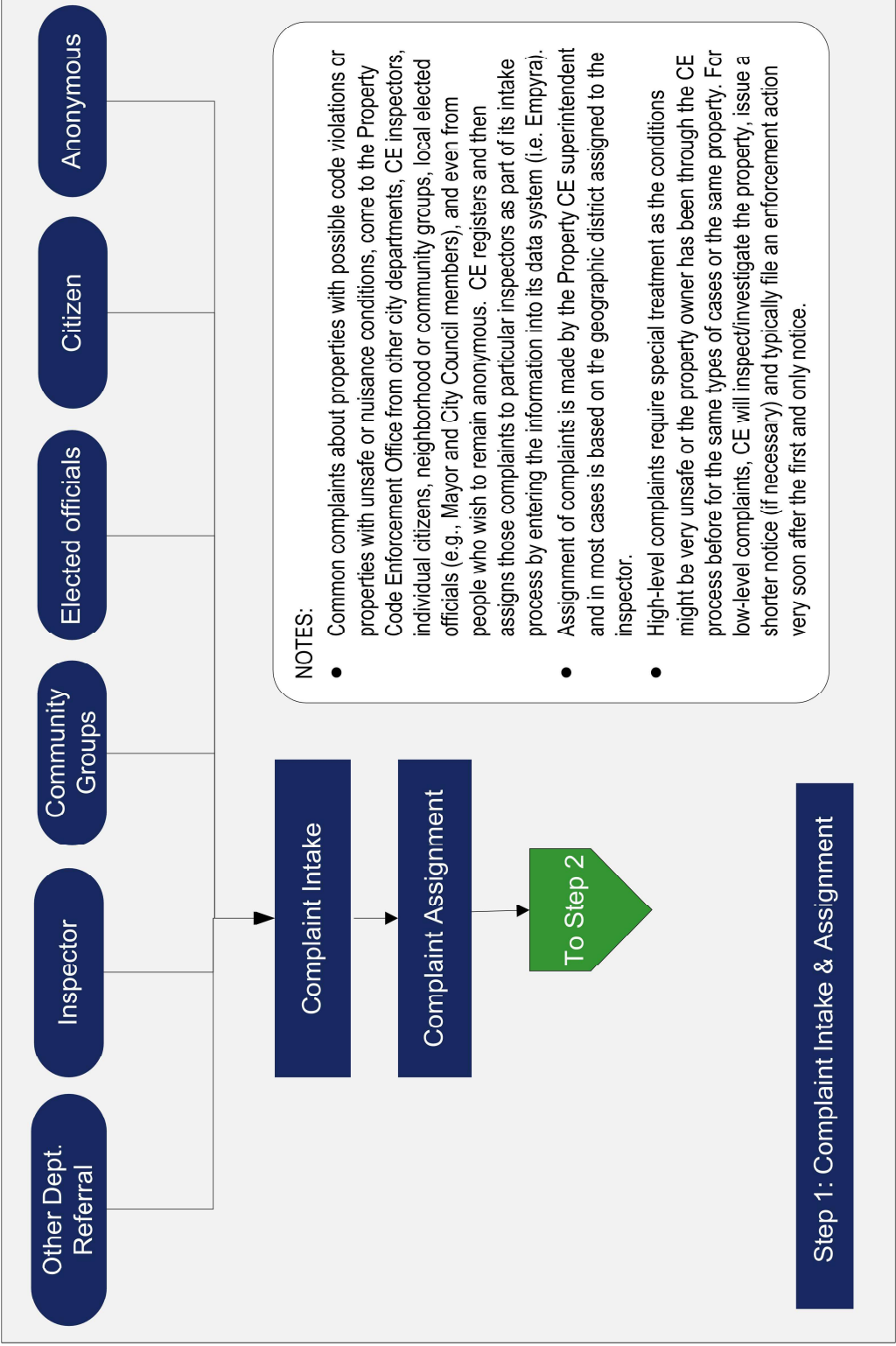




# Chapter 1

## Complaint Initiation & Intake





Author

Revised by#

Revision #

Implementation Date

## 1. PURPOSE

To establish a standard by which complaints of violations of the Youngstown Code of Ordinances are received and addressed.

