

Audit Report

On the



Sam M. McCall, CPA, CGFM, CIA, CGAP
City Auditor

“Code Enforcement Amnesty Program”

Report #0518

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Summary

Historically, the Code Enforcement Program in Neighborhood and Community Services (NCS) reported voluntary compliance to correct code violations that exceeded 90%. However, through the years, a group of premises (some with violations dating back to 1987) existed that were either out of compliance with fines increasing daily or in compliance with considerable fines outstanding. These 320 premises had accumulated over \$11 million in fines and liens.

On May 28, 2003, the City Commission unanimously approved the development and implementation of a Municipal Code Enforcement Lien Amnesty Program (Amnesty Program) designed to encourage owners to bring their premises into compliance with the Code. The Amnesty Program focused on those premises with violations prior to January 1, 2003, where the Municipal Code Enforcement Board (Board) or the Code Magistrate (Magistrate) had issued fines and liens due to non-compliance. The Amnesty Program focused on two groups: 1) those cases currently out of compliance where fines continued to accrue daily and liens were recorded, and 2) those cases currently in compliance but with unpaid, previously accrued fines and outstanding liens. The Commission adopted a resolution providing for the delegation of authority to reduce, settle, and satisfy certain specific code liens to the Amnesty Lien Review Committee (Committee), which was composed of the City Attorney, City Treasurer-Clerk, and the Assistant Director of Neighborhood and Community Services.

The purpose of this audit is to report on specific issues noted during our review of the Amnesty Program.

Based on our review, we noted that:

- In the Amnesty Program, one owner may own multiple premises, and one premise may have multiple outstanding cases. Table 1 shows that approximately the same percentage of cases, premises, and owners applied for amnesty;

Table 1
Percentage of Cases, Premises, and
Owners Applying for Amnesty

	Cases	Premises	Owners
Eligible for Amnesty	367	320	299
Applied for Amnesty	237 (65%)	216 (68%)	190 (64%)

- Outstanding fines and liens as of July 2003 totaled over \$11 million;
- Cases eligible for amnesty included 138 cases (129 premises) that were out of compliance and 229 cases (204 premises) that were in compliance;
- Almost 70% of all cases that applied for amnesty successfully received amnesty by correcting the violation and either paying a reduced fine or having their case dismissed;
- Two hundred eight (208) cases on 177 premises were closed through the Amnesty Program, \$48,500 in fines were collected; \$5.9 million in fines and liens were dismissed;
- The Amnesty Program resulted in 133 cases and 124 premises with outstanding liens or fines of \$5.5 million being referred to contract attorneys for processing for collection or foreclosure;
- Photographic comparisons showed improvement for many of the premises where owners applied for amnesty; and
- The City Attorney has established procedures to address code enforcement cases that will lessen the likelihood that another amnesty program will be needed.

Overall, 93% of all eligible cases were either successfully closed or referred for processing for collection or foreclosure. Management expects to resolve the remaining 7% (26 cases) by March 2005.

Absent intervention efforts by the City Commission and City management, neighborhoods and citizens likely would have continued to suffer from neglected premises.

We view the Amnesty Program as very successful in reducing the number of non-compliant premises that accumulated over the years. Conclusions of our review of the Amnesty Program are provided on page 11 of this report.

Scope, Objectives, and Methodology

Our audit consisted of a review of the Code Enforcement Amnesty Program (Amnesty Program) to determine the Amnesty Program's success in reducing and settling the fines of premises in compliance and encouraging premises out of compliance to become compliant. We selected sample code violation cases (cases) of premises and conducted file reviews to document code enforcement actions. We attended Amnesty Lien Review Committee (Committee) meetings to monitor actions by the Committee in reducing fines on cases requesting amnesty. We photographed premises that were the subject of code enforcement violations in October 2003 and again in August 2004 to evaluate the success of the Amnesty Program. We conducted our fieldwork throughout the period June 2003 through September 2004 as warranted.

This audit was conducted in accordance with Generally Accepted Government Auditing Standards and the Standards for the Professional Practice of Internal Auditing, and accordingly included such tests of the records and other auditing procedures as were considered necessary.

