorough and accurate listing of properties. Additionally, the Division shall work with the Assessor's Office to identify those rental properties that have had a change in ownership. The Division shall implement a policy to correspond with new owners and provide said owners with a letter of rules and regulations. The Block by Block initiative provides for sharing of information between the departments. The Division will ensure that the Police Department is provided with a periodic updated list of addresses that are on the vacant building registry.

Finding 8: The Division did not produce written procedures for the code enforcement process.

Recommendation: Develop written procedures for the code enforcement process.

Division's Response: All policies and procedures are being reviewed. The Division is in the process of modifying and or creating new policies and procedures that will provide a consistent, efficient and transparent code enforcement process.

Finding 9: No outcome based performance measures are being tracked or used for strategic planning.

Recommendation: Develop a set of performance metrics including both output and outcome measurements.

Division's Response: The Division looks forward to working with its partner CTG, as well as Data Processing to develop programs and processes that will allow for periodic reports that track outcome performance.

Finding 10: The Rental Registry and related inspection fees do not meet their purpose of "offsetting" expenses or being "sufficient to defray" the related costs.

Recommendation: Pass an ordinance granting the Director of Building and Codes the power to set the Rental Registry and rental unit inspection fees in order to offset the costs related to the activities. In the same ordinance, the Common Council should require the Director to deliver to the City Clerk an annual report relating to code enforcement revenues to expenditures.

Division's Response: This recommendation is beyond the scope and control of the Division. However, the Division is eager to meet with the Common Council Committee on Law, Buildings and Code Enforcement to discuss amendments to the City Code that will streamline the effectiveness of code enforcement and provide for better service and transparency to all city residents. The Division is also cognizant of the yearly increased costs and expenditures necessary to undertake such a voluminous and daunting task of overseeing the entire building stock of the City of Albany. At the same time, the Division recognizes the budget constraints and finite resources of the City, as well as individual owners. As a result of these competing and equally important factors, the Division needs to review this matter further to provide a more thorough analysis.

The Mayor's Block by Block initiative is designed to enhance the quality of life within our neighborhoods, and as such, overlaps the mission of the Division of Building and Codes. This initiative strategically targeted specific zones within the City. To date, Block by Block has moved through four zones. In the course of its operations, Block by Block requires a sharing of information from all city departments. This information is gathered and mapped by the Albany Police Department. Additionally, Departments generate reports that show improvements and updates in registration and compliance. It is through this initiative that code enforcement operations have been tracked. I have attached a copy of the Block by Block reports.

As we move through this process in the coming weeks, months and year, I am confident that the Division shall be able to implement the necessary measures to address your

concerns. This process shall require a partnership and team effort from all parties to achieve our objectives.

Again, I thank you and your staff for your service and for providing me with an opportunity to respond. Should you have any questions relating to these responses, please do not hesitate to contact my office. I look forward to a continued cooperative relationship.

ALBANY HOUSING AUTHORITY

Zone 1

The U.S. Department of Housing and Urban Development (HUD) requires the Albany Housing Authority to inspect all apartments before Section 8 tenants move in to verify they meet Federal Housing Quality Standards.

After the initial inspection, the Authority inspects the apartment annually. If the apartment fails an inspection and the repairs are an emergency, notification is given for the owner/tenant to make the necessary adjustments within 24 hours. If the repairs are routine, the owner is notified that they have 30 days to make the necessary repairs.

All inspection information of the 2,200 housing units that fall under the supervision of the Authority is forwarded to the City's Building & Codes Department

Zone 2

The Albany Housing Authority, as required by the U.S. Department of Housing and Urban Development conducts physical inspections of all Public Housing and Section 8 apartments to verify they meet Federal Housing Quality Standards (HQS). An initial inspection is completed before the tenant can occupy the unit, and again annually after the move in anniversary each year. The inspectors assigned this task are trained as Housing Quality Standards and New York Stated code enforcement inspectors. Additional inspections for complaint, and follow up to verify repairs are also performed. Supervisory reviews are also conducted to ensure consistent standards agency wide.
If an apartment fails, inspection and the repairs are an emergency, owner and tenant are notified and repairs must be completed within 24 hours.

Zone 3

Capital South Plan, "SEGway to the Future" – Completed in June 2007, this community revitalization plan is the culmination of over a year's worth of consensus-building dialogue, which yielded a vision for a vibrant new South End community. The name is derivative of the Plan's approach to Stabilize, Energize, and Grow the South End through a variety of housing, economic development, educational, and quality of life initiatives. Primary among those initiatives are dealing with vacant buildings, using the replacement of units from Lincoln Square to stabilize the surrounding neighborhood and make the Lincoln site attractive for reinterpretation and private investment, development of a "town center" at Morton and South Pearl Streets, and coordination and creation of market rate services and amenities that both serve existing residents and attract young professionals and families to live and work in the South End.

Zone 4

Albany Housing Authority management team members participated in the Zone 4 community walk-through.
An inventory was completed of all tenant based Section 8 vouchers deemed active in Zone 4, and special property interior and exterior inspections were completed.

ALBANY POLICE DEPARTMENT

The police department's information technology is a key component in mapping out the initiatives and carrying out strategic objectives of the Block by Block committee. Statistical analysis conducted by the department is integral to proving the committee with up to the minute information on all vital data relative to the committee's objectives.

Crime suppression and quality of life initiatives continued through Zone Two by officers in the department. Officers also assisted the committee in identifying abandoned and vacant buildings.

Zone 1

Robbery – 15 arrests
Aggravated Assaults – 21 arrests
Burglary – 18 arrests
Larceny – 10 arrests
Drugs – 131 arrests
Criminal mischief – 20 arrests
Assault – 47 arrests
CCO citations – 47
Firearm seizures - 33

Zone 2

Aggravated Assaults – 52 arrests
Burglary – 21 arrests
Larceny – 16 arrests
Drugs – 513 arrests
MV Thefts – 13 arrests.

Zone 3

Rape – 2 arrests
Robbery – 11 arrests
Aggravated Assault – 49 arrests
Burglary – 32 arrests
Larceny – 117 arrests
MV-Larceny – 12 arrests

Zone 4

Robbery – 4 arrests
Aggravated Assault – 3 arrests
Larceny – 23 arrests
Criminal mischief – 1 arrests
Assault – 9 arrests
GCO citations – 10 arrests

DEPARTMENT OF TAXATION AND FINANCE

Zone 1
There were approximately 3,000 properties where the address on the building differs from the address on the assessment rolls and tax maps. These are known as "aka's".

Zone 2
Under Block by Block, the Office of Assessment & Taxation has begun to physically visit each parcel where these addresses do not match, so that the necessary changes can be made to reflect accurate information.

Zone 3
38 street changes (AKA) in Zone 3 of the Block by Block Program. The changes made were to change records of the street address to match what the number was on the house.

Zone 4 – nothing reported

DEPARTMENT OF PLANNING & DEVELOPMENT AND COMMUNITY DEVELOPMENT AGENCY

Zone 1

102 vacant buildings evaluated.
24 full interior inspections done through Vacant Building Court.
78 exterior evaluations
464 Elk Street – a public safety hazard, demolished with $13,300 from ACDA.

Creation of the Division of Neighborhood Revitalization generated $950,000 to target abandonment; over $42,000 in grants to the West Hill Improvement Corporation for improvements to homeowners' properties.

Zone 2

Since January 2009, 285 vacant buildings evaluated, with over 175 in Zone Two.

Emergency demolitions of public safety hazards include a property on N. Lake; two on First St.; two on Third St.; and one on Clinton Ave. for a total of $136,152.

Division of Neighborhood Revitalization was awarded $5,049,775 by New York State. Housing Finance Agency and the Affordable Home Ownership Development Corp. Neighborhood Stabilization (NSP) funds. These funds will be used to benefit abandoned and foreclosed properties by allowing 15 units foreclosed properties to be purchased, rehabbed and resold. It also will purchase and rehab 45 rental units.