## 2. PHILOSOPHY

In any diverse community, it is not unusual for neighbor disputes to arise for the simplest and most innocent of reasons. When these disagreements go unresolved, they can escalate. In some instances, the parties will attempt to use City services to escalate these differences and harass the other party. The false reporting of violations and repeated reporting of slight/minimal violations covered under the “spirit of the law” are becoming more and more prevalent. These complaints do little to resolve the disagreements between neighbors and are a drain on staff time with repeated inspections of properties that comply within the spirit of the law. When there is no contact information for the reporting party, Code Enforcement staff cannot inform or educate the reporting/complaining party as to the validity of their complaint and the timeline that may be required to bring the property into compliance, if the complaint is valid. If there is no actual violation, the complaining party may then become dissatisfied with the service received, believing that the City is unresponsive. With that in mind, Youngstown’s Property Code Enforcement Office has found it necessary to institute the following policy regarding the reporting of alleged violations of the Youngstown Code of Ordinances.

## 3. POLICY

The Property Code Enforcement Office does not respond to anonymous complaints/reports of NON-LIFE THREATENING violations of the Youngstown Code of Ordinances. Life threatening violations include but are not limited to the following:

- Lack of egress – stationary security bars on sleeping room windows
- Discarded/abandoned appliances that may present a hazard to children
- Unsecured and/or unmaintained pools/spas/ponds
- Open, vacant accessible buildings
- Structurally unsafe building (e.g., walls, roof collapsing, etc.)
- Substantially substandard occupied housing
- Health issues such as unsanitary premises, sewage leaks/spills
- No water service and/or heat during winter
- Traffic hazards
- Fire hazards

Life threatening complaints are to be received, entered into the database and assigned as per the Violation Response Priority Policy, even if anonymous.

#### 4. PRACTICE

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Every attempt should be made to obtain the name, address and phone number of the reporting/complaining party. Care and concern shall be given in explaining the policy regarding the anonymous reporting of violations. It should be emphasized that complainant information is confidential by law, and cannot be given out to the public. It should also be explained that without contact information, the staff is unable to provide updates, give or receive clarification of location or validity of the violation. If the complaining party refuses to give contact information and is insistent that the division “take the complaint,” the staff member is to input the information into the database, noting **ANONYMOUS COMPLAINT**. The staff member is to explain to the reporting/complaining party that an anonymous complaint is considered a “low level response priority as per Section 2.12 .

The inspector responsible for the area or assigned to the complaint will review existing files for documentation and/or history of enforcement action. If there is an existing case, the inspector is to respond to the location and take appropriate action based on the results of the inspection as per Section 3.4 Case Management/Selection of Enforcement Action of the P&P Manual. If there is no existing file or documentation, the inspector may schedule an inspection as is convenient.

All life-threatening complaints are to be received, entered into the database and assigned as per Section 2.12 Violation Response Priority. However, every attempt should be made to obtain the name, address and phone number of the reporting/complaining party.



## 1.2 COMPLAINT ASSIGNMENT

Author		Revised by#	
Revision #		Implementation Date	

## 1. PURPOSE

To establish a standard by which complaints/cases are assigned to the proper personnel based on type, area, experience, certification, urgency and/or need.

## 2. PHILOSOPHY

The Property Code Enforcement Office is responsible for a variety of conditions and concerns throughout the city. As such, the Office has numerous staff members with varied backgrounds, certifications, knowledge, experience, and expertise. It is important that complaints received are assigned to the appropriate staff with the appropriate qualifications in the appropriate geographic area.