Background

One of the City Commission 2003-2004 target issues was Neighborhood Preservation and Revitalization, which includes the area of code enforcement. Code enforcement focuses on the expectation that citizens have the ability to live in housing that meets reasonable standards of safety and habitability and that neighborhoods, citizens, and property values should not suffer from the blight of nearby neglected premises. The Neighborhood Preservation Division within the Neighborhood and Community Services Department (NCS) is responsible for code enforcement that routinely involves premises with high weeds and grass, trash and debris, inoperable vehicles, fences in disrepair, substandard housing conditions and/or dangerous structures.

In April 2003, the Neighborhood Preservation Division of the Neighborhood and Community Services Department, the Zoning Division and Building Inspection Services of the Growth Management Department, Inspection Services of the Solid Waste Department, and the Patrol Divisions of the Tallahassee Police Department presented a report to the City Commission on Neighborhood Revitalization. The report indicated that more aggressive measures were needed when dealing with cases that have been adjudicated by the Municipal Code Enforcement Board (Board) or Code Magistrate (Magistrate) process and where liens were in place and fines continued to accrue.

On May 28, 2003, the City Commission unanimously approved the development and implementation of an Amnesty Program designed to encourage owners to bring their premises into compliance with the code. The Amnesty Program focused on those premises with violations prior to January 1, 2003, where the Board or the Magistrate had issued fines and liens due to non-compliance. The Amnesty Program focused on two groups: 1) those cases currently out of compliance where fines continued to accrue daily and liens were recorded, and 2) those cases currently in compliance but with unpaid previously accrued fines and with outstanding liens. The Commission adopted a resolution providing for the delegation of authority to reduce, settle, and satisfy certain specific code liens to a Committee, which was composed of the City Attorney, City Treasurer-Clerk, and the Assistant Director of Neighborhood and Community Services.

In July 2003, certified letters were sent to 299 owners of 320 premises, representing 367 cases, and with over \$11 million in fines and liens recorded on these premises. Of the 367 cases, 229 were currently in compliance and had liens recorded totaling \$5.7 million. One hundred thirty-eight (138) cases were out of compliance with fines continuing to increase daily. Total fines for this group totaled over \$5.8 million. (See Table 4.) Some owners have multiple premises and some premises have multiple violations. The letters were intended to provide notice to premise owners of the availability of the Amnesty Program and to encourage owners to apply for amnesty, bring their premises into compliance, if needed, and seek reduction of fines and liens. The City publicized the Amnesty Program and held three workshops to make premise owners aware of the Amnesty Program and encourage participation. Workshop participants also included City Commissioners and City management.

Table 2 shows that while half of the cases occurred on half of the premises before FY2000, liens for these premises represent 72% of the total outstanding liens.

Table 2
Age of Cases

	Cases
Eligible for Amnesty	367
Before FY2000	183
Since FY2000	184
Liens Before FY2000	\$8,270,987 (72%)
Liens Since FY2000	\$3,224,435 (28%)

In the code enforcement records, one owner may own multiple premises, and one premise may have multiple cases. In the amnesty program, each case is categorized as 1) currently out of compliance where fines continue to accrue daily and liens were recorded,

or 2) currently in compliance but with unpaid, previously accrued fines and outstanding liens. Table 3 below shows the number of owners and premises that have cases in each category.

**Table 3
Cases in Each Category by Same Owner or Premise**

	Number
Owners with more than one case in both categories	19
Premises with more than one case in both categories	17
Premises with one or more cases that applied for amnesty and with one or more cases that did not apply for amnesty	2

The effects of this are reflected in the following tables providing the number of owners and premises that have cases in each category, in that the sum of the number of premises and owners in each category will be higher than the number of individual premises and owners eligible for amnesty.

Table 4 shows that while 62% of the cases are in compliance, the liens outstanding on premises that are in compliance and out of compliance are approximately equal at \$5.7 and 5.79 million, respectively.

**Table 4
Types of Cases and Liens**

	In Compliance- with Outstanding Fines & Liens	Out of Compliance with Fines Accruing
Eligible Cases (367 total)	229 (62%)	138 (38%)
Eligible Premises (1) (320 total)	204	129
Liens Outstanding	\$5,706,302	\$5,789,120

(1) Refer back to Table 3.

Partnerships were developed with individuals and local non-profit organizations to provide assistance to low-income premise owners to assist them in correcting code violations and provide pro bono legal services. Attorneys from the Tallahassee Bar and the Tallahassee Barristers Association worked with the City Attorney's Office to provide legal services while other volunteer groups assisted homeowners to resolve code violations. The City also entered into a contract with the firm of Joyner & Jordan-Holmes, P.A., (Law firm) to process cases for

collection or foreclose on owners of rental premises to ensure compliance with the Code.

