

RESEARCH REPORT

# Improving Philadelphia's Rental Regulatory and Housing Support Systems

## A Strategic Policy & Health Impact Assessment

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# Contents

<b>Acknowledgments</b>	<b>v</b>
<b>Errata</b>	<b>vi</b>
<b>Executive Summary</b>	<b>vii</b>
Housing Code Enforcement	viii
Housing Code Violations	viii
Philadelphia’s Rental Housing Ecosystem	ix
Recommendations	x
<b>Project Overview</b>	<b>1</b>
A Strategic Policy Health Impact Assessment	2
Housing and Public Health	4
Substandard Rental Housing and Public Health	5
Housing Affordability in Philadelphia	6
Public Health Challenges in Philadelphia	7
Housing Code Enforcement, Rental Housing, and Public Health	8
<b>What Are the Systems for Improving the Quality of Rental Housing in Philadelphia?</b>	<b>10</b>
Philadelphia’s Rental Housing Regulatory System	11
Philadelphia’s Rental Housing Support System	13
What Are the Challenges and Opportunities for Philadelphia Renters?	13
Code Enforcement Violations Are More Likely to Affect Low-Income, Black Communities	14
Latine and Asian communities May Underreport Code Violations	16
Not All Code Enforcement Violations Are the Same	17
Code Enforcement Violations Associated with Negative Health Outcomes Are More Likely to Affect Low-Income, Black Communities	19
Renters Are Often Reluctant to Report to L&I due to Fear of Retaliation	20
What Are the Challenges and Opportunities for Philadelphia Landlords?	21
Lack of Streamlining of City Procedures	22
Self-Certification Does Not Incentivize Landlord Rental Registration	23
The Majority of Violations Are in Properties Owned by Very Small Landlords	23
Small Landlords Lack Access to Capital	24
What Are L&I’s Challenges and Opportunities?	25
Budget and Staffing Challenges	25
Data Inconsistencies	27
L&I’s Rental License Process and Management Capacity	27
L&I’s Proactive Code Enforcement Activities	29

Strategic Code Enforcement Principles and Practices	30
Defining the Principles and Practices of Strategic Code Enforcement	30
Refining Policy Goals and Revising Housing Codes Using a Health Lens	32
Encourage Compliance through Streamlined Regulatory Processes and Extensive Community Outreach/Education	33
Cross-Training Health and Housing Inspectors	34
Rental Regulatory Policies and Programs	35
How Do L&I's Resources Compare with Other Code Enforcement Agencies' Resources?	40
Dedicated CE Attorneys and Proactive Litigation	46
Policy and Program Recommendations	47
Regulatory System Recommendations	48
Rental Housing Support System Recommendations	60
Conclusion	67
<b>Appendix A. Terms and Project Advisory Group</b>	<b>68</b>
<b>Appendix B. Logic Model</b>	<b>70</b>
<b>Appendix C. Philadelphia's Rental Housing Ecosystem</b>	<b>74</b>
Rental Regulatory Ecosystem: Core Actors and Organizations	74
The Law Department	74
Environmental Health Services	75
Housing Support Actors and Organizations	75
Tenant Union Representative Network	76
Community Legal Services	76
Community Asthma Prevention Program and Room2Breathe	76
Community Asthma Prevention Program +	77
Pennsylvania Apartment Association	77
Homeowners Association of Philadelphia	77
Fair Housing Commission	78
Comprehensive List of Rental Housing Quality Stakeholder Organizations	78
<b>Appendix D. Data and City Comparison Methodology</b>	<b>80</b>
Quantitative Methods	80
Learning City Comparison Analysis	81
<b>Notes</b>	<b>83</b>
<b>References</b>	<b>89</b>
<b>About the Authors</b>	<b>93</b>
<b>Statement of Independence</b>	<b>95</b>

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# Errata

This report was corrected on September 8, 2022. Figure 6 was adjusted to properly color four violations as safety hazards rather than two.

This report was corrected again on September 30, 2022. Table 1 was amended to show that San Francisco does *not* have mandatory proactive inspections for rental housing units.

# Executive Summary

This strategic policy health impact assessment (HIA) is based on the well-established concept that substandard housing conditions can have negative impacts on physical and mental health and improving the quality of rental housing can lead to improved individual and community health outcomes.

The importance of responding to this connection is particularly acute in Philadelphia, a high-poverty city with poor health outcomes. Philadelphians have lower life expectancy and higher infant mortality than the national average. At least one in five Philadelphia children suffers from asthma—a health condition closely tied to housing conditions—and this is more than twice the national average. When confronted with unsafe or unhealthy housing conditions, the growing gap between housing costs and household income can pose significant barriers for Philadelphia renters seeking safe and affordable housing. Philadelphia has the highest share of residents experiencing housing cost burden (i.e., spending more than 30 percent of their income on housing) among the 10 largest cities in the country, including 54 percent of all renters.

The inherent nature of Health Impact Assessments provides the ideal analytic framework and collaborative process to explore how Philadelphia could expand and connect its rental regulatory systems to improve individual and community health. Building upon recent research about how Philadelphia regulates rental housing, our team worked closely with local officials to gather and analyze local housing and health data; directly engaged with local stakeholders through interviews, focus groups, and a project advisory group to understand the housing and health landscape in the city; and researched promising practices in other cities that are pursuing innovative approaches to housing code enforcement.