Income eligible households at 50% or below the area median income targeted for Zone Two. ACDA was awarded a $300,000 grant from NYS Affordable Housing Corp. to be used for renovation costs for 30 units of housing in the City's neighborhood strategy areas of Arbor Hill, West Hill, South End, North Albany and Capital Hill. The program will provide grants for homeowners who have occupied their homes for at least one year. Eligible homeowners will be able to use the funds to correct code items such as: roofs, electrical and plumbing problems, windows and heating systems.

ACDA was recently awarded $3 million Lead Paint Abatement Program. During the current year, the Lead-Paint Abatement Program has performed successful abatement on 24 units of housing, Including Zone Two, at a cost of $383,351.

ACDA was awarded $996,000 in CDBG-R Stimulus Funding to provide for targeted demolitions as well as monies to shore up abandoned building including Zone Two.

ALDC has been awarded a $5 million ReStore NY grant for the Arbor Hill Reclamation project located in Zone Two which will revitalize seven vacant, blighted buildings on Henry Johnson Boulevard and North Swan Street including rehabilitation of the former St. Joseph's Academy.

Zone 3

Artistic board-ups & Rehabilitations –
11 Delaware Street
137 Clinton Street
CDBG-R Activities
34 Morton Avenue Rehabilitation Project
This is an abandoned three story building with two residential units over a commercial storefront. Pursuant to the Capital South Plan, the Albany Housing Authority and its developer partner, Omni Housing Development, LLC. intend to rehabilitate the property using CDBG stimulus funding leveraged with other resources provided by the City, such as lead abatement, weatherization, and training funding. The project will be used as a demonstration project for utilizing residents from the local community by providing skill training and employment to up to 15 individuals.
15-17 Clinton Street Demolition and Site Restoration Project
This project involves a demolition located on the corner of Morton Avenue and Clinton Street, a two-story building owned by the Union Missionary Baptist Church. The site will be restored for community use, most likely as a neighborhood garden.
Habitat for Humanity
11 new homes completed & occupied. One historic property currently under-going rehabilitation.
Demolitions -
2 Morton Avenue
247 Green Street
57 Elizabeth Street
Historic Resources - Howe Library (d. 1928) $5 mil Renovation
Two Lead Abatement Projects
Court Actions

24 properties on Alexander Street, Broad Street, Elizabeth Street, Elm Street, Madison Avenue, and Second Avenue were in City court on issues including vacant building registration and maintenance and code violations. The division of Neighborhood Revitalization participates in this effort.

Other Activities

From October 2009-South End rehabilitation activities: 6 HAP, 15 HOAP, & 11 Lead applications funded.

1 Development permit issued for new construction at Green & 4th Avenue

Zone 4

Development & Planning Efforts

Park South is a shining example of what can be accomplished when a neighborhood comes together with our City departments and private partners to address quality of life issues. As we enter the fifth year of the Park South Urban Renewal plan, we have tallied over $135 million of public and private investment in the neighborhood.

The $13.5 million Knox Street project completed in 2008 succeeded in stabilizing the neighborhood and providing for future affordability. This project alone dramatically decreased the crime and quality of life issues seen in the neighborhood pre-construction. With this essential project completed, the focus has shifted to transforming the previously under-performing New Scotland Avenue and correcting neighborhood-wide quality of life issues.

New Scotland Avenue began being transformed by our flagship 16 New Scotland project, a partnership between the City, Capitalize Albany Corporation, Columbia Development, SEFCU and Albany Medical Center. This $17 million project paved the way for continued development along the upper New Scotland Corridor leading to $106 million worth of investment on New Scotland Avenue to date. Once development of this critical mass of projects is complete, this section of New Scotland Avenue will have new fully-occupied Class A office space, a new V.A. facility, a state-of-the-art $360 million tower addition to Albany Medical Center, a new 3,000 car parking garage and a new national restaurant. These projects alone will create more than 1,000 new jobs in the City of Albany.

Local small businesses are opening along the corridor in light of this redevelopment, and the street is seeing a new bustle and vibrancy that is spilling over into the surrounding neighborhood. Private homeowners and landlords are reinvesting in upgrading their properties investing an estimated total of more than $1 million. Private owners are undertaking full rehabilitation of previously abandoned buildings. Available units are being rented at an unprecedented rate and property values and rents are on the upswing. All of this investment - $135 million in total - has led to a 26% decrease in quality of life calls for service since the adoption of the plan.

With the commercial and rental progress moving rapidly, our next focus for this dynamic neighborhood is new residential development. We are working closely with developers, our national representatives and the fine institutions surrounding the neighborhood to plan our next steps strategically. We are currently collaborating with lending partners and local institutions to develop a homeownership incentive package that will highlight Park South and drive up homeownership percentages in the neighborhood. Like Knox Street and 16 New Scotland Avenue, which have received both national and state honors since their completion, the projects on the horizon will be high-impact developments that will spur homeownership and private investment, making Park South a neighborhood of choice. The future is bright for this pivotal community.

Specific Projects linked directly to the improvement of this 9-block area are listed below.

Knox Street

- $13.5 million historic rehab- Completed in 2008
- 18 row-style buildings
- De-densification of 62 cramped units into 47 spacious & affordable apartments with modern amenities
- Rents $570-$824/ month
- On-site professional management & 24-hr on-call maintenance
- Secure Tot Lot
- Laundromat
- Community Room available for neighborhood events
- Streetscape infrastructure, lighting and pedestrian improvements

16 New Scotland

- $3.3 million New York State/Empire State Development Restore New York grant
- $17 million investment
- 55,000 SF
- Creative acquisition & development partnerships
- Local SEFCU branch
- Full-service CVS pharmacy
- Streetscape infrastructure, lighting and pedestrian improvements
- Catalyst for investment throughout the neighborhood

70 Morris Street

- Stabilization and transfer of previously abandoned and hazardous property facilitated by the City of Albany
- Gap financing construction loan provided by Capitalize Albany Corporation
- $779,000 investment
- Reclamation of cornerstone Knox Street property
- Development of 9 one and two bedroom apartments with modern amenities
- Rents ranging from $790-$1,145

16-18-20 Morris Street

- City acquired and demolished
- Massive long-abandoned property on corner of Lark and Morris Streets
- Building was a community threat and long-time target of vagrancy and vandalism
- Lot stabilized for future development

67 & 105 Morris Street

- Two multi-family properties brought on nuisance charges by Common Council representative and adjacent property owners
- Currently in litigation process
- A positive finding would require the buildings to be vacated down to two units each

New Businesses

- Small business assistance has been provided to many new businesses seeking to open in the neighborhood or to landlords who own commercial space in Zone 4. A collection of new businesses in the zone include:
- ***Restaurants:*** Red's,Quintessence, Subway, Panera, Starbucks, Recovery Room, I Love NY Pizza
- ***Retail/Services:*** 2 Laundromats, State Employees Federal Credit Union (SEFCU), CVS Pharmacy, Key Bank, Verizon, Hilton Garden Inn, Doctors' offices

DEPARTMENT OF FIRE AND EMERGENCY SERVICES – Division of Building & Codes

Zone 1

974 dwelling units did not have current Residential Occupancy Permits (ROPs).
As of October 2008, 45 of the units have been determined to be owner occupied dwelling units, therefore ROPs are not required.
57 of the dwelling units have been determined to be vacant at this time, therefore an ROP is not required until just prior to occupancy.
480 ROPs have been completed and issued. The additional 392 are actively being inspected.
There are a total of 91 vacant buildings that are subject to the Vacant Building Registry.
Notices to register properties have been sent to all owners of vacant buildings citywide. Those owners who do not register in a timely manner are brought to vacant buildings court. To date, as a result of court action 20 properties have been registered.
10 buildings are no longer subject to the vacant building registration process with nine being reoccupied and one demolished as a result of a fire.
One Lieutenant and two firefighters have been assigned to actively search for any additional buildings no identified on the current Zone 1 list.