The original timeframe for the Amnesty Program provided an application period from July 1, 2003, to October 1, 2003, with completion by January 30, 2004. The application deadline was extended to December 31, 2003, and the completion date was extended to March 31, 2004. To be eligible for the Amnesty Program, the code violation had to occur before January 1, 2003, and the Board or the Magistrate had to have assessed fines and liens on the premise. The Amnesty Program focused on these older more difficult cases. Historically, NCS reported voluntary compliance to correct code violations that exceeded 90%. However, over the years, 320 of these premises had accumulated over \$11 million in fines and liens.

Review Results

Measuring Success of the Amnesty Program

Working with Amnesty Program staff, the following criteria were used to evaluate the success of the Amnesty Program:

1. Determining the number and percent of cases, owners, and premises that were eligible and that applied for the Amnesty Program, measuring program enrollment;
2. Determining the number of eligible cases and premises successfully receiving amnesty through the Amnesty Program, measuring program accomplishment;
3. Determining the number of premises that were in compliance and out of compliance and received amnesty through the Amnesty Program, measuring program accomplishment;
4. Determining the number of premises that were out of compliance and were brought into compliance, measuring program accomplishment;
5. Determining the number of eligible cases disposed, measuring program impact; and
6. Comparing photographs of premises at two different times, October 2003 and August 2004, to measure program impact.

1. Number and Percent of Cases, Owners, and Premises that were Eligible and that Applied for the Amnesty Program - Program Enrollment

One method of measuring enrollment success is to examine the participation of the eligible cases, premises, and owners in the Amnesty Program.

As shown in Table 5, almost two-thirds of the eligible cases (65%), premises (68%), and owners (64%)

applied for amnesty under the Amnesty Program. This is a good indication that owners were notified about the Amnesty Program and were aware of the advantages of requesting amnesty. Notification efforts included sending letters to premise owners, notifying owners and their tenants through media articles, discussing the program at City Commission meetings, and holding three workshops to encourage participation and answer questions.

Table 5
Amnesty Program Eligibility and Program Enrollment

	Cases	Premises (1)	Owners (1)
Eligible for Amnesty	367	320	299
Applied for Amnesty	237 (65%)	216 (68%)	190 (64%)

(1) Refer back to Table 3.

Table 6 shows that the same proportion of **cases** in compliance (65%) as those out of compliance (64%) applied for the Amnesty Program. This shows that owners were generally aware of the Amnesty Program.

Table 6
Types of Cases and Program Enrollment

	Cases	
	In Compliance-with Outstanding Fines & Liens	Out of Compliance with Fines Accruing
Eligible for Amnesty (367 total)	229	138
Applied for Amnesty (237 total)	148 (65%)	89 (64%)

Table 7 shows the same proportion of **owners** in compliance as those out of compliance applied for the Amnesty Program. Again, this shows that owners were generally aware of the Amnesty Program.

Table 7
Types of Owners and Program Enrollment

	Owners (1)	
	In Compliance-with Outstanding Fines & Liens	Out of Compliance with Fines Accruing
Eligible for Amnesty (299 total)	206	123
Applied for Amnesty (190 total)	132 (64%)	79 (64%)

(1) Refer back to Table 3.

Table 8 shows the same proportion of **premises** in compliance as those out of compliance applied for the Amnesty Program. Table 8 also shows that the liens on those **premises** in compliance are approximately the same as those out of compliance; however, those applying for amnesty represented 68% of the total fines for out of compliance premises.

Table 8
Liens on Premises as of July 2003

	Premises			
	In Compliance-with Outstanding Fines & Liens		Out of Compliance with Fines Accruing	
	# (1)	\$	#	\$
Eligible for Amnesty	204	\$5,706,302	129	\$5,789,120
Applied for Amnesty	133 (65%)	\$3,455,647 (61%)	83 (64%)	\$3,934,455 (68%)
Did Not Apply	76 (37%)	\$2,250,655 (39%)	46 (36%)	\$1,854,665 (32%)

(1) Refer back to Table 3.

2. Number of Eligible Cases and Premises Successfully Receiving Amnesty - Program Accomplishment

One method of measuring the Amnesty Program accomplishment is to examine the number of cases and premises that are removed from the code enforcement violation listing. These are the cases where violations have been corrected, the fines have been reduced or dismissed by the Committee, and the owners have paid the reduced fine. The listing contained 367 cases on 320 premises that had accumulated over \$11 million in fines through July 2003.

