

Code Enforcement Activity and Impact in Austin, TX's Gentrifying Neighborhoods

Executive Summary

Overview

This report finds that in 2018, areas of Austin, TX that have experienced gentrification or are vulnerable to gentrification see considerably more residential code complaints than areas that are not gentrifying and not vulnerable. This is true for both complaint types that are related to housing quality and age, and complaint types that are not.

Different complaint-type and housing-type categories reveal even more nuanced patterns. For instance, complaints on multi-family properties are much higher in areas that are susceptible to gentrification (i.e. vulnerable and adjacent to a gentrifying tract, or “next in line to gentrify”) than in other areas.



Photo source: KVUE.com, December 19, 2018

These findings suggest that Austin Code has an opportunity to respond to patterns of enforcement activity as they relate to gentrification and displacement. Code does not currently track the occupancy-status of the properties they inspect. Yet the impact of code enforcement is very different for renter-occupied properties than it is for homeowner-occupied properties.

The programs that Code offers (via partners) for displacement-mitigation support tend to be homeowner focused, even though many Austin residents living in housing with code violations, who face the highest risk of displacement, are renters. Austin Code has an opportunity to better clarify and strategize their response to both homeowners and renters who face the threat of displacement due to code enforcement.

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This Executive Summary was adapted by the author from a professional report for the University of Texas at Austin Community and Regional Planning program. The full report can be found [here](#).

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Background and Research Question

Community members and advocates have expressed concern that Austin Code enforcement activity in the city’s gentrifying neighborhoods contributes to residential displacement pressure. However, there are conflicting views as to whether code is over-enforcing, causing financial pressure on low-income homeowners and property owners, or under-enforcing, exacerbating health, safety, and displacement risks for low-income tenants.

This study seeks to ground this conversation with data. The report compares code complaint frequency to gentrification and displacement activity in Austin neighborhoods, in order to answer the question, “Do census tracts that are experiencing or are vulnerable to gentrification experience higher code complaints than census tracts that are not gentrifying and not vulnerable?” This question is asked for all complaints in general, and for specific complaint type categories.

Methodology

The central analysis in this report compares residential code complaint frequency in 2018 at the census tract level to the stage of gentrification for all census tracts in Austin, using an “analysis of variance,” or “ANOVA” test. Code complaint frequency was derived from the City’s “Austin Code Complaint Cases” dataset. Austin’s zoning map was overlaid to isolate only results that line up with residential-zoned areas. “Austin Gentrification and Displacement Indicator” maps from the 2018 UT “Uprooted” report on residential gentrification and displacement were used to determine gentrification activity or vulnerability. Gentrification categories were simplified from their original form in the “Uprooted” report into the following five categories:

Tract Types

Not gentrifying, not vulnerable	Tracts that do not have the demographic mix that would make them vulnerable to gentrification
Vulnerable	Demographically vulnerable to displacement, but not currently gentrifying
Susceptible	Vulnerable and also adjacent to a gentrifying tract, likely to gentrify soon
Gentrifying	Currently experiencing displacement and neighborhood change
Gentrified	Has already experienced significant displacement and neighborhood change

The results of this test appear as a percentage of code complaints per occupied households, or number of code complaints per 100 households for the average tract in different stages of gentrification.

In addition to testing all code complaints, the following complaint types and category breakdowns were also conducted:

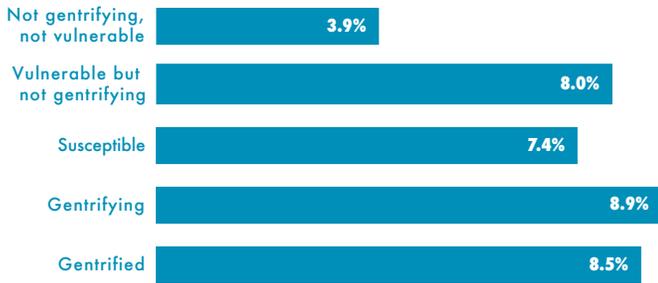
- Land Use Violations (violations of Austin’s land development code)
- Property Abatement (dealing mostly with the exterior upkeep of properties)
- Structural Condition Violations (issues with the soundness and safety of structures themselves)
- Work Without Permit (unpermitted improvements made to a property)
- All Single-Family Residential Complaints
- All Multi-Family Residential Complaints

These tests were supported by supplementary interviews with supervisors from the Austin Code department and expert-advocates from the Austin tenant advocacy community, who helped clarify and interpret the results of the tests, and provided additional insight on the impact of code enforcement on residential vulnerability and neighborhood change.