This HIA both describes the current state and offers suggestions for improving the quality of the city's rental housing stock, thereby also improving individual and community health. Although the recommendations primarily focus on the approach to housing code enforcement, we also offer suggestions for further collaboration and coordination across the broader housing and health ecosystem.

# Housing Code Enforcement

All cities have regulatory entities responsible for housing code enforcement (HCE)—inspecting rental housing and enforcing housing quality standards to ensure the health and safety of residents. In Philadelphia, the Department of Licenses and Inspections (L&I) has primary responsibility for HCE. Philadelphia, like most cities, follows a traditional, reactive model of rental housing regulation—inspecting units in response to complaints about potential code violations. Philadelphia does pursue several proactive strategies, including the lead certification program run by the Department of Public Health’s environmental health services.

Under a complaint-driven approach, substandard housing can go undetected. Recent research has found that as few as 7 percent of Philadelphia rental units are inspected annually. Philadelphia landlords are required to obtain a rental license to rent a housing unit, and to do so, they must self-certify that their rental units meet housing quality standards. The self-certification model leaves open the possibility that landlords with substandard units are obtaining valid rental licenses. Furthermore, research suggests that roughly 30 percent of rental units do not have even rental licenses, thereby operating under L&I’s radar screen.

In response to the concern about undetected conditions, multiple jurisdictions are working to update their HCE systems. Some cities are finding success by inspecting more housing units, reducing the costs associated with housing repairs by catching maintenance issues early, and ensuring both landlords and renters have the tools and resources they need to create and maintain safe and healthy homes.

# Housing Code Violations

In Philadelphia, as in the rest of the United States, housing code violations have a disparate impact on low- to moderate-income renters and communities of color. Our research found that reported code violations tend to be concentrated in areas with high poverty rates and low median rent prices, and in areas where high percentages of residents are Black and/or children. In addition, code violations that are directly associated with negative health outcomes are most likely to affect low-income Black communities.

In our Philadelphia dataset, external structure violations are the most common type of complaint. They can be visible from outside without needing to enter the home and can therefore be identified by neighbors or inspectors rather than the renter. Approximately two-thirds of complaints are related



to conditions that could contribute to chronic health concerns and safety hazards. Of those, nearly three in four were in areas with higher-than-average poverty rates, and more than two-thirds were in areas with a higher-than-average percentage of Black residents. Given the disparate impact of substandard housing conditions on communities of color, ensuring that HCE solutions are focused on correcting this imbalance must be a priority.

Because the city's HCE program is complaint-based, code violations do not represent all substandard housing—only that housing where violations are reported. Stakeholders expect that many residents, particularly those in Latine and Asian households and those who fear retaliation from landlords and possible displacement, may underreport subpar housing conditions.<sup>1</sup>

Turning from residents to landlords, the majority of code violations are found in properties owned by landlords with only one to two properties. Stakeholders noted that some of these small landlords may lack the capital to make needed repairs. Stakeholders also reported that complicated processes and systems within L&I, along with limited access to loans and grants, can make it difficult for landlords who want to maintain quality rental units to do so. Other landlords may elect to operate outside the regulatory system, only coming into compliance when necessary to pursue an eviction case or in response to a code violation complaint.

## Philadelphia's Rental Housing Ecosystem

Monitoring, enforcing, and supporting efforts to maintain housing quality standards in a large and complex rental housing market within a high-poverty city presents a range of challenges. In Philadelphia, two related systems for improving rental housing quality were identified: (1) the rental regulatory system and (2) the rental housing and health support system.

The rental regulatory system, primarily administered by L&I, includes code enforcement programs, interventions, and penalties. L&I staff report challenges related to the department's budget and staffing—a concern spotlighted in recent news coverage. L&I also faces challenges related to unlicensed rental housing units, as noted previously. Both challenges point to a third important constraint: data collection and reporting approaches that make it difficult to prioritize complaints by level of risk, identify problem property owners, and strategically allocate limited resources.

The rental housing and health support system includes government, nonprofit, and private actors that provide resources, form partnerships, deliver technical assistance, and advocate on behalf of landlords and renters to help improve the overall quality of rental and neighborhood conditions.

Although these organizations function together in a loose support network, with some intentional collaboration to address specific housing needs, they could benefit from greater coordination with one another and with the regulatory system to strategically address substandard housing and resulting health implications.

This project also included an exploration of other cities from around the country that have been successful in strengthening HCE practices, improving housing quality, and having a positive impact on individual and population health. The project identified helpful lessons learned from jurisdictions that were comparable to Philadelphia in terms of size, demographics, and/or housing stock, as well as places that had innovative and impactful programs that could inspire ideas for change that could be adapted and applied in Philadelphia.

## Recommendations

Based on our findings, we recommend a series of near- and long-term actions Philadelphia government leaders and other stakeholders could take to improve the quality of the city's rental housing stock—increasing compliance with housing quality standards while maintaining access and affordability for the most economically vulnerable and historically marginalized residents.

Recommendations focused on the rental housing regulatory system include the following:

- L&I updating its internal code enforcement data management processes and working with the Office of Innovation and Technology to continue to expand and improve data management and availability.
- City leaders improving the existing rental licensing program by expanding and improving the functionality of L&I's rental licensing and code violation database (eCLIPSE); enhancing city-performed data analytics; increasing accessibility of rental licensing and code violations data; offering incentives and technical assistance to encourage more landlords to voluntarily register their properties; and hiring a rental licensing community liaison.
- L&I and the Law Department streamlining their current processes and practices for inspection/reinspection and enforcement actions, and focusing litigation capacities on landlords with substantial health and safety violations and/or multiple properties.