As shown in Table 5 above, 190 owners applied for amnesty for 237 cases on 216 premises. The Committee heard 224 cases. Some cases were referred to the Board or to the Magistrate as these cases had previously been reconsidered and the fines reduced. The Committee reconsidered the fines and either dismissed the fines or assessed reduced fines ranging from \$250 to \$1,000. The Committee considered the nature of the violation, the length of time before the violation was corrected, other premises with violations, and the financial circumstances of the owner in setting the level of the fine.

Table 9, on the next page, shows the breakdown of cases, premises, and owners eligible for amnesty in July 2003 and their dispositions as of September 2004.

Subsequent to our audit fieldwork, further action has taken place on the 26 cases that remained open as of September 2004, and management expects to close or refer for foreclosure all remaining cases by March 2005.

Table 9 also shows that out of the total number of cases where owners applied for amnesty (237), a total of 160 or 68% were either dismissed or paid the reduced fine. Out of the total number of premises where owners applied for amnesty (216), a total of 143 or 66% were either dismissed or paid the reduced fine. Whether evaluating the Amnesty Program by cases, premises, or owners, the table shows an approximate 67% success rate.

3. Number of In Compliance and Out of Compliance Premises Successfully Receiving Amnesty – Program Accomplishment

Premises that are reported as “in compliance” were initially cited by either the Board or the Magistrate as out of compliance and were then brought into compliance. These premises do not continue to accrue fines. In July 2003, fines on these premises totaled \$5.7 million. Premises reported as “out of compliance” were cited by either the Board or the Magistrate as not in compliance with the Code and continue to be out of compliance. These premises continue to accrue fines each day that they remain out of compliance. In July 2003, these premises represented \$5.79 million of the amount of fines on premises eligible for amnesty.

Table 10 shows that significantly more premises that were in compliance (74%) successfully received amnesty than those premises that are out of compliance (55%).

**Table 9
Dollar Amount and Number of Cases, Premises, and Owners
Eligible for Amnesty and their Dispositions**

Committee Decision	\$ Amount	Cases	Premises	Owners
Eligible for Amnesty:				
Eligible for Amnesty	\$ 11,495,422	367	320	299
Did not Apply for Amnesty	4,105,320	130	118	112
Applied for Amnesty	7,390,102	237	216	190
Disposition of All Cases Eligible for Amnesty:				
Dismissed by Panel	\$ 714,732	41	34	34
Fines Reduced	3,203,775	98	90	79
Closed by Board or Magistrate	863,440	21	19	16
Total Successfully Received Amnesty		160 of 237 (68%)	143 of 216 (66%)	129 of 190 (68%)
Liens Removed for Other Reasons	982,570	38	36	35
Foreclosed	194,535	10	8	7
Referred to Foreclosure	4,518,315	133	124	115
Open Cases	1,018,055	26	23	16
Totals (1)	\$ 11,495,422	367	334	302
Total Fines Paid	\$ 48,500	98	90	79

(1) While cases are unique, premises and owners can be closed by different ways that result in multiple dispositions for the same premise or same owner. Therefore, there can be more premises and owners in the dispositions than were eligible for amnesty. See Table 3 for further explanation.

There are minor differences between the total number of premises shown in Table 9 above and in Table 10 below. Table 10 includes premises that have multiple code violations. A premise can be both in compliance with outstanding fines and liens and also out of compliance with fines accruing. Therefore, one premise will be counted twice, once in each column. See Table 3 for further explanation.

**Table 10
Amnesty Success Rate for Premises**

	In Compliance- with O/S Fines & Liens	Out of Compliance with Fines Accruing
Premises Eligible for Amnesty (1)	204	129
Premises Applying for Amnesty (1)	133	83
Dismissed by Panel	28	8
Paid Reduced Fine	57	35
Dismissed/Settled by Board or Magistrate	14	3
Total Successfully Received Amnesty	99 of 133 (74%)	46 of 83 (55%)
Liens Removed by Dismissal and/or Payment of Reduced Fine	\$2,022,827	\$1,895,680

O/S – outstanding

(1) Some premises have multiple cases, some in compliance with outstanding fines and liens and some out of compliance with fines accruing. See Table 3 for further explanation.

