

## REPEAT OFFENDER PROGRAM EDUCATION PACKET

The Austin Code Department offers a number of resources to help educate property owners and managers about city codes and ordinances to keep our community safe.

The Repeat Offender Program (ROP) is a rental registration program for properties with multiple code violations. The program's intent is to ensure Austin renters are living in properties that meet minimum health and safety standards, as defined by the International Property Maintenance Code (IPMC). The below information and resources are available to help you get to know the program requirements and ensure your property stays safe.



**Visit the Repeat Offender Program webpage to learn more about ROP:**

[www.austintexas.gov/department/repeat-offender-program](http://www.austintexas.gov/department/repeat-offender-program)

### Program Expectations

- **Registration form**—This form must be submitted within 14 days of notification.
- **Annual fee**—This recurring fee is required for rental registration within the program.
- **Periodic inspections**—Properties will be inspected annually to ensure compliance.
- **Non-compliance**—An ROP property may have its registration suspended or revoked if the conditions qualify. This prohibits leasing vacant units until compliance is met.

### Common Code Violations

- **Tips to inspect your property**—City codes regulate property upkeep, land use, and building conditions. Visit our website to view tips to ensure your property stays safe.

### Recommended Signage

- **Suggested common area signage**—Properties must post signage in common areas. Visit our website to review signage templates that meet the ordinance requirements.

### Contact Information

- **Find your assigned code inspector**—Visit our website to locate contact information for your assigned Code representatives or call Code Connect: 512-974-CODE (2633).

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**Visit the program webpage to learn more and view a schedule of upcoming ROP community activities:** [www.austintexas.gov/department/repeat-offender-program](http://www.austintexas.gov/department/repeat-offender-program)

# REPEAT OFFENDER PROGRAM

All rental properties that have received numerous health and safety complaints within 24 consecutive months are required to register with the City of Austin Repeat Offender Program by City Council resolution (Ordinance No. 20130926-012 and Amended Ordinance 20141120-003). This ordinance requires inspections and other guidelines for rental properties falling under the “2-5-2” conditions.

## 2-5-2 Conditions

A rental registration is required for multi-family and single-family rental properties (not occupied by the owner) if they have received the following within 24 consecutive months at the same property:

**2** or more separate notices of violation not corrected within the allotted time.

**5** or more separate notices of violation—of any type—issued on separate days, regardless of whether they were corrected or not.

**2** or more citations.



### Single-family Property

property used for single family residential, single-family attached, and two-family residential (duplexes, garage apartments, town homes, garden homes, etc.)



### Multi-family Property

property used for three or more dwelling units, within one or more buildings (apartments, condos, etc.)

## Still have questions?

Call: 512-974-2633

Email: [CodeConnect@austintexas.gov](mailto:CodeConnect@austintexas.gov)



**AUSTIN**CODE  
DEPARTMENT

# FAQ

## When will I have to register by?

The owner of a property must register within 14 days. If the owner would like to appeal the registration, they must submit a statement that supports the appeal. This must be in writing within 10 days and sent to: City of Austin, Code Department, Attn: ROP, PO Box 1088, Austin, TX 78767

## What if I sell the property?

Registration is non-transferable. If the property is sold, the new owner will have 30 days to submit a new Repeat Offender application and pay a new registration fee (if applicable). If the rental property is made compliant within 90 days after the property is sold, the property will be taken off of the repeat offender list.

## What information is required on the registration application?

The owner will be asked to provide his/her name, address, telephone number, and email address. If the owner is a corporation or association, the name and address of the registered agent on file with the Texas Secretary of State will be required. In addition, the number of individual rental units and buildings at the property and a telephone number that will be answered 24 hours a day by a local contact (i.e.: emergency phone number) will be required.

## Are there any exceptions?

Exceptions only apply to owner-occupied rentals and units regulated by another section of the code (such as hotels, motels, and bed and breakfasts).

## How much does registration cost?

Current Registration Fee is \$380. Please submit your payment with the completed ROP application.

## How long will I remain on the Repeat Offender List?

The property owner will remain on the repeat offender list for a minimum of two years. This information is also available to the public at: [www.austintexas.gov/departments/repeat-offender-program](http://www.austintexas.gov/departments/repeat-offender-program)

## Still have questions?

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# Property Inspections

## Tips to inspect your own property

City of Austin codes protect the public's health and safety. Codes regulate proper property upkeep, land use and building conditions. What can you do to make sure your property stays safe? 🏠 Here are tips to help inspect your own property:

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### Inside

**Doors**—are all doors working properly and in good repair? Make sure there's no damage to the door jambs, hardware, weather stripping, or protective treatment.