- City leaders increasing the budgets and staffing of L&I and the Law Department to pursue short-term actions (six months or less) that improve capacity and coordination in the city's current complaint-driven code enforcement system and rental licensing program.
- City leaders, in collaboration local stakeholders, developing an action plan to adopt and implement a proactive rental inspection program.
- City leaders reinvesting a portion of L&I revenue (e.g., from fines, fees, and penalties) into a special enterprise fund that could help defray the costs of existing and proposed HCE programs.

Recommendations focused on collaboration between and among city leaders and nonprofit and community-based organizations that work within the rental housing and health support system include the following:

- The Managing Director's Office convening a cross-agency working group to coordinate and enhance existing city data, programs, and resources addressing substandard rental properties. The working group's primary focus would be enhancing cross-department coordination and collaboration within city government.
- City officials, nonprofits, and community and civic leaders pursuing a comprehensive community education and public health campaign that explains how substandard rental housing conditions affect communities and disproportionately harm the health of the city's low-income residents and communities of color and what resources are available to support residents and landlords.
- City officials, housing and community development entities, rental property owners, business leaders, and philanthropy coordinating and expanding a portfolio of programs and resources supporting "mom-and-pop" landlords (those with 10 or fewer units) and their tenants, including through training, technical assistance, and home repair programs.
- Nonprofit housing and community development leaders, in collaboration with city officials, philanthropy, public health, health care institutions, and rental property owners, forming a citywide safe and healthy rental housing preservation initiative. This entity would serve as a forum for piloting and incubating new initiatives and strategies that involve all dimensions of housing preservation policy and programming.



# Project Overview

This strategic policy health impact assessment (HIA) rests on the theory of change that improvements in rental housing conditions through better strategic housing code enforcement (HCE) can reduce the risks associated with living in unhealthy and unsafe rental housing for renters, families, and neighbors, thereby improving overall community health. This HIA report outlines the parameters of Philadelphia's rental housing ecosystem while examining the major challenges and potential opportunities of its three primary actors—renters, landlords, and the city of Philadelphia's HCE agency, the Department of Licenses and Inspections (L&I). In consultation with a local project advisory group (PAG), this strategic policy HIA offers a series of short- and mid-range policy and program recommendations informed by the analysis of the current policies and programs within Philadelphia's complex rental housing ecosystem. The report also compares Philadelphia's program with HCE programs from 10 other cities that have similar characteristics or policy parallels to Philadelphia. In addition, the analysis is supplemented with interviews and insights from code enforcement leaders from a few of the comparison cities that have experience implementing the principles and practices of strategic code enforcement. Given these objectives, the following research questions were developed:

- How does Philadelphia's rental housing quality regulation system operate? Who are the key stakeholders and what role do they play in the system?
- What health challenges do renters, landlords, and HCE agencies currently face?
- What regulatory challenges do renters, landlords, and HCE agencies currently face?
- How can HCE agencies change their policies and practices to reduce the prevalence of substandard rental housing conditions?
  - » What barriers exist to improving the effectiveness of the city's HCE?
  - » What have other cities done to mitigate substandard rental housing conditions?
- What are the potential negative effects of HCE reforms on rental housing affordability, and what steps can city agencies and nonprofits put in place to mitigate/minimize the potential impacts?
  - » What opportunities exist to expand access to financial and technical assistance for renters and landlords seeking to address substandard rental housing conditions?

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## BOX 1

### What Is a Health Impact Assessment?

A health impact assessment (HIA) is a tool to evaluate and elevate health considerations in the policymaking process by combining analysis of relevant health data and qualitative interviews with input and feedback from community stakeholders and key organizational actors involved with the project and/or policy under consideration. HIAs can help infuse public health and policy expertise into formal and informal policy decisions about the relationship of health and the built environment (Schnake-Mahl and Norman 2017). Many HIAs have effectively documented the health impacts of housing, urban planning, transportation, and community and economic development policies and projects (Bever et. al 2021). Similar to environmental impact assessments, traditional HIAs outline the potential public health impacts involved with a specific proposed policy or individual development site or project. A strategic policy HIA assesses a portfolio of policies and programs earlier in the design stage that a local government or community might adopt and implement to improve existing approaches in addressing a pressing community problem (Stacy, Schilling, and Barlow 2022).

**Notes:** For additional information and resources on HIAs, see the Health Impact Project of the Pew Charitable Trusts (<https://www.pewtrusts.org/en/projects/health-impact-project>); the health impact assessment tool kit from the American Planning Association (<https://www.planning.org/publications/document/9148443/>); and the National Association of County and City Health Officials website (<https://www.naccho.org/programs/community-health/healthy-community-design/health-impact-assessment>).

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## A Strategic Policy Health Impact Assessment

Given the complex intersections of housing quality, code enforcement, and public health, the team applied the traditional HIA framework to a portfolio of interventions earlier in the policy development stage. Similar to the HIA on substandard housing in Memphis (Stacy et al. 2018), this strategic policy HIA examines a mix of regulatory policies and housing resource programs that Philadelphia could adopt or expand to improve the quality of rental housing and thereby improve the health of the renters, their families, and the community. The research and analysis followed the six basic steps of an HIA:

1. **The screening phase frames the proposed policy/program focus, identifies potential partners/collaborators, scans the political and community context, and outlines the benefits of the HIA.** In consultation with the Philadelphia Research and Policy Initiative (PRPI) and the Philadelphia Association of Community Development Corporations (PACDC), the city's regulatory systems, specifically the Department of Licenses and Inspections, were identified as the primary focus of the HIA. Our charge was to examine potential policy and program

changes to current housing code enforcement programs that could improve the health of renters in the city at the individual, neighborhood, and population levels. During the screening phase, the team started a scan of the public health, housing, planning, and code enforcement literature (academic articles and policy and practitioner reports) to ground the HIA in the social determinants of health.