4. Number of Premises Out of Compliance Brought Into Compliance - Program Accomplishment

Premises that are reported as “out of compliance” have been cited by either the Board or the Magistrate as not in compliance with the Code. These premises continue to accrue fines each day that they remain out of compliance. In July 2003, these premises represented approximately \$5.8 million of the amount of fines on premises eligible for amnesty.

One hundred twenty-nine premises (represented in 138 cases) were out of compliance at the beginning of the Amnesty Program. Eighty-three of these premises applied for amnesty and were heard by the Committee. Table 11 shows the results of the Committee decisions for the “out of compliance” premises with fines accruing.

**Table 11
Amnesty Lien Review Committee (ALRC) Decisions for Out of Compliance Cases and Premises**

ALRC Decision	Out of Compliance	
	Cases	Premises
Eligible for Amnesty (1)	138	129
Applied for Amnesty (1)	89	83
Dismissed by Panel	9	8
Assessed a Reduced Fine	75	72
Dismissed/Settled by Board or Magistrate	4	3
Referred for Collection or Foreclosure	1	1
Total	89	84 (2)
Paid Reduced Fines/Dismissed	47	43
Liens Removed	\$1,895,680	

(1) Some premises have multiple cases, some in compliance with outstanding fines and liens and some out of compliance with fines accruing. See Table 3 for further explanation.

(2) One premise had one case assessed a fine and another case referred to the Board for action.

5. Disposition of Cases Eligible for the Amnesty Program - Measuring Program Impact

Of the 367 cases that were eligible for the Amnesty Program, all but 26 have been disposed at the end of our fieldwork in September 2004. Subsequent to our audit fieldwork, further action has taken place on the 26 cases that remained open, and management expects to close or refer for foreclosure all remaining cases by March 2005. Table 9, on page 6, shows the disposition of the 367 cases, 320 premises, and 299 owners.

6. Photographic Comparison of Premises in the Amnesty Program - Program Impact

We randomly selected premises eligible for the Amnesty Program and took photographs in October 2003 and again in August 2004 to evaluate changes in the appearance of the premises. To assess Amnesty Program impact, we created the following categories to evaluate changes in the appearance of each premise we observed.

- Deteriorate – over the 10-month period the premise continued to deteriorate and appeared to be in worse condition.

- No change – the premise remained in substantially the same condition over the 10-month period.
- Improvement – work was in process on the premise, but not completed.
- Success – a noticeable improvement in the premise, such as a new roof, paint, removal of yard trash, removal of building, etc., such that the premise was no longer a blight to the neighborhood.

We selected a total of eight cases and seven premises for our comparison. Seven of the eight cases applied for amnesty.

Case 1 – 540 Brevard

This building and lot were cited with two violations, care of premise and building codes in December 2001. The building was still out of compliance and was included in the Amnesty Program. Fines were accumulating at the rate of \$35 per day and total fines in July were \$20,835. The owner made application for amnesty in August 2003. The Board had previously heard the case so the Committee did not consider the case but referred it to the Board. The building was sold in October 2003, and a new building has been constructed. The Board reduced the fines to \$500 and \$1,500 and the previous owner paid the fines. The pictures to the right are of the building in October 2003 and in August 2004.



Case 1 – After – 540 Brevard – In August 2004, the building had been replaced with a new structure and a grand opening was taking place.

Conclusion – Success – The building was demolished and a new structure was placed on the lot. The Amnesty Program allowed for the reduction of fines from \$35,220 to \$2,000, which facilitated the removal of the dangerous building and the addition of a taxable piece of property to the neighborhood.

Case 2 – 2712 Lake Henrietta

This building and lot were cited as a violation of care of premise and building codes in September 2000. The building was still out of compliance and was included in the Amnesty Program. Fines were accumulating at the rate of \$35 per day and totaled \$36,900 in July 2003. The owner made application for amnesty in July 2003. The premise was inspected and found to be out of compliance. The Committee met in October 2003 and granted a reduction in fines to \$250 if the premise was brought into compliance within 30 days. Subsequent inspections showed that the premise remained out of compliance. The case was referred to the Law firm for the process of collection or foreclosure. The photographs below show the condition of the building in October 2003 and in August 2004.



Case 1 – Before – 540 Brevard – In October 2003, the photograph shows a building that has been condemned and is in need of substantial repairs. The eaves of the building were falling off and many of the windows and doors were broken or missing.



