



Administrative Hearing Process

AUSTIN, TEXAS CODE OF ORDINANCES, CHAPTER 2-13. - ADMINISTRATIVE ADJUDICATION OF VIOLATIONS

WELCOME TO THE CITY OF AUSTIN, DEVELOPMENT SERVICES DEPARTMENT

This handout is meant to help you understand the Administrative Hearing Process.

WE OPERATE ON A FIRST COME, FIRST SERVED BASIS

You will be called into the Hearing room in the order in which you arrive.

RULES

- ⇒ Please place all mobile devices on silent.
- ⇒ Do not interrupt while others are talking.
- ⇒ Listen for understanding; ask clarifying questions.
- ⇒ Speak to others with respect and courtesy - do not use profanity.
- ⇒ Food and drinks are not allowed in the hearing room.
- ⇒ No weapons, guns or knives, are permitted in the hearing room.

INSIDE THE HEARING ROOM

- ⇒ Each party in the hearing will sit at their own tables.
- ⇒ You are permitted to plug in a laptop/phone if you need those items to present your facts and evidence.
- ⇒ You are permitted to take notes throughout the process.

HEARING PROCESS

- ⇒ Sign-in sheet - sign your full name and provide a valid email address.
- ⇒ The Hearing Officer will open the hearing and read the citation number and property address.
- ⇒ Each party will identify themselves - State your full name and your relationship to the property, i.e. Property Owner, Attorney for the Property Owner, Representative for the Property Owner.
- ⇒ The Hearing Officer will swear everyone in - Raise your right hand and affirm you will tell the truth.
- ⇒ The Hearing Officer will give each party an opportunity to present their case.
- ⇒ The Hearing Officer will adjourn (close) the hearing.
- ⇒ The Hearing Officer will issue a decision.

THE HEARING OFFICER

- ⇒ The Hearing Officer is not a City of Austin Employee.
- ⇒ The Hearing Officer is a neutral third party vendor hired by the City to hear and make rulings on Administrative Hearing cases.
- ⇒ The Hearing Officer is responsible for opening and adjourning the Administrative Hearing.
- ⇒ The Hearing Officer may ask clarifying questions of either party throughout the hearing.
- ⇒ The Hearing Officer will listen to and review all the facts and evidence presented before issuing a final order.
- ⇒ The Hearing Officer has seven (7) days from the date of the hearing to issue an order.
- ⇒ The Hearing Officer may assess a fine if you are found liable for a City of Austin code violation.

THE CITY WILL PRESENT THEIR FACTS AND EVIDENCE

- ⇒ The City of Austin, including the Code Inspector, will present the city's evidence and read relevant facts into the record.
- ⇒ The City will ask the Hearing Officer to admit the City's evidence.
- ⇒ The Hearing Officer may ask the Code Inspector questions and may request that the Code Inspector show photos and documents.
- ⇒ The Hearing Officer will give you an opportunity to ask the Code Inspector questions.

THE PROPERTY OWNER/REPRESENTATIVE WILL PRESENT THEIR FACTS AND EVIDENCE

- ⇒ This is your opportunity to explain your situation and present your facts and evidence.
- ⇒ You may show photos and explain the steps you have taken to address the Notice of Violation and the Administrative Hearing Citation issued by the Code Inspector.
- ⇒ The Hearing Officer will give the Code Inspector an opportunity to ask you questions when you are done with your presentation.

AFTER THE HEARING

- ⇒ The City will email or send you a copy of the Hearing Officer's order.
- ⇒ A violator found liable by a Hearing Officer may appeal the determination by:
 - (1) Filing a petition with the Clerk of the Municipal Court before the 31st day after the Hearing Officer's determination is filed with the City Clerk; and
 - (2) Paying a non-refundable filing fee.
- ⇒ If you are found liable an administrative fee will be applied to the Hearing Officer's order. This fee is established by the City of Austin fee schedule.