Findings

The results of this report show that there is a stark difference in code complaint frequency between the average “not gentrifying, not vulnerable” tract (4% per occupied household) and those that are vulnerable to gentrification or experiencing gentrification (between 7.4% and 8.9%). In every test conducted, “not gentrifying, not vulnerable” tracts experienced considerably fewer code complaints than tracts that are vulnerable to or experiencing gentrification.

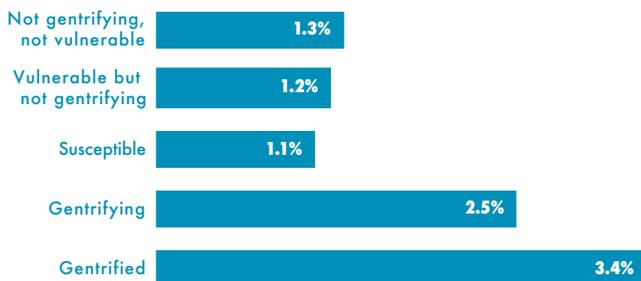
Code complaints per occupied household



All complaint categories, residential only, all household types, tract-level, City of Austin, 2018

Individual complaint type tests suggest that the difference in complaint frequency cannot be explained by housing stock quality and age alone. For instance, Land Use Violation complaints, which are tied to land development code and not housing stock quality, are low in “not gentrifying” and early stage tracts (1.1% to 1.3%), and then ramp up considerably in gentrifying and gentrified tracts (2.5% and 3.4%, respectively). Land Use

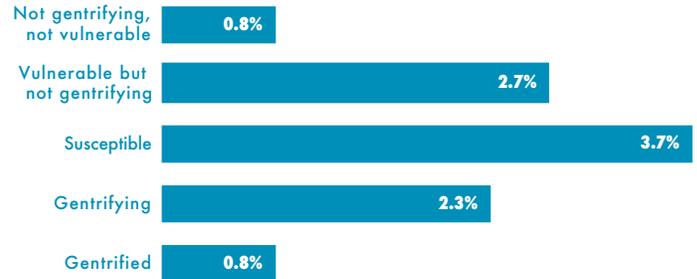
Land Use Violation code complaints per occupied household



Tract-level, residential only, City of Austin, 2018

Violation, Work Without Permit, and overall single-family residential complaints all show an uptick in frequency in gentrifying and gentrified tracts.

Multi-family code complaints per occupied household



All complaint categories, residential only, tract-level, City of Austin, 2018

Code complaints for multi-family residential properties noticeably spike in susceptible tracts, compared to vulnerable by not gentrifying tracts. These two tract types share major demographic characteristics. The only difference is that susceptible tracts are adjacent to already-gentrifying tracts.

Because complaints are anonymous, we don’t know who is calling on whom, or why. However, anecdotally, some Code officers report feeling open to the idea, or even confident, that bad actors may be abusing the anonymous complaint system to put extra pressure on property owners to sell. These findings may support this conclusion, as well as other social tension-based explanations.

Austin Code interviewees emphasize that they enforce the property, not the occupancy-type. However, this report finds that the impact of code enforcement in gentrifying or vulnerable neighborhoods is very different for renters and homeowners. Interviews suggest that some Austin Code personnel and protocol center homeowners, in both community outreach efforts and overall understanding of the impact of code enforcement on gentrification and residential displacement. Austin Code’s data collection and management processes do not track renter vs. homeowner properties.

Recommendations

for the Austin Code Department

How can Austin Code better address the divergent impacts of code enforcement for renters and homeowners?

1. **Differentiate owner-occupancy and renter-occupancy.** Develop two parallel departmental strategies, protocols, and/or officer specialization, one responsive to owner-occupied properties, and one to renter-occupied properties.
2. **Track occupancy status** categorically for code complaints and violations.
3. Continue to **improve Austin Code data robustness and accuracy**, and public data availability.
4. **Clarify Austin Code's community education and collaboration strategies.** How do these strategies work for tenants in addition to homeowners?

How can Austin Code better assess and address the impact of code enforcement in neighborhood experiencing displacement and neighborhood change caused by gentrification?

5. **Provide training and education on gentrification and displacement** within the department.
6. **Prioritize resident voices** in agenda-setting and decision-making.
7. Consider and explore policies and strategies that would **minimize or eliminate the potential for abuse of the reactive code complaint system.** Prioritize the health, safety, and livelihood of vulnerable residents when making these considerations. [This recommendation would require an ordinance change.]
8. Work closely, share information, and **collaborate with other equity-focused city departments.**