Zone 1 and Zone 2
All 840 citywide owners of single family homes where the owner does not reside, or has mail sent to a separate address were sent "210" letters asking for updated information.

Zone 2

664 dwelling units did not have current Residential Occupancy Permits (ROPs).
As of September 2009, 89 of the units have been determined to be owner occupied dwelling units, therefore ROPs are not required.
72 of the dwelling units have been determined to be vacant at this time, therefore an ROP is not required until just prior to occupancy.
285 ROPs have been completed and issued. The additional 218 are actively being inspected.
There are a total of 205 vacant buildings that are subject to the Vacant Building Registry.
92 of those vacant buildings are on the Vacant Building Registry. 87 of the vacant properties are the subject of current court action and 7 are currently under the ownership of the County of Albany.
56 buildings are no longer subject to the vacant building registration process with 43 being reoccupied and 13 which have been demolished

Zone 3

284 dwelling units did not have current Residential Occupancy Permits (ROPs).
As of September 2010, 12 of the units have been determined to be owner occupied dwelling units, therefore ROPs are not required.
7 of the dwelling units have been determined to be vacant at this time, therefore an ROP is not required until just prior to occupancy.
207 ROPs have been completed and issued. The additional 174 are actively being inspected.
There are a total of 107 vacant buildings that are subject to the Vacant Building Registry.
70 of those vacant buildings are on the Vacant Building Registry. 26 of the vacant properties are the subject of current court action and 7 are currently under the ownership of the County of Albany.
55 buildings are no longer subject to the vacant building registration process with 27 being reoccupied and 28 which have been demolished.
63 vacant buildings have been inspected for maintenance compliance. Court action is commenced in vacant buildings court for non-compliant property owners.

Zone 4

74 dwelling units did not have current Residential Occupancy Permits (ROPs).
As of April 2011, 5 of the units have been determined to be owner occupied dwelling units, therefore ROPs are not required.

7 of the dwelling units have been determined to be vacant at this time, therefore an ROP is not required until just prior to occupancy.
All 74 dwelling units are actively being inspected.
There are a total of 16 vacant buildings that are subject to the Vacant Building Registry.
8 of those vacant buildings are on the Vacant Building Registry. 7 of the vacant properties are the subject of current court action and 1 is currently under the ownership of the County of Albany.
16 vacant buildings have been inspected for maintenance compliance. Court action is commenced in vacant buildings court for 13 non-compliant property owners.
3 vacant buildings were found to be in compliance with the maintenance standards.
30+ Properties were cited for various code violations during 2010.
10+ properties cited for ROP violations, in some instances multiple times because of multiple dwellings.
10+ complaints

5 Notice and Order violations

Over $20,000 in fines imposed

Vacant Building Results

15+ Properties cited for Vacant Building Registration/Maintenance violations for 2010.
10 currently in maintenance compliance
13 Registered
1 scheduled for demolition (130 Lark Street).
2 Properties transferred to ALDC from St. Joseph's
64 Lark Street decision pending appeal to County Court

A few examples of properties brought to Court in the area of Zone 4:

32 Dana Avenue – victim of severe property damage. During the course of the year, the property has been rehabilitated with ROPs issued.

759 Madison Avenue – has been a work in progress, but after having this property elude detection for a number of years, the roof has been completed and we are awaiting written results regarding stabilization of the property.

455 Madison Avenue – the old Lark Tavern has been registered and secured and the own has presented plans to have the building occupied shortly.

402 Madison Avenue – the owner of the property has been reporting to Court weekly to discuss his progress on the demolition of this property. Owner has made significant progress and is attempting to salvage the façade while removing the rest of the structure.

The Legal Department further intends to implement additional punitive measures including landlord training programs and community service through the Albany County Sheriff Work Order Program.

Department of General Services – DGS

Zone 1

170 locations have been cleared of illegal trash with billing totaling $14,434.08 and fines amounting to $30,625.00
49 lots have been cleaned up with billing totally $22,245.97 and fines amounting to $6,400.00
30 buildings have been boarded up with billing totaling $12,027.54
85 locations have been identified and graffiti removed.
Snow was removed in 14 locations with billing totaling $1,634.45
24 Tree/stump removals
39 Trees trimmed
45 new trees planted
101 side walk panels replaced
26 Street light outages repaired

4 Street reconstruction projects and 1 city block sidewalk reconstruction project completed – an investment totaling $571,795.

Zone 2

64 Sidewalk Panels replaced and 9 pending.
Repavement of Lexington Avenue from Second Street to Clinton Avenue, Clinton Avenue from Dove Street to Henry Johnson Boulevard and Lark Street from Livingston Avenue to Clinton Avenue.
89 illegal Trash Pickups resulting in $8,205.39 in billing and $14,700.00 in fines.
50 Properties Boarded Up. Owner Board Up Bills - $21,599.53
56 Lots Cleaned by DGS, 38 Completed by Owner and 27 Pending. DGS Lot Bills - $13,522.33, Fines Due - $10,300.00.
Forestry – 21 Trees Trimmed, 10 Trees Removed, 28 Trees Planted.
Graffiti – 100 locations of graffiti removed.

Zone 3

Forestry:
The forestry crew has gone through zone 3
280 Trees were trimmed
7 Shrubs were trimmed
21 Trees were removed

Street light issues:
A total of 62 street light issues have been reported and repaired by National Grid
Graffiti issues:
We removed graffiti from 50 locations
Corner lots cleanups & Illegal's:
The following lots have been cleaned up
Clinton & Alexander NW corner
S. Pearl and Alexander NW corner
S. Pearl and Morton Ave. NW corner
Broad Street & Second Ave NE corner
Broad Street & Second Ave SW corner

The Stairs on Delaware Street were cleaned of all litter and debris trees were removed. A retaining wall with drainage was installed. The handrail was repaired.

Illegal Trash:
There have been 28 illegal trash jobs generating $4,300.00 in fines and $3,504.94 in trash bills.
5 Day Notices:
There has been (68) 5 day notice of violations issued.
27 were cleaned by the owner
41 were cleaned by DGS generating $6,750.00 in fines and $8,135.21 in lot bills.
Board Ups:
There has been a total of 16 board ups generating bills for a total of $7,509.77
In House Paving:
Herkimer Street from Green St. to S. Pearl St.
Westerlo Street from Green St. to S. Pearl St.
Alexander Street from Elisabeth St. to Eagle St.
Alexander Street from Pearl St. to Elizabeth St. (spot repairs)

Potholes:
All the streets were checked in the zone and the potholes filled. The following had a large number filled.
Delaware St. – Clinton St. to the dead end
Forth Ave. – Clinton St to Elizabeth St.
Catherine St. – S. Swan St. to S. Hawk St.

Crack Sealing: the following locations are currently being worked on and will be completed by September 1st
4th Avenue – Green Street to Elizabeth
Teunis Street – 3rd Ave. to 2nd Ave.
Catherine Street – Clinton St. to Hawk
3rd Ave – S. Hawk to S. Pearl
Franklin Street – Schuyler St. to Gansevoort St.
Alexander Street – Pearl to Eagle
Stephen Street – 2nd to 3rd
Schuyler Street – Broad St. to Franklin St.
Osborne Street – Hawk to Elizabeth
Green Street – Madison to Rensselear St.
Bassett Street – Church St. to Pearl St.
Dongan Avenue – to 4th Avenue
Park Avenue – Eagle to Grand
Arch Street – Pearl to Broad
Rensselaer Street – Pearl to Franklin

Sidewalks:
We've replaced 150 brick pavers on the corner of Madison and Grand Street.
Cut 6 sidewalk tripping points on Madison Ave between Phillip St. and Grand St.
Morton Ave. – 40 panels have been replaced
Madison Place – Replaced brick area between curb & walkway entire street.
Alexander Street - 85 panels were replaced
Alexander Street – 60 Feet of curbing was replaced
Warren Street – 130 panels were replaced
Benjamin Street – 30 Feet of curbing was replaced
Benjamin Street – 89 panels were replaced

Tree Wells:
2nd Ave tree wells Removed 700 bricks and installed topsoil
Tree wells were weed wacked and cleaned at the following streets:
Fourth Ave
Stephen Street
Catherine Street
Third Ave
Alexander Street
Morton Ave.
Broad Street
Tennis Street
Clinton Street
All of South Pearl Street

Gardening:
The Yolles Contemplation Garden has been cleanup trimmed

Parks:
Philip Street Park the fence has been replaced.
The trees have been trimmed.
Elizabeth St. Playground equipment was fixed by Recreation

Forestry:

40 trees were trimmed
2 trees were removed
Locations under separate attachment.

