

To: Lawrence City Commission

From: Lawrence Association of Neighborhoods (LAN)

Subject: Recommendations for Code Enforcement and Rental Licensing Operations for Fiscal Year 2025

LAN has been engaging in discussions on the twin topics of code enforcement and rental licensing. As part of this effort, Ms. Treni Wescott – City of Lawrence Code Compliance Supervisor – presented at the November LAN meeting and stood for an informative and spirited discussion. As you likely know, it is unavoidable that any discussion of code enforcement and rental licensing issues becomes strongly flavored by particular problems – “troublesome properties” -- occurring in individual neighborhoods. Drawing on the particulars, the following outlines: 1) LAN’s general appraisal of the current state of our community’s code enforcement and rental licensing practices; and 2) Reasonably specific recommendations that LAN feels would improve these practices. Based on this outline, our argument is that in the process of developing the City’s operating budget for FY 2025, serious and appropriate consideration should be given to redirecting existing resources toward the goal of better code enforcement and rental licensing practices.

LAN recognizes that both code enforcement and rental licensing are difficult, frustrating, and labor-intensive propositions, and that fundamental property rights often prevent the sorts of results that neighborhoods would like to see. Nonetheless, the consensus view expressed in LAN meetings is that the City administration has, to date, more often than not been unable to use current procedures in a manner that successfully addresses the issues that arise with troublesome properties. Furthermore, the view is that these shortcomings are not recently minted, but rather, reflect a long-term systematic tendency for City administrations (past and present) to undervalue the importance of code and rental inspections in maintaining strong and welcoming neighborhoods.

In terms of prescriptions, LAN’s view is that addressing weaknesses in the current Short-Term Rental (STR) procedures probably represents the lowest hanging fruit. Working from the current STR guidelines (<https://lawrenceks.org/pds/rental-licensing/>), LAN recommends that all current and prospective STRs be accompanied by a notarized affidavit attesting to the fact that the owner meets occupancy requirements as well as limits on number of STR units under ownership, and that the statement be renewed annually. As this approach has been adopted in a number of communities across the country, city staff should be able to find an appropriate template to guide construction of a Lawrence-specific affidavit.

Ms. Westcott described some of the difficulties associated with proving non-compliance with both owner occupancy standards in STRs and, more generally, enforcement of the ordinance stipulating the number of non-related persons occupying a given structure. LAN recognizes these inherent difficulties and requests that as the City contemplates changes in general owner occupancy limits through the revision of the Land Development Code, that any changes enacted, be sensitive to the character of existing neighborhoods. LAN’s position is that a simple global increase in the number of allowable, non-related individuals in a housing unit, is unlikely to meet that objective.

Most of the LAN representatives have voiced a fairly fundamental concern with current code enforcement and rental licensing procedures: We appear to lack a well-defined set of processes and procedures whereby citizen complaints/concerns are seen to be registered by the City and

acknowledgement of the issue transmitted back to the concerned parties. In essence, the feedback loop seems at best, ambiguous, at worst, non-existent.

It should be evident that “Vacant”, “Abandoned” and “Blighted” properties potentially diminish the quality of life in our established neighborhoods. LAN recognizes that there are fundamental difficulties associated with trying to define these terms, and assuming that it started now and that definitions usable in code enforcement could be developed, a project of that magnitude would likely entail a fairly long-term effort. An intermediate step to address some fraction (probably small) of these troublesome properties would involve the City Commission, administration and staff working with their County partners to use the Sheriff’s administrative tax sale process to sell troublesome properties that have consistently failed to pay local property taxes. Beyond the obvious benefit of new and presumably more engaged ownership, use of this process could potentially help address our ongoing issues with housing affordability.

As noted above, LAN recognizes that code enforcement and rental licensing are labor intensive activities. It seems fair to say that the community as a whole is accustomed to and has expectations of receiving a continued high level of publicly supported basic services and amenities. Obviously, the resources to support these expectations are limited. Nonetheless, consistent with the Strategic Plan Outcome of Strong, Welcoming Neighborhoods, LAN advocates that in the discussions of priorities, balancing and rebalancing the allocated resources – all part of preparing the 2025 Operating Budget, the City Commission give significant weight to the notion that more resources should be devoted to code enforcement and rental licensing. In LAN’s view, part of this reallocation should consider more field enforcement personnel along with support database administration.

Thank you for your consideration.