Case 2 – Before – 2712 Lake Henrietta – In October 2003, the metal building was in need of repair and the premise was overgrown with weeds. Table and chairs were placed in the front.



Cases 2 – After – 2712 Lake Henrietta – In August 2004, there was no apparent change in the building or the condition of the lot.

Conclusion – No Change – No changes were noted to this building. However, the goals of the Amnesty Program are being achieved as the case has been assigned to the Law firm for collection or foreclosure. This will allow the premise to be sold and the building to be demolished. Total fines remain at \$36,900 and increase \$35 per day.

Case 3 – 2413 Lanrell

This lot was cited as a violation of care of premise codes in January 2002. While this case was eligible for the Amnesty Program, the owner did not apply for amnesty. This lot was brought into compliance in January 2003 and the fines at that time were \$9,210. This case was referred to the Law firm in May 2004 for the process of collection or foreclosure. The photographs below show the condition of the lot in October 2003 and in August 2004.



Case 3 – Before – 2413 Lanrell – In October 2003, the lot was overgrown with weeds and high grass. The fence was almost completely covered with vines.



Case 3 – After – 2413 Lanrell – In August 2004, the lot was still overgrown with high grass. The vines had been removed. The back part of this lot is used as a holding pond. The lot had been mowed since October 2003, but the owner of the lot did not apply for amnesty.

Conclusion – No Change – There did not appear to be any change in the condition of this lot. However, the goals of the Amnesty Program are being achieved as the case has been submitted to the Law firm for collection or foreclosure. Total fines remain at \$9,210.

Case 4 – 507 Gore

Two buildings on the same lot were cited in September 2000 for violations of the building code. Both cases were included in the Amnesty Program and the owner applied for amnesty in October 2003. The Committee heard both cases in December 2003, and the fines were reduced from \$73,660 to \$500 for each case, contingent

on each of the premises being brought into compliance within 60 days. The premises were inspected and found to be in compliance, the fines were paid, and liens were removed in March 2004. The photographs below show the building in October 2003 and in August 2004.



Case 4 – Before – 507 Gore – In October 2003, the windows and the eave of the roof needed repair. Weeds and shrubs were overgrown on the side of the building, with a vine growing up the wall. No screens were on the windows.



Case 4 – After – 507 Gore – In August 2004, new windows and screens had been installed, the roof eave repaired, and the weeds, vines, and shrubs removed.

Conclusion – Success – The building had been repaired and is no longer a blight to the neighborhood.

Case 5 – 1213 Richmond

This case began in 1991 when it was cited with dangerous building and care of premise violations. The building was listed as having been brought into compliance but had outstanding fines of \$45,750. The owners applied for amnesty in September 2003. The

premise was inspected in October 2003 and found to be out of compliance. The Committee met in December 2003 and granted a reduction in fines to \$500 if the premise was brought back into compliance within 60 days. The reduced fine was not paid and the case was referred to the Board after conclusion of the Amnesty Program and reconsidered in August 2004. The owner of this premise owns multiple premises that were in the Amnesty Program. The case has not been referred to the Law firm for collection or foreclosure. The photographs below show the condition of the building in October 2003 and in August 2004.



Case 5 – Before – 1213 Richmond – In October 2003, the front porch of the house needed repairs and the side stairs needed to be replaced.



Case 5 After – 1213 Richmond – In August 2004, the front porch and the stairs had been repaired, toys were in the front yard and the house appeared to be in compliance.

Conclusion – Improvement – While improvements were made to this premise that appear to bring it into compliance with the Code, outstanding fines remain at \$45,750. The owners will need to bring all of their

premises into compliance with the Code and apply to the Board for reconsideration of their fines.

Case 6 – 3301 Sunnyside

This case began in 2002 as a care of premise violation and was included in the Amnesty Program. The premise was listed as in compliance with an outstanding fine of \$1,925. The owner applied for amnesty in October 2003; the premise was inspected and found to be in compliance. The Committee heard the case in October 2003 and dismissed the fine and removed the lien. The photographs below show the condition of the building in October 2003 and in August 2004.



Case 6 – Before – 3301 Sunnyside – In October 2003, the foundation of a building was present, lot was mowed, and building materials were not present.



Case 6 – After – 3301 Sunnyside – In August 2004, construction of a house was now apparent on the lot.

Conclusion – Success – This premise was improved and a house was built on this corner lot, adding to the neighborhood.