Street Light Issues:

8 lighting issues found and repaired by National Grid

Graffiti issues:

98 locations

Illegal Trash:

8 Bills - $467.10
Fines - $1,550.00

5 Day Notices:

5 Bills - $818.78
Fines - $900.00

Board Ups:

2 - $392.75

Potholes:

All the streets were checked in the zone and the potholes will be filled.

Repair large amount of potholes along curb line on Park Avenue.

Crack Sealing:

Every street in Zone was checked for condition and 7 of the streets were sealed.

Sidewalks:

105 panels have been or in the process of being replaced
Over 1,300 pavers have been reset or replaced

Department of Law – Corporation Counsel

Zone 1
134 cases brought to Vacant Building Court, 34 in Zone One.
66 buildings registered to Vacant Building Registry, 20 in Zone One.
$23,750 in fines and fees from Vacant Building Court, $5,750 in Zone One.

Outstanding cases are being processed. All owners of vacant buildings have been contacted to register their properties. Those failing to register within the allotted time will be brought to Vacant Building Court.
210 cases citywide brought to Buildings Court, garnering $18,650 in fines to date. The 35 cases in Zone One generated $1,250.
138 cases in Zone One brought to court through the Albany Fire Department (ROPs, complaints, Rental Property Registry, failure to comply with notice and order and others), assessing $17,500 in total fines. There were 747 cases citywide levying $104,690.50 in fines.

Zone 2

The establishment of the Block by Block initiative identified the need to hold violators accountable for their properties. A consistent manner in which violators are brought to court and how they are prosecuted was streamlined so that cases could be adjudicated in a timely manner.
The Vacant Building Court has seen 349 properties come through the system since the inception of Block by Block. They include cases for failure to register a vacant building or failure to maintain a vacant building. Through the use of appearance tickets, owners of vacant buildings are being brought to court in an expeditious manner. If a landlord fails to appear, a warrant is issued immediately to ensure their appearance.

Zone 3

As the Block by Block initiative continues, the Corporation Counsel's Office persists in its efforts to implement ways to deal with violators of the Code of the City of Albany and to encourage responsible property maintenance. Albany City Court meets every Thursday to process cases that involve violation of the State and Local Building Code. The Law Department also assists in enforcing compliance with the Rental Dwelling Registration and Occupation Permit Ordinance. In addition, this office has been successful in facilitating the transfer of problem properties from those owners who have neglected their buildings to new owners who have the means and plans to reoccupy the buildings.
In conjunction with the Albany City Fire and Police Departments, appearance tickets are being utilized in order to bring violators as quickly as possible to court. Once these parties are in court, efforts are made to check all properties owned by these individuals to ensure that all properties are in compliance.
In Zone Three there have been approximately 45 Building and Codes Cases brought to Court. In addition, 21 ROP related cases have been initiated. Since 2010 in Vacant Building Court, which meets once a month on the 3rd Wednesday, approximately 242 cases have been adjudicated, 85 properties registered and over 30,000 in fines assessed.

A few examples of properties brought to court in the area of Zone Three:

5 Madison Place – 5 Madison Place was severely damaged in a fire and was vacant. The property owner did not properly secure the building and such building was not on the Vacant Building Registry. After being cited and brought to court, the owner was mandated to register the building, properly secure the building, and install a new drainage system. In addition, the City facilitates the transfer of the property to a responsible owner who intends to restore the building in the near future.

222 South Pearl Street – This building has been vacant for an extended period of time, but is considered to be one of Albany's most historical buildings. The property was owned by an individual who did not make any substantial improvements to the building. After a recent partial collapse of the back portion of the building, the property owner was issued an appearance ticket to appear in court. After numerous discussions, an effort was made to find a responsible owner for the building. The City facilitated the transfer of the property to a contractor with the means and ambition to restore the building.

62 and 68 Morton Avenue – These properties were vacant and the owner made no significant effort to improve them. The owner was cited for failing to maintain the vacant buildings. The properties were transferred to Albany Housing Authority for the reasonable assessed value of the property. The Albany Housing Authority has a project to restore the buildings as part of the Phase Two South End Plan. This plan will restore 43 units of affordable housing in the area of Morton Avenue.

Vacant Building Court also has started to issue arrest warrants for defendants who failed to appear in Court. This has had a far-reaching effect evinced by a number of out-of-area defendants contacting the Law Department, as far away as California.

An example of the effectiveness of the warrant is, 370 Clinton Avenue. This property had been pending in Court since early 2009 and despite numerous phone calls little had been accomplished. After an arrest warrant was issued for the owner of the property, their legal representatives came forward and are now trying to bring the property into compliance with the Vacant Building Register, and are actively seeking a buyer for the property.

Further, the issuance of an arrest warrant for the owner of 51 Second Avenue resulted in a guilty plea to one court of failing to register his property and he has until the middle of October to bring the properties into compliance.

In another case in Vacant Building Court, PLJ Development has informed us that 759 Madison will be registered and that they intend to start construction on a new roof immediately.

Zone 4

Fire Department

30+ Properties were cited by the Fire Department for various code violations during 2010.

10+ properties cited for ROP violations, in some instances multiple times because of multiple dwellings

- 10+ Complaints
- 5 Notice and Order violations
- Over $20,000.00 in fines imposed
-

Vacant Building Results

15+ Properties cited for Vacant Building Registration/Maintenance violations for 2010.

- 10 Currently in maintenance compliance
- 13 Registered
- 1 Scheduled for demolition (130 Lark Street)
- 2 Properties transferred to ALDC from St. Josephs
- 64 Lark Street decision pending appeal to County Court

A few examples of properties brought to Court in the area of Zone Four:

32 Dana Avenue – victim of severe property damage. During the course of the year the property has been rehabilitated with ROPs issued.
759 Madison Ave- has been a work in progress, but after having this property elude detection for a number of years the roof has been competed and we are awaiting written results regarding the stabilization of the property.
445 Madison Ave.- the old Lark Tavern has been registered and secured and the owner has presented plans to have the building occupied shortly.
402 Madison Ave- the owner of the property has been reporting to Court weekly to discuss his progress on the demolition of this property. Owner has made significant progress and is attempting to salvage the façade while removing the rest of the structure.
The Legal Department further intends to implement additional punitive measures including landlord training programs and community service through the Albany County Sheriff Work Order Program.

Department of Water & Water Supply

Zone 1

The Albany Water Department inspects, repairs and performs regular maintenance of all 3,300 fire hydrants in the City.
With regard to Zone One, more than 80 hydrants were inspected, and where needed, repairs were made.
The Water Department has started to maintain catch basins and manhole structures throughout the City. In Zone One, more than 125 catch basins and manholes were inspected and repaired as necessary.
Removal of trip hazards, such as water valves protruding above ground, is part of the Water Department's responsibility. Sixty-five trip hazards were identified and repaired within the Zone.

Zone 2

The Albany Water Department inspects, repairs and performs regular maintenance of all 3,300 fire hydrants in the City. Their role in the Block by Block initiative is to locate, inspect and removal all flags on hydrants within each Zone, paint and lower all potential trip hazards, repair all catch basin failures and locate and repair sewer and water manhole structures.