**Window**—are all window panes in place and unbroken? Are the window locks working? Windows should be weather tight with no breezes or moisture coming through. If used as an emergency exit, make sure it can open and is unobstructed.

**Walls, floors, & ceilings**—are they in good condition? Make sure there are no cracks, holes, gaps, trip hazards, or damage to these surfaces.

**Electrical**—Check your light switches and outlets to see if they are working and in good repair. Make sure there is no exposed or damaged wiring.

**Sink, toilet, tub, & shower**—are the faucets and fixtures working correctly? Is there sufficient water pressure? Check that the water gets hot enough – it should be able to reach 110 degrees Fahrenheit after three minutes of running.

**Appliances & cabinets**—are they damaged, inoperable, or missing parts?

**HVAC system**—can it heat the room to at least 68 degrees Fahrenheit? Make sure the exhaust pipe is properly connected and the area is kept clear.

**Fire protection**—Are the smoke and carbon monoxide alarms working? Make sure there is a working alarm in your bedroom and at least one alarm in the common area.

**Water heater**—Is there sufficient water pressure? Make sure that water can get up to 110 degrees Fahrenheit (after three minutes running) and keep the area clear.

**Infestation**—Look for signs of rodents, bed bugs, roaches, fleas, bees, or other pests.

## Outside

**Stairway**–are the treads in good repair and secure? Check for trip hazards and an appropriate stair riser (or step height) on the stairs.

**Balcony, deck, porch, patio, & landing**–are the walking surfaces in good repair, smooth, and undamaged? Make sure support systems are anchored and functional.

**Handrails & guardrails**–are they in good repair and secure? Check that the rails are not cracked, loose, missing, incorrectly spaced, or lacking protective treatment.

**Walls**–are they in good condition? Make sure there is no damage and they have the proper trim, protective treatment, and remain weather tight to protect the inside.

**Electrical fixtures**–are they in good repair? Make sure any wiring is covered up.

**Plumbing**–is there a backflow preventer installed on the hose bib? Is there leaking? Check the clean-out covers and piping.

**Roof**–is the roof covering, soffit, and fascia all intact and in good repair? Make sure there are no leaks in the rain gutters or downspouts.

**Fences, walls, sidewalks, parking surfaces & carports**–Are they in good repair and undamaged? Check for potholes, trip hazards, and uneven walking surfaces.

**Trash**–Is there trash and rubbish around the property, overflowing dumpsters? Check if there is old furniture, tires or junk outside of the dumpster.

Keep in mind that this is not a full comprehensive list of potential code issues, rather these are some common issues that code inspectors check for during an inspection.

Learn more at [AustinTexas.gov/Code](https://www.austintexas.gov/Code).

If you have questions, please contact **Code Connect** at **512-974-2633 (CODE)**



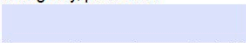
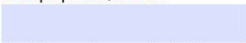
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*The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. For assistance please contact (512) 974-9191 or Relay Texas 7-1-1.*

## SIGN CRITERIA PER CHAPTER §4-14-34

The sign provided in this document meets the requirements of the law and is in a format easily provided to a sign company. As a registrant of the Repeat Offender Program, this property is required to post signage in the common area(s) of multi-family properties and in the kitchen of a single-family property that satisfy **ALL** of the following 9 criteria.

1. Sign must be in English and in Spanish.
2. Must include the emergency phone number described in Texas Property Code Section 92.020.
3. Must include information regarding how to report code violations to the City.
4. For multi-family properties, must be a MINIMUM of 12 inches by 24 inches. For single-family properties, must be a MINIMUM of 8.5 inches by 11 inches.
5. Must be weatherproof. (multi-family properties, only)
6. Must have a white background with letters and numbers in a contrasting color.
7. Must post 1 sign per 50 units. (multi-family properties, only)
8. If more than 50 units, signs may not be posted in the same area.
9. A corrected sign must be posted within 3 days of any change to the emergency phone number.

