In the late ‘90s, five children died in Los Angeles when a fire tore through an illegal garage apartment. Soon after, the mayor started one of the first programs in the country to inspect rental properties on a routine basis.

When two Sacramento fires in early 2007 killed four kids and a father, officials established a task force to ensure every building in the city had a smoke alarm.

But after similar tragedies in Chicago, city officials repeatedly failed to follow through on their reform promises, according to an April investigation by the Better Government Association and the Chicago Tribune. The report detailed how systemic failures in Chicago’s inspection and enforcement system contributed to 61 deaths from fatal fires in buildings the city was warned were unsafe.

City officials didn’t follow up on housing complaints, settled lawsuits with little evidence of repairs and repeatedly let landlords off the hook after finding dangerous conditions at their properties, the investigation found.
Across the country, other cities have responded to loss of life by beefing up housing inspections and implementing more effective enforcement programs. Housing officials and other experts credit these measures with substantially improving building safety.

Chicago officials responded to the BGA/Tribune investigation by denying any systemic problems with code enforcement and saying they bore no responsibility for the 61 deaths.

Citing the Tribune/BGA investigation, Ald. Gilbert Villegas, 36th, recently called for hearings on the effectiveness of Chicago’s complaint-based building inspection program.

Mayor Lori Lightfoot declined to address the investigation’s findings but said her administration is reviving a long-abandoned initiative to target landlords who repeatedly land in court over code violations.

Housing policy experts say a city the size of Chicago could easily do far more.

“This stuff is not rocket science,” said Alan Mallach, senior fellow at the Center for Community Progress, a Michigan-based nonprofit organization dedicated to improving neighborhoods and addressing problem buildings. “This is something any city can do and can do well if it decides it really wants to.”

To find potential fixes for Chicago’s failures, the BGA and Tribune examined practices in the nation’s 20 most populated cities, including reforms prompted by tragedy.

Here are nine things other cities are doing to make buildings safer for their citizens.

1. **Register or license landlords, and gather information on how many units they operate.**

   At least 10 cities require landlords to be licensed or registered, and two others plan to phase in similar programs in the next few years.
These systems make it easier for cities to know how many rental units exist and who owns them, which helps officials target inspections. In Minneapolis, for example, officials use the system to inspect all properties owned by a landlord after finding chronic problems at just one.

Chicago does not license landlords or require registration. The city collects most of its information through a complaint-based system in which the tenants are responsible for reporting problems. City inspectors are supposed to investigate individual complaints. The city does not track all properties owned by each landlord.

Mallach, with the Center for Community Progress, said registration is helpful, but a landlord licensing system is more powerful because it gives city officials authority to revoke privileges for bad landlords.

“In the state of Illinois, believe it or not, you can’t sell minnows to a fisherman legally without having a license,” he said. “If people want to be in the business of renting apartments to members of the general public, they should be licensed.”

Inspector Sheila Jones conducts an outside inspection during a pre-scheduled visit to a residential complex in Washington, D.C.’s Bellevue neighborhood on June 8, 2021. (Madison Hopkins/Better Government Association)
2. **Find dangerous conditions by inspecting all rentals.**

Many large cities have mandatory inspection programs for rental properties.

For these cities, the first step is to take stock of housing conditions by inspecting every rental unit and prioritize finding life-threatening conditions. The visits are scheduled to help ensure inspectors can get inside the units, a chronic challenge in Chicago.

After the initial round of inspections is complete, Mallach said, cities use the information to conduct additional inspections at the worst properties.

“You’re like Santa; you know who’s been good and who’s been bad, and (you) lay off the good ones,” Mallach said.

Minneapolis has one of the oldest programs requiring inspections of all rental properties, funded in part by landlord licensing fees, city officials said. Beginning in the '90s, the city spent more than 20 years completing the first round of inspections at nearly 90,000 rental units.

Now, all rental buildings are on a three-tiered scale based on property violations and landlord responsiveness. Only the worst-ranked properties are inspected annually, but all units are checked at least once every eight years. Inspectors also respond to tenant complaints, officials said.

Other large cities that inspect rental units without waiting for a complaint include Los Angeles; Houston; Dallas; San Jose, Calif.; Seattle; Washington; Boston; Sacramento, Calif., and Detroit.

In Chicago, there are no mandatory proactive rental inspections. The city used to require regular inspections of large residential buildings, but the City Council eliminated that mandate in 2017.