Zone Two Results:

60 hydrants inspected and repairs made where necessary.
55 potential trip hazards were identified and repaired.
180 catch basins and manhole structures were inspected and repairs made where needed.
The Committee is currently meeting and identifying the needs of Zone Three and mapping out a strategy to meet the goals and objectives of the neighborhood blocks within that Zone.

Zone 3

Valve Box work

18 Second Ave.- replace valve box cover
Alexander & Elizabeth- dig and replace valve box

Lower C/box

3 Second Ave.
13 Second Ave.
Third & Teunis (next to hydrant)
43 Third Ave.
53 Third Ave- Check to see if off @ Stop

Replace C/box cap

16 Delaware Street
35 Elizabeth Street
20 Morton Ave.

Catch Basin Work

Second Ave. & Broad Street- Rebuild basin
25 Second Ave – clean basin
31- storm water catch basin repaired
3- manhole repairs
1 water valve box replaced
1- hydrant repair
6- Main breaks
1-Valve replaced
5 service leaks repaired

Zone 4

Over 80 hydrants have been inspected

Over 420 Catch basins and manhole structures have been inspected

Over 160 potential trip hazards have been identified and repaired.

24 – storm water catch basins repaied

2 – manhole structures repaired

1 – water valve box replaced

1 – water main breaks

1 – valves replaced

9 – service leaks repaired

Water Department Updates

DATE	***ADDRESS***	***WORK COMPLETED***	***SUPERVISO***
1/7/10	Dongan Ave	Main Break	309
1/11/10	116 Broad St	Repair basin	304
1/12/10	Bassett @ Dungan	Repair valve	308
1/1/10	32-36 Catherine St	Termination	308
12/27/09	127 Arch Street	ReplaceC/stop shut off	309
12/17/09	Second Ave & Benjamin	Repair Basin	304
	UPDATE 3/10/10		
1/16/10	Elizabeth & Morton	Main Break	309
1/22/10	Basset & S. Pearl	Basin repair	304
1/22/10	Bassett & Franklin	Basin Repair	304
1/22/10	Bassett & Green	Basin Repair	304
1/22/10	Bassett & Dongan	Basin Repair	304
1/22/10	Elizabeth & Morton	Repair Valve	305
2/1/10	18 Grandview Terr.	Repair tap leak	309
2/2/10	Elizabeth st	Termination	307
2/8/10	71 Trinity Pl.	Repair Basin	304
2/11/10	74 Trinity	Repair basin	304
2/13/10	92 Second Ave	Repair leak	305
2/16/10	107 Broad St	Repair basin	305
2/16/10	Bassett St under Bridge	Repair basin	305
2/19/10	Dungan & 4th ave	Main break	309
3/5/10	Green & Plum	Repair basin N/W	305
3/5/10	Green & Plum	Repair basin S/W	305
	UPDATE 7/1/10		
3/17/10	S. Swan & Morton	Rplace valve box	307
3/22/10	Lincoln Park Road	Repair basin	304
3/23/10	Lincoln Park Road	Repair basin	304
3/23/10	Lincoln Park Road	Repair basin	304
3/24/10	Lincoln park Rd.	Repair basin	305
3/25/10	Lincoln Park & Swan	Repair basin	304
3/29/10	Lincoln park Rd	Repair manhole	304
4/2/10	Green St & S Ferry	Repair basin	304
4/7/10	Morton & Swan	Repair basin	304
4/21/10	Swan & Catherine	Repair manhole	304
4/29/10	S. Pearl & Gansevort St.	Install poles for Hydrant	307

5/3/10	91 Herkimer St	Repair basin	304
5/3/10	Green st & Herkimer St	Repair basin	304
5/3/10	Herkimer & Green	Repair basin	304
5/4/10	32 Westerlo St	Repair basin	304
5/4/10	S. Pearl & Herkimer	Raised manhole	304
5/10/10	46 Westerlo St	Repair basin	304
5/10/10	Westerlo & Green n/w	Repair basin	304
5/24/10	Green & Rensselaer	Repair basin	304
	UPDATE 8/24/10		
7/6/10	10 Morton ave	Main break	307/309
7/9/10	135 Broad St	Repair basin	304
7/9/10	Broad & Fourth	Repair basin	304
7/9/10	156 – 154 Broad St.	Repair basin	304
7/9/10	134 Broad St. s/e	Repair basin	304
7/14/10	139 Grand st	Termination	309
7/19/10	Elizabeth & Morton	Replace 12" Valve	306
7/26/10	66 Clinton st	Repair leak on service	307
8/6/10	Broadway & VanWoert	Repair basin	304
8/7/10	44 Delaware St	Main break	307
8/8/10	44 Delaware St	Main break	307
8/16/10	34 Alexander	Leak outside C/box	306

APPENDIX 1-B

BSCA Report

CITY OF ALBANY
EVALUATION OF CODE ENFORCEMENT INFORMATION SYSTEMS

August 4, 2011

Barry Strock Consulting Associates, Inc.
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518-459-4252

TABLE OF CONTENTS

Introduction

Major Issues with the Existing System(s)

Recommendations Overview

Top Priorities for a New System

Procurement Overview

Cost of Software

Appendix A: Recommended Software Modules

Appendix B: Minimum Software Functionality

Appendix C: Cost of a New System

Appendix D: Codes/Real Property Information Processing

Appendix E: Codes/Real Property Information Users

Introduction

The Chief City Auditor wanted to learn why it is so difficult and labor intensive to merge, compare, and analyze building permit, code enforcement, and the real property assessor's data in a seamless manner. Given that there are so many databases that are not seamlessly and electronically linked, it will always be very labor intensive to parse and analyze data. The current collection of systems is not serving the day-to-day needs of the inspectors and administrators. The City must secure a means to more effectively manage the existing-building inspection process.

There is excessive redundant information management and duplication of capturing, storing, updating, and analyzing data by different systems, different people, and different departments. This creates an unnecessarily high likelihood of human error in all these activities.

With so many people maintaining data it is highly probable that future costs can be contained after significant business process changes and software procurement and deployment are completed. Workload reductions could also free staff to conduct performance tracking and quality assurance tasks.

Since real property is the fundamental baseline for taxes, code enforcement, law enforcement, and many of the City's operations – the City must do better at collecting, managing and analyzing all of the events and transactions that are recorded to a specific property or geography.

The City must secure a means to more cost-effectively manage the issuance, recording, inspecting, and processing of ROPs as well as all types of complaints (whether handled by Code Enforcement, DGS, Planning, or Police). There are hundreds of well designed systems that should be considered for better management of property-related data throughout the city departments.

Major Issues with the Existing System(s)

The current hodge-podge of disparate real property computer systems is poorly meeting the needs of the city personnel. The core issues are:

- Many Unconnected Systems
  Real property related data and activities are more ***people-centric*** than widely available and interactive. This means that data is being collected by individuals and stored in separate databases. This makes it very difficult for the different sets of information to be brought together for better analysis and timely utilization.

- Replication of Data Causes Inconsistency
  Real property related data is copied and processed into many different systems. The changes and inconsistencies that result confuse the accuracy of data

throughout the City. The inconsistencies also prevent the accurate linking and full utilization of the different sets information.

- Difficulty with Reports, Inquiries, and Analysis
  It is very difficult to generate adequate reports, inquiries, or analytical metrics needed on a day-by-day basis. Example: Since the AS-400 is not a contemporary Microsoft platform, something as simple as a mail merge has to be handled outside of AS-400 by physically setting up a manual mail merge program into MS Word to send out form letters.

- Labor Intensive
  Since this is not an integrated land management, permit, and code enforcement system, it will always be labor intensive to enter, secure and analyze permit and code enforcement data.

- Reliance on Inadequate Software
  The City uses many MS Excel spreadsheets and Access databases. Excel is a good repository of information, but it is not a database for robust analytical purposes. Similarly, although MS Access is a database, it has limited multi-user and contemporary database management capabilities needed by a large user-base such as the City of Albany.