2. **The scoping phase develops the logic model, frames research questions, identifies stakeholders and data sources, and begins initial outreach and engagement.** The team began the scoping phase by developing a logic model based on the initial literature scan and creating a stakeholder inventory with guidance from local partners. On the basis of that inventory, the team created an outreach plan and interview protocols that included a blend of focus groups, informant interviews, and informal grassroots conversations with key stakeholders in Philadelphia's rental housing ecosystem. Key stakeholders included city agencies and nonprofit housing and community development organizations as well as health care institutions and providers. The Urban Institute led the focus groups and informant interviews with assistance from PACDC, and PACDC led the grassroots conversations with assistance from Urban. As part of the scoping phase, the team collected public health, housing, and code enforcement data for the city of Philadelphia to provide background information on the city's rental housing regulatory system and the demographics of renters and landlords in Philadelphia (see appendix D for more information on the methods and quantitative data). The team also convened a PAG three times during the HIA that was comprised of community, civic, government, and private-sector leaders who provided the research team with feedback at three critical points in the research project. (See appendix A for a full list of organizational members.)
3. **The assessing phase undertakes the stakeholder, data, and policy analysis; refocuses research questions; and conducts supplemental research.** The team analyzed both the qualitative and quantitative data described in the scoping phase through the lenses of health, equity, housing quality, and strategic code enforcement. As part of this assessment, the team identified policy and program examples from other cities to inform the analysis and framing of the team's recommendations to help set the stage for moving recommendations into action. As a result of the interviews, grassroots conversations, and the experiences of other cities, the team developed an ecosystem map that expanded the focus of the HIA to include housing support programs and resources that can assist renters and landlords in repairing and maintaining their rental properties while continuing to provide low-cost rental housing.

4. **The recommending phase identifies promising and feasible policy and program interventions that could mitigate adverse health impacts and it identifies relevant actors and champions to move recommendations into action.** On the basis of analysis and engagement described earlier, the team developed specific recommendations for the rental regulatory and housing support systems along with recommendations that could bridge these two components. Feedback from sharing the preliminary findings and recommendations with the PAG and city agencies led to further refinement and reframing of the recommendations to ensure they were actionable and would be well received by city officials.
5. **The reporting phase curates the findings, data and policy analysis, and recommendations into a cohesive report, along with summaries of the methods and literature review, for dissemination to local leaders.** This report—its findings, analysis, and recommendations—is intended to be used as a foundation for subsequent policy discussion, analysis and eventual policy and program actions. This report will be disseminated through Urban Institute’s national networks and will stand ready to assist PRPI in its efforts to brief local leaders about the HIA’s most promising recommendations.
6. **The monitoring and evaluating phase tracks the adoption and implementation of the recommendations and assesses how the HIA influenced the policymaking process.** Policy change takes time. At this point, it is premature to assess the policy and program changes that may flow from this HIA. Monitoring and evaluation are more difficult for strategic policy HIAs because multiple policies and programs are being examined. However, during the Memphis HIA, the community partner was in a position to begin cross-training and establishing new partnerships among and between public health and housing code enforcement agencies and nonprofits, so that team could offer some preliminary thoughts on assessment within a few months after the release of the HIA. As PRPI and its partners leverage those recommendations for policy actions, PRPI is urged to build policy assessments and program evaluations into its work.

## Housing and Public Health

Strong evidence exists on how housing affects the health of individuals, families, and communities and on its impact as a social determinant of health. Researchers and policymakers have identified four primary pathways that can serve as the framework for policy analysis and action: (1) stability—the effects of not having a stable home; (2) safety and quality—the health impacts of living in housing with



unsafe and/or unhealthy conditions; (3) affordability—how financial burdens from high-cost housing can affect health; and (4) neighborhoods—the physical environment and social characteristics of where people live can generate health impacts (Taylor 2018). From a policy perspective, these pathways can help organize actions to mitigate the drivers of housing instability or poor-quality rental housing and provide affirmative actions and resources to expand the potential for positive housing and health benefits. Many times, policymakers and their nonprofit partners must take actions that address one or more of these pathways because they can be interrelated. Given the focus of this HIA on housing quality, the following sections set the general foundations of this HIA by exploring the relationships between substandard rental housing, housing code enforcement, housing affordability, and housing equity along with general housing and health data and demographics on Philadelphia’s rental housing’s quality and conditions.

## Substandard Rental Housing and Public Health

Environmental hazards associated with homes have an outsized impact on health. Numerous studies and research articles have documented the effects of poor housing quality on health outcomes. Those studies have shown that poor housing quality (such as pests, mold, leaks, lack of fire safety, and poor construction) is strongly associated with poor physical health outcomes, such as chronic respiratory illnesses (Beck et al. 2014), unintended injuries (Collins 1986; Eriksen, Greenhalgh-Stanley, and Englehardt 2015), and lead poisoning (Manton et al. 2000). Poor housing quality also affects mental health and can contribute to heightened depression, anxiety, and stress (Baldo, Ahmad, and Ruff 2002; Bashir 2002). Other research indicates that poor household ventilation is associated with higher risk of infectious disease transmission (Li et al. 2007)—a significant concern during the COVID-19 pandemic.