## 3. POLICY

Complaints received by staff that are 1) outside their assigned geographic assignment, 2) beyond the level of their certifications, knowledge, experience and expertise as per the Established Level of Authority Policy, or 3) not the responsibility of the Property Code Enforcement Office, are to be referred as noted in Section 2.10 Referring Complaints to Other Departments or brought to the attention of the Property CE superintendent for additional direction or reassignment.

## 4. PRACTICE

Assigning complaints by geographic area can be completed using the Empyra system. There will be instances when complaints assigned to an individual staff member are 1) outside their assigned geographic area, 2) beyond the level of their certifications, knowledge, experience and expertise as per the Established Level of Authority Policy, 3) not the responsibility of the Property Code Enforcement Office.

### 1. Complaint Outside the Inspector's Assigned Geographic Area

In the instance of a complaint received that is outside the geographic area assigned to the inspector, they are to advise the Property CE superintendent without inspecting the complaint. If the Property CE superintendent is not available (e.g. schedule day off, vacation etc.), the inspector is authorized to bring "transfer" the complaint to the inspector for the area where the complaint is located.

## 2. Complaint beyond the Inspector's Level of Certifications, Knowledge, Experience, and Expertise

If the complaint is beyond the certifications, knowledge, experience and/or expertise of the code enforcement inspector assigned, as per the Established Level of Authority Policy, the inspector may, with approval of their Supervisor/Manager, request assistance from another inspector with additional certifications, knowledge, experience and/or expertise and use the complaint as a training opportunity. In these situations, the inspector assigned shall note that the inspection/investigation was completed with the assistance/guidance of another inspector with additional certifications, knowledge, experience and/or expertise. The inspector providing the assistance shall log the time expended at the location as “training” as per Section 3.8 Cost Recovery.

## 3. Complaint Not the Responsibility Property Code Enforcement Office

In the instance of a complaint that is outside of the responsibility/authority of the Property Code Enforcement Office, the code enforcement inspector is to refer the issue as noted in Section 2.10 Referring Complaints to Other Departments or bring it to the attention of the Property CE superintendent for additional direction or reassignment

The Property CE superintendent, supervisors and administration may, as they deem necessary, assign complaints to inspectors throughout the city regardless of geographic boundaries, certifications, knowledge, experience and expertise. In these cases, they must notify all staff members that may be impacted so as not to create confusion or frustration. This notification shall be completed via e-mail and include the code enforcement inspector(s) impacted, supervisor(s) impacted as well as the Property CE superintendent and the reason for the assignment.



Author

Revised by#

Revision #

Implementation Date

## 1. PURPOSE

To establish a standardized method and process for accepting and/or referring complaints which are received by the code enforcement staff.

## 2. PHILOSOPHY

It is important that all incoming complaints be received, documented and routed in a consistent manner. As such, all incoming calls regarding complaints of violations should be directed to the Property CE secretary (Phone number: 742-8888)

## 3. POLICY

When a report of a violation or “complaint” is made directly to a code enforcement staff member the staff member is to 1) forward the call to the Property CE secretary 2) instruct the reporting party to report the complaint through the Property CE secretary

## 4. PRACTICE

It is not unusual to receive reports of violations or “complaints” in the field, via text message, email etc. Although we strive to provide excellent customer service, excepting these complaints outside the established system may seem to be good service in the short term, but may be counterproductive. In these instances, the following practices shall be implemented.

### In person - In the field

When an individual reports a violation or complaint to an inspector in the field, inspector should explain how to properly make the report through the Property CE secretary.

If the report is regarding a property in the area where the complaint has been made the inspector shall request the name, phone number and e-mail of the reporting party. If the location has an open case/complaint the inspector shall perform an inspection as per Section 2.5

Inspection/Investigation and document their observations per Section 2.9 Photo & Video Documentation.