Primary Recommendations

There are so many un-connected, non-synchronized, and standalone systems managing either the same data or closely related data, that the City must consider adopting a seamlessly connected and supported single information systems.

Of primary importance is for the City to have a single relational real property database system for use by all related departments. This one sentence has two operative words that need to be clarified:

- Single Access to System Information
  There should be a single real-property and code enforcement system that all departments would have access to and the lines of ownership would be clearly delineated. "Lines of ownership" implies that every data element would have a single owner who would be the only person or department able to change the data in the data element. For example, the name of the current owner of the property should be "owned" by the City assessor.

- Relational
  A relational databases indicates that any piece of data that resides in multiple partitions of databases, such as water-utility information, assessment-information, zoning-related information, or landlord and inspection information would be linked. The "linking" or relational intent is that if a property owner's name were to change in the Assessor's database, it would directly or in a shadow-file be reflected in every spot where the property is noted.

Top Priorities for a New System

Any deployment of a new computer system is only as good as the operations and objectives of the organizations it serves. A new system is a piece of the puzzle and not a "silver bullet" that can solve the City's real property data issues. To be effective, the new system has to be designed to serve the goals of the organizations that use it. The top priorities for implementation are:

- **Rethinking Codes Operations and Goals**
  Many of Code Enforcement's policies, practices and procedures are designed around the limitations of the computer systems. In order to take full advantage of a new system, Code Enforcement needs to undertake a comprehensive re-thinking of its policies, practices, procedures, and paperwork. Beyond those issues, the Division also needs to rethink how it measures performance, and productivity. All these areas can be enhanced and costs can be reduced with a single relational database system, but only if the system is deployed with operational improvements in mind.

- **Close Coordination with Related Departments and Organizations**
  Deploying a single relational real property database system will require the joint efforts of the following departments: Fire, Police, Treasurer, Assessor, DGS, Law, Water, and Planning. The new system must serve the needs of and draw information from each of these departments. Additionally, Albany Housing Authority (AHA) currently conducts annual inspections of all the Section 8 housing in the City. The new system needs to draw on the data generated by AHA so the City can eliminate duplication of efforts and utilize the information in its own operations.

- **Including the Recommended System Modules**
  The recommended system modules are itemized and discussed in Appendix A.

- **Including At Least the Minimum Software Functionality**
  An Integrated Property System software suite should consolidate property data from every department within the city into a centralized database system that allows for quick and easy access to all authorized users. The minimum system functionalities needed by a City the size of Albany are outlined in Appendix B.

Procurement Overview

The top priorities for any new system will be the ability to bring all of the real-property related data and data file together under a seamlessly accessible umbrella of data sharing. In a city as diverse as Albany, it is important to look for software that has a full building permit and code enforcement suite to encompass all of the functions required throughout the city departments, as well as, an ease to interface with systems such as the N.Y.S. Real Property System that both the City and County assessors utilized, and police or public works information systems. There are hundreds of vendors, but one that is local is B.A.S. which is based in New York and C.R.W. that is

based in California but has holistic code enforcement systems throughout the nation. Most of the traditional financial suite vendors have building permit and code enforcement applications, such as New World Systems, Tyler Technologies [i.e., Munis, Incode, Eden], Sungard [i.e., HTE, Pentamation], Harris Software [i.e., Micro Fund, Cayenta, Spectrum, Gems, CCR, Cogsdale, Systems and Software, Innoprise], Edmunds, Springbrook [now in the water utility], Freedom, KVS, and Casselle.

Cost of Software

This topic is of the upmost importance and is discussed in full in Appendix C.
Software is typically not sold to a client, but it is licensed with certain rights that go along with the license. It is possible to procure a software license for building permit and code enforcement software for as little as $10,000 or less. That being said, it is critical to point out that I do not believe a low cost solution [i.e., less than $10,000] could adequately accommodate the needs of the City of Albany.

Furthermore, when vendors talk about software cost and base price, they too often forget to clarify that typically if software were to cost "X dollars" it is probable that it will cost another "X dollars" to provide the deployment activities: a fit-gap analysis, conversion, training, implementation, project management, modifications, and interfaces. For even more full disclosure, the system that costs "X dollars" at inception will routinely have a 25% annual maintenance fee that often commences on day one of the contract. In summary, if a system were to hypothetically have a base cost of $40,000, then over the first four (4) years it would be prudent to budget $120,000.

A new system is likely to cost about $50,000 to $80,000 for application modules and for all of the thirty user licenses required. For budgetary purposes, it is necessary to budget about another 100% of the license fees for fit-gap analysis, conversion, modifications, training, travel, and implementation management fees. Thus, it is prudent to plan on a turnkey system cost of $100,000 to about $160,000 over the first year plus an annual maintenance fee of about 25% per year of the license fee [or about $25,000 to $40,000] beginning year one. This would yield an initial four-year cost of ownership of about $250,000 [not including any required hardware or communications costs].

Appendix A: Recommended Software Modules

Recommended Software Modules:

The City should procure a fully developed and integrated real property/code enforcement system, which would include:

- **Building Permits:** Processes Applications, Calculates Fees, Prints Permits & Reports, Tracks Inspections, etc. All permits should be customized to address the specific permit's workflow and datasets.
- **Inspections:** Since inspections should be a transparent function that can be processed by any of several departments, if there were one system that could be shared amongst all of the stakeholders, much greater value could be gleaned from the database. Any inspection system must be able to Track Time Oriented Inspections (Fire, Multiple Dwelling, Health), Issue Certificates, Inspection Checklists. If for reasons beyond the City's control an agency such as the Housing Authority were to need their own system, the data should be able to flow back and forth between the two systems giving each agency the value of added information.
- **Code Enforcement and Complaints:** Tracks Code Violations, Citizen Complaints, Actions, Log Inspection/Violations, Send Violation Notices, Appearance Tickets, etc.
- **Mobile Field Inspections:** City personnel should be able to use laptops, tablet PC's, PDA [personal digital assistants], etc. to schedule and record inspection results on-site. Many of the vendors can provide for on-line real-time bi-directional access to the city's in-house computer systems via air cards or other remote telemetry communications devices.
- **Interface to the City Assessor's Assessment Rolls and RPS Database:** There are vendors who can electronically interface with NYS RPS database.
- **Real Property Tax Billing:** A seamless interface from the Assessor's database to a tax billing system is an opportunity to reduce any transposition errors and would tighten the information exchange process.
- **Real Property Tax Collection:** An integrated collections software package would reduce any information errors and would provide a more accurate and timely integration between billing and collections.
- **Interface to Water Records:** It is possible that many of the software vendors could provide an update function from the City's Water Utility Software system [i.e., Springbrook]. This interface could possibly provide a seamless update of PII

[Personal Identification Information] such as changes in names, phone numbers, and occupancy information].

- **Planning and Zoning:** Records Applications (Variances, Subdivisions, etc), Calculates Fees, Process Tracking, Bonds, etc.

- **E-Portal:** Many of the software vendors can provide an electronic portal access for citizens to look at their building permit files. Citizens would be able to remotely request inspections, pay fees, upload plans, apply for permits, file complaints, and any other citizen function the City would like to add to their web portal. This technology gives citizens 24/7 access to information and could create less phone or walk-in traffic to City Hall.

- **GIS integration**: Most of the software vendors provide various interfaces to ESRI Arc View products. Some interfaces are simple object map interfaces wherein a map replica or like a photograph of a digital map is portrayed on a screen showing the location of a building. Other vendors provide for a full on-line real-time GIS interface with both the digital graphic map projection as well as access to the attribute databases where data layers reside. [The City is actually receiving a PDF of the County GIS maps, whereas, the Police Department is securing a planimetric and cadastral database that allows them to dynamically utilize all of their attributed database layers in an interactive manner with the updated land management record they are securing from other City databases]

- **Public Works Work Order Interface**: Many of the same vendors who provide real property systems also provide work order systems that can be used by the City Public Works Department to track all calls for services. Some of the systems are just basic work order driven, whereas, others are more CRM [customer relation module] driven.