Housing quality affects not only the health of occupants but also the health of people who live nearby. As a large part of the built environment, housing has economic and psychosocial implications for community residents. Concentrations of substandard housing in a neighborhood, formally known as blight, can catalyze a feedback loop of devaluation in neighborhood real estate and disinvestment from the public and private sectors (Han 2014). These economic effects compromise the resiliency of neighborhoods, fueling residential instability, reduced access to resources (e.g., economic capital, education, nutritious food), and increased financial hardship for neighborhood residents (Garvin et al. 2013). In terms of psychosocial effects, blight reduces people’s perceptions of neighborhood safety and is associated with interpersonal violence (Branas et al. 2018). As a result, blight is associated with negative physical health outcomes like premature mortality due to malignant neoplasms, diabetes,

homicide, and suicide (Cohen et al. 2002), and with negative mental health outcomes like chronic stress and anxiety (Stacy et al. 2018).

Using American Housing Survey data and construction cost estimation data from Gordian, the Federal Reserve Bank of Philadelphia estimates that 20 percent of renter-occupied units have repair needs costing between \$1,000 and \$5,000, and that 7.5 percent of renter-occupied units have repair needs costing more than \$5,000 (Divringi 2019). In addition to many rental units needing repair, an estimated 12 percent of units are vacant.

## Housing Affordability in Philadelphia

Over the past 50 years, housing affordability has become a dire issue because of the growing gap between wages and housing costs and the stagnated level of social investment in subsidized housing (JCHS 2020). As a result, the nation's households with low to moderate income, or LMI (that is, renters with individual incomes less than \$75,000) are experiencing an increase in housing cost burden, or the percentage of income spent on housing (Aurand et al. 2017; JCHS 2020). In Philadelphia, 24 percent of residents are experiencing poverty, and 50 percent of renter households are rent burdened (meaning they spend 30 percent or more of their monthly income on housing).<sup>2</sup> As a result of low incomes and high housing prices, many renters are not in a position to easily find high-quality, affordable units.

Since the onset of the COVID-19 pandemic, Philadelphia has seen an even steeper increase in rental housing prices with the median rent for a one-bedroom apartment having increased an estimated 10 percent between 2020 and 2021.<sup>3</sup> This increase in price has put a market squeeze on older rental units that serve as one of the primary housing options for LMI renters (JCHS 2020). According to a 2021 report, 76,000 rental housing properties were considered to be naturally occurring affordable rental housing in Philadelphia, with approximately 38,000 properties (or about 50 percent) considered to be at risk of either becoming uninhabitable because of poor conditions or becoming unaffordable because they are located in a strong market area (Urban Land Institute 2021).

Furthermore, evidence indicates that renter income is inversely related to risk of exposure to hazardous housing conditions. Specifically, according to the 2019 American Housing Survey, for households with annual incomes less than \$30,000, the odds of living in "inadequate housing" are 2.6 times higher than for households with annual incomes greater than \$80,000.<sup>4</sup> Black households are even more likely to be exposed to hazardous housing conditions. According to the 2019 American

Housing Survey, Black renters with incomes less than \$30,000 are 1.35 times more likely than their white counterparts (white renters with equivalent incomes) to be exposed to inadequate housing conditions.<sup>5</sup> These disparities did not occur by coincidence but as the result of generations of racial marginalization: by the exclusionary and predatory practices of the real estate industry that prevented Black people from accessing mortgage loans (i.e., redlining); by the racist practices of federal government, municipal governments, and neighborhood associations (i.e., racially restrictive housing covenants); and again by the real estate industry, which extracted value from Black people's generational assets for profit (i.e., predatory lending) (Rothstein 2017). Because communities of color are more likely to be affected by a legacy of housing exclusion as well as by substandard rental housing conditions, proposed HCE solutions that focus on building racial equity must be prioritized.

## Public Health Challenges in Philadelphia

The racial inequities seen in housing are evident in the health outcomes of Philadelphians as well. On key health indicators such as maternal mortality, asthma rates, and lead poisoning, health risks are not evenly distributed, and predominantly low-income and BIPOC (Black, Indigenous, and people of color) neighborhoods experience negative environmental health hazards and poor health outcomes (PDPH 2019). Overall, Philadelphia's childhood asthma rate is more than double the national rate.<sup>6</sup> However, asthma-related hospitalization rates are about five times higher for Black and Latine children than they are for white children.<sup>7</sup> In Philadelphia, Black men and white men experience nearly a 10-year difference in life expectancy (PDPH 2019). In addition, a 20-year gap exists between life expectancies in different census tracts (PDPH 2019). A recent study found that the two key indicators most correlated with lead poisoning in children in Philadelphia were poverty rates and BIPOC population (Caballero-Gómez et al. 2022).

In addition to the racial inequities, Philadelphia has struggled with the environmental challenges from a postindustrial economy—more than 42 percent of Philadelphia's housing units face a potential lead risk. In response to these environmental health risks, the Children's Hospital of Philadelphia (CHOP), in conjunction with colleagues from the University of Pennsylvania, Drexel University, Temple University, Thomas Jefferson University, Lehigh University, Franklin & Marshall College, Villanova University, and University of Delaware, is creating the Philadelphia Regional Center for Children's Environmental Health.<sup>8</sup> The center will work to better identify, treat, and protect children exposed to environmental hazards such as lead and mold.