Case 7 – 1022 Railroad

This case started as care of premise and inoperable vehicle violations in December 2002. The building was still out of compliance in July 2003 and was included in the Amnesty Program. Fines were accumulating at the rate of \$25 per day and totaled \$5,775 in July 2003. The owner applied for amnesty in September 2003. The premise was inspected and found to be out of compliance. The Committee met in February 2004 and reduced the fine to \$500 if the premise was brought into compliance within 15 days. Subsequent inspections showed that the premise remained out of compliance. The case was referred to the Law firm for collection or foreclosure. The photographs below show the condition of the building in October 2003 and in August 2004.



Case 7 – Before – 1022 Railroad – In October 2003, weeds were overgrown and an inoperable vehicle was on the side of the house.



Case 7 – After – 1022 Railroad – In August 2004, the vehicle had been removed but the building was still overgrown with weeds, and the building was posted as condemned.

Conclusion – No Change – The goals of the Amnesty Program are being achieved as the case has been referred to the Law firm for collection or foreclosure.

Photographic Comparison of Premises - Conclusion

While all seven cases did not bring the premises into compliance, the Amnesty Program achieved some level of success by bringing closure to these cases. Three of the premises were very successful, new buildings or significant improvements were made on the lots after reduced fines were either paid or dismissed. In three other cases we found that the goals of the Amnesty Program had been accomplished by starting foreclosure proceedings on the premises, which will result in the removal of these unsightly conditions. In the final case we noted improvement in the building where one owner owned several premises that were out of compliance. NCS was working with this owner to bring all of his premises into compliance.

Conclusion

Overall, the City of Tallahassee Amnesty Program can be described as a significant success because:

- ▷ Overall, 93% of all eligible cases (341 of the 367 cases) were either successfully closed (208) or referred (133) for processing for collection or foreclosure.
- ▷ Prior to this program, there existed groups of premises that were either out of compliance with considerable fines outstanding and increasing daily, or in compliance with outstanding fines totaling over \$11 million. Absent intervention, it is doubtful that positive resolution would have occurred.
- ▷ Several City departments worked together to bring the problem to the attention of the City Manager and the City Commission.
- ▷ The City Commission fully supported the Amnesty Program.
- ▷ Premise owners and the community were put on notice through letters, press releases, and community workshops that there was support for the Amnesty Program.
- ▷ The Amnesty Lien Review Committee effectively addressed the issues and was consistent in reducing and settling fines and requiring premises to be brought into compliance.

- ▷ The City Attorney solicited help and contracted with an attorney to process foreclosure proceedings. In addition, the City Attorney established procedures to address code enforcement cases in order to lessen the likelihood that another amnesty program will be needed.

Throughout the Amnesty Program period, the City Auditor monitored actions, provided assurance and consulting services, and prepared this report on the impact and effectiveness of the Amnesty Program.

Response from Appointed Officials

City Manager: We appreciate the monitoring and support provided to our Code Enforcement staff by the City Auditor during the Amnesty process. With the City Attorney's support in developing the Amnesty program and their management of the foreclosure process for those not in compliance, we will continue to see improvements in our community through the removal of these blight conditions. I recognize however the majority of the effort in this program fell on our Code Enforcement staff and I want to commend them for the many long hours they committed to bring the program in on time and the excellent work they did in developing and implementing the Amnesty process. The Commission is to be commended for a program that is definitely a "Best Practices" candidate!

City Attorney: The tremendous success of the Amnesty Program, as referenced by the Auditor, is due in large part to the willingness of citizens, civic organizations, and several City departments, most remarkably the Department of Neighborhood and Community Services, to work in a coordinated manner toward the goal of ridding Tallahassee of longstanding areas of neglect. Many volunteers spent hours educating the public about the benefits of the Amnesty Program and directing them to resources that could assist them in meeting the City code requirements. The combined efforts of City departments in considering each citizen's request, providing feedback, and following up on the completion of repairs performed, produced positive and longstanding results for the community. The City's contract with a law firm to provide collection and foreclosure services provides a means of preventing a future backlog of liens on compliant and non-compliant properties. I am pleased that the Auditor was able to capture through photography and data the success of the Amnesty Program.

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Report prepared by:

Jim Carpenter, Audit Manager

Beth Breier, CPA, CISA, Audit Manager

Jerry Edwards, CIA, CGAP, Senior Auditor

Sam M. McCall, CPA, CGFM, CIA, CGAP, City Auditor