The agency’s 178 budgeted inspector positions in 2021 — down from 200 in 2011 — also handle other duties, such as the issuance of construction permits. Many other cities have inspectors dedicated to one task or the other.

The Tribune/BGA investigation found Chicago’s inspection practices have
repeatedly allowed life-threatening problems to go unaddressed. Between 2014 and 2019, serious building violations played a role in more than two dozen fatal fires in homes the Buildings Department hadn’t inspected in at least five years, records show.

Both advocates and government officials say a proactive inspection program can’t succeed without proper planning and resources.

Paul Williams, Boston’s assistant housing commissioner, said a 2014 initiative to inspect all rental units within five years was slowed by an inability to get landlords to voluntarily register their properties. He also said Boston initially had neither enough inspectors nor an effective way to schedule inspections.

But Williams said the city has made progress scheduling regular visits to all registered units, prioritizing the ones not yet inspected.

“You’re sort of fixing the plane while you’re flying it,” he said. “There’s this idea that you put an ordinance in place, put a law in place, and it fixes the problem. It doesn’t unless someone looks at it holistically.”

3. Standardize enforcement of housing codes by setting and following clear written rules.

In Washington, D.C., the deaths of two people in a rowhouse fire prompted the city to clarify its standards for residential inspections.

Before the fire, a police officer reported the building was dangerously overcrowded, but the complaint wasn’t properly addressed, according to an independent investigation commissioned by Mayor Muriel Bowser. An inspector was eventually sent but failed to get inside after three attempts, and the case was closed shortly before the fatal fire broke out.

“The D.C. government may as well have set this fire itself,” tenant advocate Stephanie Bastek said at a city hearing.

The city agency that conducts building inspections, the Department of Consumer and Regulatory Affairs, has since issued and updated “step-by-step” instructions
on how to handle complaints, down to the fields the inspector should fill out in a database, according to documents city officials provided to the BGA and Tribune in response to a public records request.


Chicago officials said they have no such handbook or written protocols, instead relying on the discretion of inspectors to prioritize complaints and ensure problems are addressed correctly.

In other cities, written operating procedures guide the response to complaints, and internal audits are conducted to make sure the guidelines are followed. Defining clear guidelines is a basic step to preventing cases from slipping through the cracks, housing policy experts said.

In Washington, DCRA Director Ernest Chrappah said his team is dedicated to learning from its mistakes: “Our focus is on ... taking any complaint, any inspection, any tip that comes into the agency, as a call to action to figure out what else we can do.”
4. Promptly respond to housing complaints ...

Inspectors in Los Angeles are expected to respond to complaints within 72 hours. In 2018, an audit found the team met the goal only about 70% of the time and recommended the department assess its staffing levels. Two years later the department reported it was meeting the deadline 94% of the time.

Chicago used to have a 21-day deadline — or 504 hours — for responding to complaints, but a 2018 report from the Office of the Inspector General found building inspectors met the deadline less than 40% of the time. In response, the city did away with the requirement.

Buildings Department officials said they have internal guidelines for how long it should take to respond to complaints, but the Tribune/BGA investigation found the response time can be weeks or even months.

In some cases, there were deadly consequences. In February 2017, two little girls died after a fire started from a pot of boiling water the family was using to keep warm. The city received at least five complaints over four years of no heat in the apartment, but inspectors never got inside the building to check.

5. ... and schedule inspections in advance.

In Los Angeles and Minneapolis, inspectors are expected to reach out to tenants who file complaints to schedule inspections before the inspectors visit buildings, a practice the BGA/Tribune review found is common in the nation’s most populous cities.

Cities that conduct routine rental inspections also notify tenants and owners of planned inspection dates to ensure inspectors are able to get inside. In Seattle, the advance notice required is two months.

Kellie Jones, director of inspections services in Minneapolis, said scheduling inspections in advance has minimized “no-entry” problems. Owners and renters tend to allow entry, she said, because they are accustomed to the city’s nearly three-decades-old proactive inspection program.
Chicago inspectors do not routinely schedule appointments ahead of time; officials with the Buildings Department said their practice is for inspectors to call a few hours before they plan to arrive. If inspectors knock on the door but no one lets them in, the case is often closed.

6. Make sure the problem is fixed.

In San Francisco and seven other major cities, inspectors are required to re-inspect properties to verify violations are addressed.

Jamie Sanbonmatsu, San Francisco’s chief housing inspector, said landlords get 30 days to make repairs. If substantial progress hasn’t been made by then, city inspectors fine the landlord to recover the cost of city employees’ time, he said.