The results of the inspection are to be entered into the Empyra system listing the reporting party information as available. The inspector shall select the next step in the enforcement process as per Section 3.4 Case Management/Selection of Enforcement Action. If the location does not have an open case/complaint the results of the inspection are not to be entered into the Empyra system until a valid service request is received. If a service request has not been received within

two (2) days of the inspection a proactive service request is to be opened as per Section 1.5 inspector/Staff Initiated Complaints and the reporting party information is to be placed into the complaint. The case is then treated as any regular case/complaint received.

#### **In person - Walk-in**

When an individual reports a violation or complaint in the Property Code Enforcement Office, the Code Enforcement secretary is to take the information and enter it the same as if it were received via telephone.

#### **Phone**

When an individual reports a violation or complaint to an inspector via the phone, they are to be transferred to the Code Enforcement secretary.

#### **E-mail**

When an individual reports a violation or complaint to any staff member via email, the email is to be forwarded to the Property CE superintendent first, who could review, and then refer to the Property CE secretary.

#### **US Mail**

When an individual reports a violation via US Mail, the code enforcement staff member receiving the mail shall first send it to the Code Enforcement secretary.

#### **Interdepartmental Mail/Referral**

When another department reports a violation or complaint to code enforcement staff member they are to be directed to the Code Enforcement secretary. This DOES NOT include any complaints/referrals covered under Section 1.4 High-Level Administrative Complaints/Inquiries.

It is important that staff members do not give the appearance of “it’s not my job” in the response and instructions on how to properly make a report or complaint. To avoid this impression in each case the staff member receiving the complaint shall perform a cursory search to identify any open complaints/cases at the location reported. If there is an open case/complaint the staff member is to inform the reporting party of the open case/complaint in their response while encouraging them to make their formal complaint through the Property CE secretary.

It is very important that staff provide information as to why it is important and often the best option to process all complaints through the Property CE secretary. This may sound like, “Thank you for your concern and commitment to keep Youngstown clean and safe. The administration has set up a complaint reporting, assigning and tracking system to make certain that your concerns are forwarded to the appropriate division/person and tracked to be sure they are addressed and resolved in a timely fashion. We want to keep you updated and aware of progress



as well as ask follow-up questions as needed. That is why it is important that reports/complaints be made to the Property CE secretary.”

If a reporting party refuses to call the Property CE secretary, provide their contact information, has made the report anonymously, cannot be contacted, the staff member shall take the information (as much information as possible) and provide it to the Property CE secretary via email.

## CITY OF YOUNGSTOWN



### 1.4 HIGH-LEVEL ADMINISTRATIVE COMPLAINS/INQUIRIES

Author		Revised by#	
Revision #		Implementation Date	

## 1. PURPOSE

To establish a standard by which calls/complaints/concerns received from high levels of government (Mayor/Council/Chief Administrative inspector/City Attorney's Office/etc.) are received, assigned, inspected and responses provided.

## 2. PHILOSOPHY

The Property Code Enforcement Office receives calls/complaints/concerns from high level offices and officials on a regular basis - everything from the relatively mundane, such as trash cans left at the curb too long to the more serious issues of fire-damaged dangerous buildings and unsanitary conditions that are a threat to health and safety. It is important that these calls/complaints/concerns be treated with a sense of urgency and reviewed and as may be required, inspected and addressed in a timely fashion with updates provided to the individual/entity reporting the issue(s). Doing otherwise can create a lack of trust and confidence within the administration. The trust and confidence of administration is of paramount importance when Property Code Enforcement & Demolition is the target of accusations of non-performance or when requests for additional budget, staff, and equipment are made or changes and enhancements to the Youngstown Code of Ordinances are proposed that will make our efforts more effective.

## 3. POLICY

Calls/complaints/concerns received from high level administrative offices are a Level 1 complaint, as per Section 2.12 Violation Response Priority and require an immediate review and response from a Property CE superintendent or higher. In cases that may require additional time for inspection there is to be no more than a 24-hour delay for the inspection and updated response.