In addition, in a city where many homes are known to pose a health threat, the COVID-19 pandemic, which kept many people at home, further exacerbated pre-existing inequities. Black Philadelphians experienced the highest COVID-19 infection, hospitalization, and death rates (PDPH 2020).

## Housing Code Enforcement, Rental Housing, and Public Health

Rental housing quality is regulated in the United States by state and local governments. These government entities stipulate minimum acceptable housing quality standards and regulate property owners' maintenance practices to protect the general health and welfare of their jurisdictions. Philadelphia adapts its housing quality regulations from the International Code Council's property maintenance standards.<sup>9</sup> As a result, although these regulations are comparable, the legal definition of substandard housing (a term referring to housing units that do not meet minimum standards) varies across the United States. Despite the existence of housing quality regulations and enforcement entities, substandard rental housing conditions are pervasive in communities across the country.<sup>10</sup>

Three groups are central to rental HCE: government entities responsible for enforcing housing quality regulations (herein referred to as HCE agencies), landlords, and renters (see the logic model in figure B. 1). For HCE agencies, finding a way to effectively enforce housing quality regulations while also dealing with frequent budgetary, technical, and resource constraints and lack of governmental backing are the key challenges at hand (Caloir 2018).

HCE is one strategy to ensure that private rental owners repair, rehabilitate, and maintain units that adhere to local housing codes. HCE agencies typically rely on a reactive, complaint-based system that requires renters and community members to report code violations so local housing inspectors can identify conditions that violate relevant codes and then seek compliance or take enforcement action (ChangeLab Solutions 2015). When HCE agencies identify noncompliant units, they generally issue notices and seek voluntary compliance before taking more formal administrative and judicial actions. Strategic code enforcement approaches also integrate incentives and grants to encourage landlords to support and resolve their code violations by fostering cross-agency collaboration, streamlining processes, and prioritizing health concerns (ChangeLab Solutions 2015).

Most rental housing in the United States has a wide variety of landlords—ranging from private, for-profit individuals and corporations to nonprofit developers and public housing authorities. Private,

for-profit entities make up the largest portion of landlords, and these entities own approximately 89 percent of rental units.<sup>11</sup> Challenges to regulating private rentals include gaining voluntary compliance with relevant housing codes and communicating with owners. For example, across the country, public housing units have been converted to privately owned housing, and the share of investment owners has been growing nationally since 2015.<sup>12</sup> In Philadelphia, more than 3,000 units are tied to affordability restrictions set to expire in the next decade.<sup>13</sup> When it comes to investment ownership, many limited liability company owners can be difficult to trace, making gaining access to an indoor inspection for voluntary compliance a potentially challenging process. Given this, policy pathways for improving rental housing quality should involve regulating and incentivizing private housing providers to ensure they construct and maintain safe rental units.

One frequently cited concern is that proactive HCE could potentially lead to increased rental prices because maintenance costs would be passed on to renters. Although this concern is not unique to Philadelphia, it remains unclear whether citywide regulatory actions cause increases in rent that can then lead to displacement. This perceived relationship between HCE and increased rental costs can inhibit policymakers and HCE agencies from reforming HCE out of concern of increasing the potential risks of housing instability and eviction, which have dire economic and health consequences (Desmond and Kimbro 2015; Jelleyman and Spencer 2008). Another concern expressed by HCE agencies is that improved housing quality that is a result of stricter HCE invites gentrification into neighborhoods, fueling increased housing costs for nearby properties that did not have housing quality issues in the first place. Some research has shown that HCE is tied to gentrification (Bryant 2006; Ehrenfeucht and Nelson 2018). However, cities such as Grand Rapids have tracked HCE and rent prices and did not find that proactive HCE led to increased rental prices or renter displacement (Schaafsma et al. 2015).

