



**To: Council Member Latisha Johnson**  
**From: Miriam Smart-Blanks**  
**Department of Appeals and Hearings**  
**Date: March 26, 2023**  
**Re: Responses to Council Member Johnson's Submission**

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Please find below responses to your questions dated March 15, 2023, regarding the proposed Fiscal Year 2024 Proposed Budget for Department of Appeals and Hearings (DAH).

- 1. Our office has received several complaints from residents who are rental property owners whose tenants are responsible for the blight violations associated with the property in which they live. However, the property OWNER is served the blight ticket. Has the DAH devised a solution to this where the tenant will be held responsible for the blight ticket(s)?**

*Under, 8-15-19(a) of the Property Maintenance Code, the owner of the building is responsible for maintaining the building in compliance with the Code. If a landlord is ticketed and appears at the hearing with a written agreement evidencing that the tenant is legally responsible for maintaining the property, then the ticket may be dismissed and re-issued to the tenant pursuant to the legal agreement between the parties.*

- 2. Page B45-3 of the proposed budget indicates that FY23 revenue is down about \$2.3 M and expenses are up about \$950,000 for FY22. How will this affect operations?**

*Fiscal Year 2022 revenue was \$5.36M and we project actual revenue to be about \$4.6M for FY23, exceeding the budgeted revenue by over \$1.5M. The FY23 expenses enhanced department operations, including capital funding for a docket management system and the conversion of long-time TASS employees to FTE with benefits.*

- 3. What percentage of blight hearings are for homeowners and how many are for landlords?**

*Of the hearings conducted thus far in FY23, 4,243 of the 22,474 Respondents (person/entity named in ticket) were ticketed as landlords. The remaining respondents include owner-occupied, vacant and commercial property.*

- 4. Please provide a FY22 breakdown of blight ticket hearings by division (Property Maintenance, Zoning, and Illegal Dumping/Solid Waste).**

*In FY23, hearings were conducted on blight tickets issued under these City Code sections:*

- a. Property Maintenance Code: 48,807**



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- b. *Solid Waste and Illegal Dumping: 14,329*
- c. *Zoning: 282*

**5. Please provide a break of blight ticket hearing by agency (e.g. BSEED, DPD, etc.)**

*In FY23, hearings were conducted on blight tickets issued by:*

- a. *BSEED: 61,328 blight ticket issued*
- b. *DPD: 3,609 blight tickets issued*

**6. How many blight hearings are for landlords for not registering their property or obtaining a Certificate of Compliance?**

*In FY23, 4,243 hearings have been held for blight tickets issued against landlords for failure to have a certificate of compliance.*

**7. What is the percentage of cases that are issued a Default Judgment and how many Default Judgments are set aside?**

*The percentage of judgments that are entered by default is 66% of judgments entered. Of the 40,827 default judgments entered in FY23, 271 of the default judgments have been set aside.*

Signature: \_\_\_\_\_

*Miriam Blanch-Smart*

Date: \_\_\_\_\_

*3/26/23*