## 4. PRACTICE

**NOTE:** High level calls/complaints/concerns are to be "accepted" by any staff member that receives the call/complaint/concern in whatever form it is made as per Section 1.3 Complaint Intake.

As high level calls/complaints/concerns are received (in whatever form verbal-written-message-electronic, etc.) they are to be documented in e-mail and routed to the inspector where the complaint/concern is located, with a cc to the Property CE superintendent. If the high-level calls/complaints/concerns are given to an inspector/staff member personally, the inspector/staff member is to e-mail the information to the inspector for the appropriate area where the complaint/concern is located, with a cc to the Property CE superintendent. The Property CE superintendent will assign the complaint/concern to an inspector OR may opt to handle it personally. The location of the call/complaint/concern is to be inspected ASAP and a written (e-mail) “forwardable” response provided to the within 48 hours (2 working days) of receipt of the call/complaint/concern.

The “forwardable” response must include:

1. Validity – is there a violation.
2. Completeness – are there more issues/violations at the location than reported.
3. History with details as may appropriate. NOT – “This place has been a problem since 1999”
4. \*Action – what is being done - is there a **current** case, or an action pending (on hold for appeal – in court – awaiting warrant from court - etc.) or has a new action been initiated out of the complaint/concern
5. \*Proposed enforcement/compliance date – when do you anticipate enforcement/compliance and what will be the additional steps if compliance is not obtained by that date.

*\* This may be difficult in some cases; however, court dates, hearing dates, re-inspection dates, warrant and abatement dates can be included to give an estimated time frame. The response should be realistic but error on the side of caution. Do not “over promise and under deliver.”*

As with all complaints, inspections and investigations all steps shall be documented in the case management system (Empyra) including a copy of the original complaint/concern and the “forwardable” response noted above.

Each inspector is responsible for the follow-up and follow-through of the High-Level Complaints in their assigned area.



## 1.5 INSPECTOR/STAFF INITIATED COMPLAINTS

Author		Revised by#	
Revision #		Implementation Date	

## 1. PURPOSE

To establish a standard as to when and how inspectors/staff proactively address violations.

## 2. PHILOSOPHY

It is not unusual for code enforcement staff to get caught up in responding to the complaints and concerns of residents and business owners. At times these concerns, although very important to the individual reporting the violation, can be a lower priority than conditions nearby that have a more detrimental impact on the community. As such, code enforcement staff must have the ability and authority to address unreported conditions they observe to make the greatest possible positive impact in the areas in which they are assigned.

## 3. POLICY

While in the field inspectors and staff are to be conscious the overall conditions and needs of their assigned area, they are to be watchful for hazardous conditions, such as vacant accessible structures, and address them as they occur and not wait for them to be reported.

It is required that inspectors and staff address all observable violations at a subject property while conducting an inspection based on a complaint received even if the condition(s) was not part of the original complaint.

It is also highly recommended that inspectors and staff address similar or like issues on adjacent properties as time and workload allow.

## 4. PRACTICE

When inspectors and staff observe a condition that is hazardous or potentially hazardous – such as an open accessible structure – they are to proactively address the property/condition. So as not to waste time and efforts they are to research the Empyra system to see if: 1) There is an open case 2) There is an open unaddressed complaint/report. The inspector is to conduct an inspection and document the conditions/violations observed.

- If there is no active case or complaint the inspector is to open a case in Empyra and indicate the results of the inspection.
- If there is unaddressed complaint the inspector is to update the Empyra system indicating the results of the inspection.
- If there is an open case, the inspector is to update the Empyra system indicating the current conditions at the location.

- If there is no active enforcement action on the property, the inspector shall initiate the appropriate action(s) based on the condition(s) observed at the property.

If there has already been an enforcement action on the property, the inspector shall take the next level of enforcement as deemed appropriate in Section 3.4 Case Management/Selection of Enforcement Action or the action(s) as directed by the Property CE superintendent.