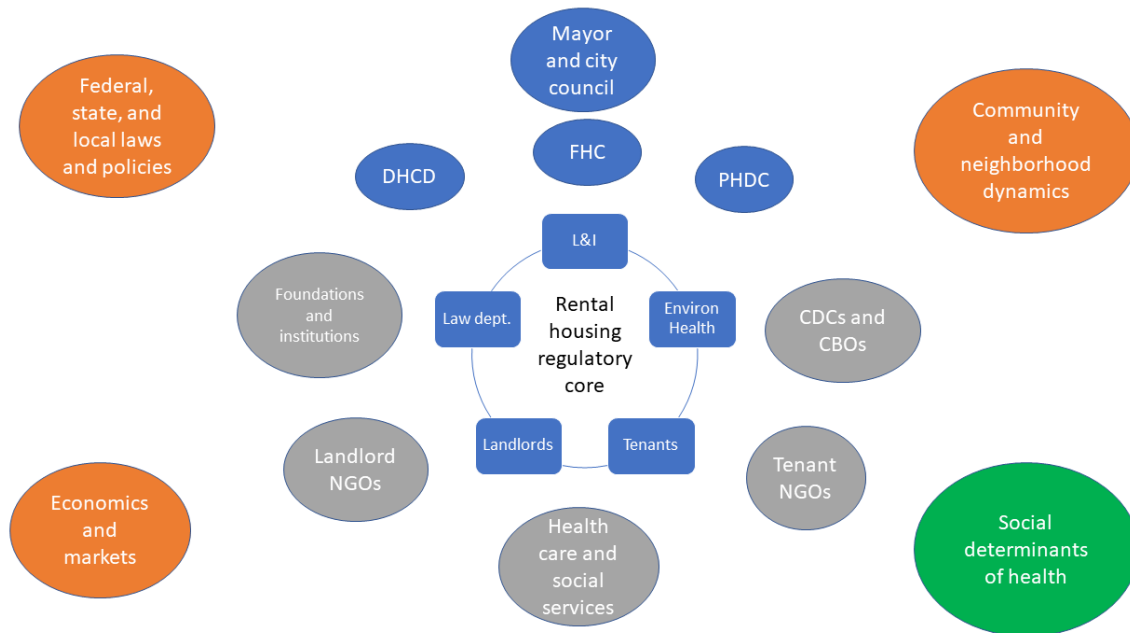
LMI renters often lack alternative options to substandard rental housing. They often struggle to even afford their substandard rental housing because of cost burdening and may lack the bargaining power to advocate for rental property owners to address the substandard conditions in their units (JCHS 2020). Regardless of HCE practices, as Philadelphia housing prices increase, it is important for the city to have the capacities to effectively track housing costs and to fully understand the relationship between regulatory actions, rent prices, and the risks of displacement. Moreover, any effort to improve rental housing quality must involve meaningful community engagement with those most affected and coordination of policy and programming with organizations in the housing support sector.<sup>14</sup>

# What Are the Systems for Improving the Quality of Rental Housing in Philadelphia?

Philadelphia has a complex rental housing ecosystem that includes a range of entities, policies, and programs led by diverse, cross-sector actors. These actors include different governmental agencies, nonprofit organizations, and private entities. Some of these actors administer interventions that focus on housing preservation and community development; others more directly seek to improve housing-related health outcomes for renters and local residents. Although the relationships and interactions between renters, landlords, and HCE agencies are at the core of this ecosystem, housing and health nonprofits and community-based organizations also play important roles including helping to improve housing, family, and neighborhood conditions (upstream interventions), or taking regulatory actions that can lead to the rehabilitation of substandard rental housing (downstream interventions). Figure 1 displays a full ecosystem map of the key players found in Philadelphia's rental housing ecosystem. (See appendix C for more detail on these players.)

A simple and effective way to examine the ecosystem is by organizing the policies, programs, and actors into two interconnected components: (1) the rental regulatory system and (2) the rental housing support system and health support system. The rental regulatory system includes HCE programs and interventions (such as rental licensing, lead certification, and housing inspections) that govern rental units, impose penalties, and provide incentives for complying with applicable state and local housing codes. In figure 1, the blue boxes in the inner circle illustrate Philadelphia's core rental housing regulatory actors. The rental housing support system and the health support system include government, nonprofit, and private actors that provide resources, form partnerships, deliver technical assistance, and advocate on the behalf of landlords and renters to help them improve the overall quality of rental and neighborhood conditions. In figure 1, the eight circles that surround the regulatory core represent the major actors in Philadelphia's rental housing and health support systems (note the grey circles represent nonprofits and institutions and the blue circles represent city government agencies).

**FIGURE 1**  
**Rental Housing Ecosystem Map**



**Notes:** Hospitals are under Health Care and Social Services. CBO = community-based organization; CDC = community development corporations; DHCD = Division of Housing and Community Development; FHC = Philadelphia Fair Housing Commission; L&I = Department of Licenses and Inspections; NGO = nongovernmental organization; PHDC = Philadelphia Housing Development Corporation.

A set of broader socioeconomic, environmental, political, and community forces indirectly and directly affect and influence the decisions and actions of the actors within the rental housing ecosystem, such as economic and market conditions that involve housing, jobs, and businesses. The general physical conditions of the built environment at the community and neighborhood scale influence the rental house ecosystem along with the health of its residents and their social and civic relationships. Broader federal, state, and local policies and plans also play important roles when it comes to the quality of rental housing and the health of renters, from transportation planning and energy efficiency to access to affordable health care.

## Philadelphia’s Rental Housing Regulatory System

Philadelphia’s rental housing regulatory system (herein referred to as the rental regulatory system) is administered by the Department of Licenses and Inspections (L&I), the Law Department, and Environmental Health Services (EHS). All three of these entities have regulatory scope that extends far

beyond rental housing. L&I is responsible for regulating commercial businesses and the full life cycle of all buildings in Philadelphia (from construction, use, and maintenance to preservation, demolition, and reuse). The Law Department leads prosecution and defense of all cases in which the municipal government is involved, and EHS regulates sources of environmental hazards (i.e., rodents/vector control, food services, environmental engineering). Each of these agencies has divisions tasked with code enforcement.