<b>NOTICE TO TENANTS</b>	<b>AVISO A INQUILINOS</b>
This property located at: 	Esta propiedad ubicada en: 
is registered in The City of Austin's Repeat Offender Program (Chapter 4-14 of Austin city code)	está registrado en el Programa de Delincuentes Reincidentes de la Ciudad de Austin (Capítulo 4-14 del código de la ciudad de Austin)
If you have a property maintenance emergency, please call 	Si tiene una emergencia de mantenimiento de la propiedad, llame al 
You may also report any code violations to the City by calling 3-1-1.	También puede reportar ó informarse de cualquier violación de código a la Ciudad de Austin, llamando al 3-1-1.



*Visit the ROP webpage to **download templates** for common area signs:*

[www.austintexas.gov/  
department/repeat-  
offender-program](http://www.austintexas.gov/department/repeat-offender-program)



# REPEAT OFFENDER PROGRAM (ROP)

## REGISTRATION SUSPENSION AND REVOCATION PROCESS



**QUALIFYING CONDITIONS:** Properties registered on the Repeat Offender Program (ROP) may have their registration suspended or revoked. Properties with suspended or revoked ROP registrations will be required to keep vacant units empty until they come into compliance. Any 1 of the conditions below may trigger a review for suspension or revocation. At each review step it is possible to discontinue the suspension and revocation process. Each property is unique. Decisions may be based on history, the severity or frequency of the citation, or other factors as deemed relevant.

- Registrant fails to comply with permitting requirements
- Registrant fails to timely comply with Notice of Violation (NOV)
- Failure to comply with all obligations specified in the ordinance.
- Property is declared substandard by Building and Standards Commission, Code Official, or a court.
- Property is declared dangerous by Building and Standards Commission, Code Official, or a court.

## REVIEW PROCESS

### INSPECTOR & SUPERVISOR

A field inspector, in consultation with a supervisor, may recommend suspension or revocation of a ROP registration if a qualifying condition exists.

clock starts

### DIVISION MANAGER & ASSISTANT DIRECTOR

Review the case and the recommendation of the Inspector. Forward their recommendation.

within 10 days

### CODE OFFICIAL

Reviews both recommendations and the details of the case with an eye towards a fair and consistent outcome.

within 10 days

### REVIEW COMPLETED & DECISION MADE

## SUSPEND OR REVOKE

### NOTICING THE PROPERTY OWNER

Should the Code Official review the recommendations and supporting evidence and determine that a property qualifies for suspension or revocation, then a Notice of Intent to suspend or revoke will be sent to the property owner.

Notice of Intent to suspend or revoke is sent by both regular and certified mail within 5 days of the Code Official's determination.

### SUSPENDED OR REVOKED REGISTRATION

Suspension or revocation is effective until the registrant complies with an order from Building and Standards Commission, Austin Code Department, or a court.

A ROP property with a suspended or revoked registration is restricted from renting units that were or become vacant. They may not lease or otherwise allow a vacant unit to become occupied by new tenants.

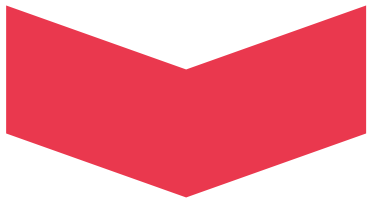
A property's ROP registration may be revoked if dangerous conditions are found and not corrected. It may also be revoked if an order to vacate is issued.

# PROPERTY OWNER'S TWO POTENTIAL COURSES OF ACTION

## 1. APPEAL

An appeal must:

- Be submitted to the Code Official within 10 days of notification of suspension or revocation.
- Contain a brief statement of the facts that support the appeal.



## BSC HEARING

The Building and Standards Commission can grant the appeal and reverse the suspension or revocation.

They may also deny the appeal. If denied, a property owner may appeal to District Court.

## 2. COMPLY

After a ROP property has achieved compliance with City Code, a Code Official may reinstate the registration.



## THE COST

ROP properties with suspended or revoked registration will not be able to lease vacant or initially vacant units that were or become vacant and will see a loss of revenue. The intent of suspension and revocation is to incentivize property owners to expedite compliance to restore that lost income.

Should a ROP property registration be revoked rather than suspended, the owner will be required to reapply for registration and pay a new registration fee. The property will also begin the minimum registration period over.

FOR MORE INFORMATION, CALL



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**512-974-2633**