“They have to pay us for not fixing it,” Sanbonmatsu said. “It’s really the follow-up enforcement that makes the difference.”

Los Angeles also mandates re-inspections and gives landlords 30 days to repair problems that are not life-threatening, according to an internal watchdog report posted online. When the violation involves an imminent danger to health or safety, officials can order it resolved within 48 hours. If it isn’t fixed, the city can make the repair itself and charge the landlord.

In Chicago, it takes a judge or a city hearing officer to require a re-inspection. The Tribune/BGA investigation found nine people died in fatal fires in buildings where inspectors identified serious safety problems but the city took no action to ensure the issues were fixed beyond sending a warning letter.
Firefighters work at a November 2014 fire in the Hollywood Park neighborhood where a 10-year-old boy died on the top floor. Multiple tenants said they heard no smoke detectors. Nancy Stone/Chicago Tribune

7. Force repairs by hitting owners of the worst properties in the pocketbook.

In Los Angeles, if repairs are not made, the city routinely orders a reduction in rent of 10% to 50%, depending on the severity of the problems.

Those tenants pay the reduced rent to the landlord or send it to a fund called the Rent Escrow Account Program. The landlord can request some of the money for repairs, but the balance isn’t released until the building is up to code.

Minneapolis charges its highest landlord registration fees to the owners of chronically deficient properties. And when landlords fail to pay fines for violations on time, the money is added to the property’s tax bill.

In some of the most dangerous cases, Minneapolis officials revoke landlords’ licenses, banning them from collecting rent at any of their properties. Jones, the city’s top inspections official, said the inspections department does not have to
pursue this option often.

“We’re successful in most cases,” she said. “If we tell you to fix something, they fix something.”

A review of Minneapolis’ violation data from 2015 to 2020 shows problems labeled as “life-safety” issues were marked as fixed at an average annual rate of more than 85%.

She said the system, while not perfect, is making tenants safer.

8. Give tenants an option to sue for speedy fixes.

In Washington, D.C., a special “fix-it” court was established in 2010 to bypass the traditional building inspection program and the slow, expensive court system. Tenants pay just $15 to sue landlords for repairs, and the initial hearing is typically set a few weeks later.

A building inspector permanently assigned to the special court not only verifies the allegations but also follows up on the repairs.

In a two-year study spanning more than 300 hearings, clinical law associate professor Jessica Steinberg of George Washington University found landlords repaired over 90% of all violations confirmed by an inspection. The average length of a case, from complaint to verified and documented repairs, was about five months.

“The outcome data for these cases are quite striking,” Steinberg reported.

In late June, Judge Kelly Higashi presided over a three-hour virtual call where she gave landlords in court that day about a month to report progress in fixing confirmed problems.

In one case that day, Higashi asked a law clerk to phone a no-show landlord during the court proceedings. When the owner didn’t answer, the judge said he’d have to explain at the next hearing why he shouldn’t be held in contempt.

In Chicago, there is no equivalent process. A Chicago landlord can end up in court
if an inspector recommends the city file suit over code violations, but officials say that option is reserved for the most serious housing hazards.

The BGA/Tribune investigation found such lawsuits often take years to resolve. In many cases, tenants were unaware of the legal proceedings and did not know they could participate.

What’s more, a closed case does not always mean the problems are resolved.

In one case, for example, the city sued a landlord for not having a second exit in a coach house. Three years into the lawsuit, a judge dismissed the case, stating the property was in full compliance with housing standards, the Tribune/BGA investigation found. A tenant later was trapped by a fire in the building and died; a family member said the landlord never added the second exit.

9. Create a tenant advocacy office to advise on housing policy.

In at least two cities included in the BGA/Tribune review — New York and Washington — officials have established a tenant advocacy office to assist renters.

In Washington, an independent Office of the Tenant Advocate helps make sure renters’ interests are reflected in discussions over policy changes.

The office, for example, advocated for the creation of the court to streamline tenant lawsuits. The agency runs a hotline dedicated to answering tenant questions and provides legal guidance for renters who have disputes with their landlords. It also offers temporary assistance to tenants displaced by fires or other natural disasters.

Chicago has no centralized department to handle tenant questions or advise on policy decisions, leaving nonprofit organizations to fill that role.

*Analisa Trofimuk contributed to this report as an intern for the Better Government Association.*