- **Business Licenses**: Ability to process whatever licenses or registrations the city would wish to process.

- **Contact Management:** This would be a linking capability to tie all names and contacts related to a parcel into a database for easy searching and access.

- **Interface to Treasurer's cash collections system**: Most vendors are able to provide an electronic link to a city cash collections system. This type of feature is most useful to link the issuance of permits and collections of fees for permit to an auditable electronic interface with the City fiscal operations and eventually with the general ledger. The software should be compliant with NYS Annual Reporting requirements.

- **Parcel History:** Quickly review all current/prior activities related to a parcel.

- **Document Imaging:** Attach Electronic Files to Parcels, Permits, Complaints, Inspections, etc (Laserfiche Integration options)

Appendix B: Minimum Software Functionality

An Integrated Property System software suite should consolidate property data from every department within the city into a centralized database system that allows for quick and easy access to all authorized users. The result is a related set of applications, where each module can work independently or together as part of an integrated system. Any new system must have certain capabilities not available in the conglomerate of systems currently in place:

- Multiple users access
- Easy for end-users to learn to use
- Easy interface to internal and external systems [i.e., general ledger and
- financial accounts postings, assessor, water department, police department,
- public work department, fire department, etc.]
- Full audit trail of all financial and transaction details
- On-line, real-time easy posting of payments, bar code scanning, and web
- enabled for direct payments
- Easy retrieval of property data by bill number, owner name, address or SBL#
- Produce detail/summary reports of transactions by batch, date, or all-inclusive
- Calculate payments and fees for full, partial and installment payments
- Provide instant lookup of tax bill status including full history of prior seasons
- Advanced search to allow for the retrieval of tax bills by almost any criteria
- Prints Reminder Notice of Unpaid Tax for mailing to delinquent taxpayers
- Prints "memo bills" and receipts in full "Taxpayer Bill of Rights/STAR" style
- Handles bill reapportionments and adjustments
- Imports from and exports to county tax agencies & private tax service
- organizations (First American, etc.); optional “lockbox” capability
- Tracks all payment information including payment type, additional charges,
- and how payment was received (in person or through the mail)
- On-demand electronic transfer of payment data to the county
- Advanced user security allows granting/denying any user access to any section of the system
- Web enabled “data layer” for interfacing to internet web sites
- Automatic system updates (requires internet access)

Appendix C: Costs for a New System

Cost of Software:

Software is typically not sold to a client, but it is licensed with certain rights that go along with the license.

To provide informed consent we want to make sure the City understands the full possible cost of any software procurement and what is involved in such an endeavor. It is possible to procure a software license for building permit and code enforcement software for as little as $10,000 or less. That being said, it is critical to point out that having personally reviewed over 30,000 hours of municipal software demonstrations I do not believe a low cost solution [i.e., less than $10,000] could adequately accommodate the needs of the City of Albany.

Furthermore, when vendors talk about software cost as base price, they too often forget to clarify that typically if software were to cost "X dollars" it is probable that it will cost another "X dollars" to provide the deployment activities: a fit-gap analysis, conversion, training, implementation, project management, modifications, and interfaces. For even more full disclosure, the system that cost "X dollars" at inception will routinely have a 25% annual maintenance fee that often commences on day one of the contract. In summary, if a system were to hypothetically have a base cost of $40,000, then over the first four (4) years it would be prudent to budget $120,000.

There are still further cost-breaks in procuring software. The base price of software has many cost components that will impact both the initial license cost of the software as well as the other costs described above. Some of the variances in costs are based on:

- **Number of modules:** Generally a vendor does not just provide a single software package called "Permits and Code Enforcement." Most often any one vendor may define their product offering into many different modules, such as building permits, electrical permits, plumbing permit, code enforcement, inspections, inspection tracking, contact management, GIS interface, work orders, and so forth. Depending upon how a specific vendor describes their offerings, the prices will vary

- **Number of Users**: There is no one single means to charge for number of users on a system, some vendors provide a site license to include all users in a city [this is not very typical], many charge by connected users who are connected to the primary database, other charge by the number of concurrent users or how many users are concurrently using the software application at any one moment in time, and other charge using some combination of the above definitions.

- **Size of Government or Number of Permits**: Some vendors use an algorithm for pricing that is based on the size of a government [i.e., number of resident], or number of building permits, or some other criteria or metric they believe is a reasonable measure of value.

- **Size of Computer**: A few vendors charge for their software predicated upon how large or small a computer hardware platform may be.

It is important to point out that the above-described costs do NOT include any added costs that may be needed for new hardware, operating systems, and communications. It is possible that the current hardware, operating systems, and communications may be more than adequate to support a new software purchase. This determination will need to be ascertained by a written understanding from the new software vendor.

We mention this because there is such variability in the marketplace among vendor's quality, sophistication, and scalability of the software. "Scalability" of software infers that a system can serve the needs of one user and is scalable up to ten or fifty users. Scalability implies that there is individual record locking for each user, thus while one user is looking up an account another user cannot make any changes during the locked period. The following list of "quality" issues is not a definition of a requirement for a system for the City of Albany, but it is included to explain some of the reasons one software system may cost $10,000 and another costs $100,0000. "Quality" of software implies many qualitative variables, such as:

- **Completeness of functionality**: a robust system is both developed and mature [i.e., tested and used by end users to know that it is relatively bug-free]. A "fully developed" system is one that may need at least twenty variables for an electrical permit system, whereas, other systems give the user a template to create the required fields need for a specific type of permit. The advantage of a fully developed and mature system is that the interfaces and integration required among the many various data field have been anticipated and there are viable and tested links for unidirectional and bidirectional updates, querying, and sharing of data fields.

- **Integration of Data Fields**: Not all software permits seamless interface with all data fields within their software, or with those in other systems.

- **Query of Data**: Not all systems permit every data field to be searchable or reported upon. This is a major criteria to differentiate the quality of one system versus another.

- **Audit System**: Every transaction is audited and tracked by time of day, user, and hardware.

- **Relational Database**: A relational database means that any change that is related to another change would be captured. If for example, the name of an

owner were a Ms. Jones and she were to get married and change her name to Mrs. Smith, then everywhere the name Ms. Jones was, would be changed and updated to Mrs. Smith. The key is that the name change is an update, NOT a replacement. Thus, if in five year one were to research back to a file when Mrs. Smith was known as Ms. Smith, the system would hierarchically stack the names changes in order by date. Other and less sophisticated systems "replace" and remove one name for another without any audit trail back to the original name.

- **Navigation Tools**: The newer and more robust software systems permit seamless navigation between data elements and different systems, such as work orders, or water customer service, or real property assessor's system.

- **Report Writers or Query Tools**: Most of the contemporary system have easy to use report generation tools that permit a non-technical end-user to generate reports on the fly from any of the included data elements.

- **Dashboards**: Many of the newer contemporary system have what is called a "dashboard" which is a term that refers to a graphic summary of user-defined summary data on-line, real-time. For example, if one were working with a real property file, the user may wish to know real-time a list on the screen of all delinquent accounts with a pie chart showing how many are tax delinquent in five different neighborhoods.

- **Interface and incorporating standard Microsoft applications**, such as MS Outlook, MS.Word, MS.Excel, MS.Access, and other standard interfaces. It may be important for a system to be able to generate mail merge into standard letters or delinquent notices in MS.Word or to create mailing labels.

- **Tab Comparisons** to permit user-defined canned comparisons of some sets of data.

A new system could easily cost about $50,000 to $80,000 for application modules and for all of the thirty user licenses required. For budgetary purposes, it is necessary to budget about another 100% of the license fees for fit-gap analysis, conversion, modifications, training, travel, and implementation management fees. Thus, it is prudent to plan on a turnkey system cost of $100,000 to about $160,000 over the first year plus an annual maintenance fee of about 25% per year of the license fee [or about $25,000] beginning year one. This would yield an initial four-year cost of ownership of about $250,000 [not including any required hardware or communications costs].

Appendix D: Codes/Real Property Information Processing

The **processing** of information related to Code Enforcement resides in various disparate databases, such as:

- **Assessor's Information** resides in the NYS RPS [Real Property System] that is a Windows-based software. The primary RFP database is maintained by the County via real property transfers, but once a year, the County sends the data to the City [in May] and then the City Assessor updates the City's version of RPS [version 10] on the City Assessor's dedicated RPS computer which is housed in the basement of City Hall and is managed by the City's Systems Specialist, Andy Sterling. Keith Mc Donald, the City Assessor and his staff update the County's data with any new address changes or property description changes. It should be noted that the RPS software is written in proprietary and legacy systems [i.e., Cybase, PowerBuilder, and other development tools]. Unfortunately, the NYS Real Property Services, now under the NYS Tax Department will be migrating to a new system in the near future [i.e., one or two years]. The Assessor has a dedicated Windows based computer to process just the City's NYS RPS software application.

- **New World Code Enforcement** [resides on iSeries a.k.a. AS400] and is written in a proprietary RPG-IV programming language. The New World system has been installed for 11 years. Although the City owns the license to the New World iSeries [a.k.a. AS 400] RPG based software for code enforcement, the City is not using the New World building permit module. Fire investigators are using flash drives [there is no WI FI or remote access to City Hall] to emulate the MS Access database in the field on laptops and then they bring them into City Hall and Valerie can extract the information. Firefighters print their inspection data onto paper and then manually enter the code enforcement information into the New World [NW] Code Enforcement software. They also enter any changes such as phone numbers or name changes into the NW database. Valerie utilizes some AS 400 Queries to extract some information from the enforcement software to import into the MS Access database. The system is perceived by many users as too rigid, inflexible, and unable to meet the City's needs, such as a single source of data, mail merges to generate letters, and an no easy means to analyze data.

- **Building Permits**: Valerie Scott brilliantly developed a complete building permit system that goes back to 1999. She works for the City Division of Building and Codes, under the Department of Fire and Emergency Services. It was developed in Microsoft Access. The system is extraordinarily inclusive of most of the core data elements needed for a building permit system, such as: parcel and section lot and block information, residential occupancy permits,

building permit data, certification of occupancy [ROP or residential occupancy permits], electrical, elevator , plumbing and other permits, as well as, unpaid taxes. Unfortunately, the system is a single user system that makes it inadequate for multiple concurrent users within the City to have secured record-locking access to the database. The system generates a permit number; invoice to the applicant; receipt is sent to codes via paper and is entered into the database. Given that this hardware and software is such legacy old technology, it is not now prudent to begin to attempt to now license the New World building permit module. This is a single user system that Valerie enters permit information, certifications of completion, or certifications of occupancy. Utilizing five laptops in the field to capture onto flash drives the field investigator's inspection data. There is another Microsoft database to track vacant property inventory.

- **GIS** [geographic information systems]: Although the GIS is state of the art, ESRI, Arc Info 9.3.1., it is somewhat unique that the Police department is the repository and manager of the GIS and attribute database layers. There is another Arc Info licensed system in the Planning Department. These two GIS systems are not seamless on-line real-time linked. However, they both utilize the County base line planimetic maps, thus attribute data layers can be synchronized.

- **Department of General Services**: This department is providing inspections and sometimes needs to charge residents for services rendered such as removing debris. They are utilizing a billing software developed in FileMaker™. DGS needs names of the City residents for trash billing.

- **Cashiering**: Several of the departments are utilizing MS.Excel to track cashiering receipts.

- **Business Licenses**: Is handled by BAS, Inc [Business Automation Services] of Clifton Park.

- **Police Department**: Dave Casciotti is a planner and the GIS database coordinator in the Police Department who is the backdoor to collecting all of the land management information from code enforcement, building and codes, the assessor, police, fire, parole, housing authority, planning, and other databases. Valerie upload all of her updated building permit information from her MS.Access database once a day onto a Apps Server and the Dave downloads it onto his GIS integrated database where he provides a data warehousing function for the City.

- **Albany Housing Authority**: AHA has been using a holistic housing authority software known as HAPPY from Saratoga. As of July 1, 2011 they will be migrating to a new software suite called Tenmast Software from Lexington,

Kentucky. Tenmast provides a robust full housing authority suite of applications, including housing unit inspections and [a.k.a. code enforcement].

According to the Census, there are about 23,000 privately owned rental units in the City of Albany. Interestingly, about 2,300 of those units are Section 8 private properties that AHA also is inspecting each year. The 2,300 properties are private rental units that AHA is subsidizing by paying the landlords on behalf of the tenants. Since the three AHA inspectors are CEO certified and the requirements set forth by HUD exceed those required by the city or the state, it would be prudent to consider having the AHA send electronically all the required data via MS.Excel to the Valerie in the City and she could upload the 2,500 inspections into her system thus eliminating almost 10% of the required inspections being processed by City CEO certified inspectors.

The issue that was considered a stumbling block was that the City charges for inspection and the fact that the AHA is not permitted to charge for inspections. In fact, for the initial inspection and the first follow-up inspection there is no charge, and since the department head has the legal right in the City code to waive the fees, it is probable an issue about charging Section 8 properties could be overridden. Since the rental property registry is not a code enforcement charge or an inspection charge, this would take the charge issue off the table.

The AHA inspectors are using ToughBook™ laptops in the field to record the inspections. At this point in time there are no air cards for on-line, real-time updating of the central AHA system, however, a few field staff are using Smart Phones to access the inspection software. It is not clear what the AHA will do with the new Tenmast software and how they will deploy the remote access capabilities with the field laptops.

Appendix E:Codes/Real Property Information Users

The **process of Enforcement of Codes** is addressed by several different departments:

- **City Building Code Personnel**: New Building Permits are processed via the Building and Code's staff for new constructions, plumbing, electrical, or elevator construction or enhancements. This is done exclusively in the MS.Excel software package managed by Valerie. Permits are handled by building code personnel who are CEO's or certified code enforcement officers.

- **City Firefighters**: There are 240 firefighters who are CCT's [certified code technicians] to handle inspecting any maintenance or violations of code infractions, as well as, debris in a yard, non-mowed lawns, and other violations.

- **Albany Housing Authority Personnel**: For buildings that are under rental agreements with the AHA, their personnel using their own system, inspect properties once every twelve months [whereas, City rentals must be re-inspected once every thirty months or when a new tenant is registered]. Because of the different time requirements for inspections and the fact that the City charges for inspections, whereas, AHA is precluded from charging for inspections; it is possible that both a City and AHA representative could be inspecting the same rental unit during almost similar times.

- **City Police**: Although the Police officers are not officially inspecting rental units, they are maintaining other databases related to the same addresses: Albany County Probation, NYS Parole, Albany Police Records Management, Active Warrants, CPS, Comnet (RICI), Bureau of Zoning information. Dave Casciotti is using another GIS database to update and share all of the information gleaned from many of the other agency databases, plus he has photographs and maps showing close to real-time information based on parcel-specific addresses.

- **City Fire**: There is data in the City Fire Hitech® Records Management System that needs to be shared with the Building Code system.

- **City Law Department:** The Law Department needs access to all aspects of land management information to be able to process any legal claims against citizens or landlords and court cases.

- **City Department of General Services:** DGS employees often need to be processing inspections related to their facilities or functions, such as cleaning up debris.

- **City Water Board**: The water utility customer service, billing and collections are processed on a Windows based computer system provided by Springbrook.

- **Planning Department:** The Planning Department maintains the zoning and planning records and another copy of the GIS software to produce their zoning maps. To be effective and efficient, this department needs access to all of the land-related information management systems.