In L&I, the Code Enforcement Division relies primarily on a reactive, complaint-based system. After L&I receives complaints regarding possible code violations, it assigns cases to the relevant code enforcement inspector (i.e., fire code inspector, property maintenance code inspector, or vacant property inspector) who conducts an inspection within 30 days. There are an estimated 288,000 rental units in Philadelphia (not including Philadelphia Housing Authority–owned units), and in 2019 there were approximately 60,000 code violations for failure to obtain a rental license (Howell 2021). Depending on the severity of the code violation, L&I can take various levels of enforcement action to prompt remediation of the violation by the landlord. If landlords fail to comply after enforcement action is taken, L&I can coordinate with the Law Department’s Code and Public Nuisance Litigation Unit to sue landlords.<sup>15</sup> L&I also operates a rental licensing program, which requires landlords to certify that their rental units are code compliant (this is commonly referred to as a self-certification process) and to submit a form as proof that their units have lead-safe or lead-free certifications from EHS.<sup>16</sup> In EHS, the Lead and Healthy Homes Program (LHHP) is responsible for enforcing the city’s housing-related lead regulations.<sup>17</sup> LHHP does this through a reactive, referral-based program in which it receives lead poisoning referrals from health care providers to conduct home-based testing. If LHHP inspectors detect lead in housing units, they issue a citation and enforce remediation. If landlords fail to comply with enforcement action, LHHP can coordinate with the Code and Public Nuisance Litigation Unit to prosecute landlords (Stakeholder Interview 2021). LHHP launched the most recent phase of its proactive lead-free/lead-safe certification program in the fall of 2020, which now requires landlords renting units built before 1978 to families with children younger than age 6 to have their rental units tested for lead by third-party inspectors and certified as either lead free or lead safe (industry terms that indicate a unit contains lead that is sealed and/or poses minimal risk to inhabitants).<sup>18</sup>



## Philadelphia’s Rental Housing Support System

A large constellation of agencies and organizations in Philadelphia have programs and provide resources in support of renters and in support of landlords. Many of those organizations work on eviction prevention and housing insecurity and stability issues for vulnerable renters and their families, including how to address unsafe housing conditions (see appendix C). A subset of these organizations has programs that focus more on the physical improvement and rehabilitation of rental housing as part of a broader strategy to preserve existing rental housing.

Based on input from the Project Advisory Group, this report focuses on the agencies and organizations with programs and resources that currently address or have potential to address and improve the health and housing conditions within private market, unsubsidized rental housing.<sup>19</sup> Beyond local government agencies, a range of organizations seek to support renters and landlords. (See appendix C for a list of organizations that engaged in stakeholder analysis and interviews.) In this report, these organizations are categorized as health care providers, foundations, universities, specialized nonprofit organizations (such as renter advocates), community development agencies, housing preservation agencies, public health organizations, and landlord affinity groups. Because there is no centralized coordination of resources among these organizations, the city does not have a comprehensive safety net for residents affected by unsafe housing conditions. Instead, these organizations function together in a loose support network, with coordination occurring through the initiative taken by individual organizations. Some of these organizations have forged new collaborations and undertaken joint actions, others coordinate their services by way of referrals, and others cooperate with one another through informal partnerships and information sharing.

## What Are the Challenges and Opportunities for Philadelphia Renters?

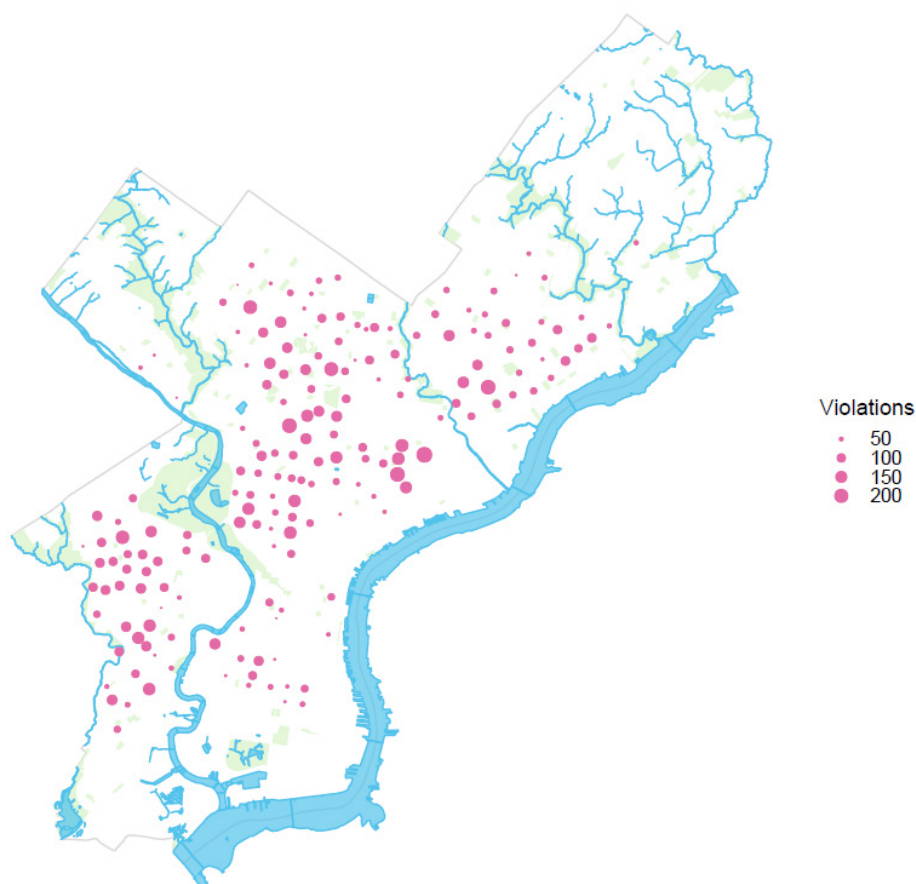
As noted previously, housing quality is a complex health equity issue in the United States that disparately affects LMI renters, particularly Black renters. The inequities are the result of decades of race-based marginalization and exploitation including redlining, racially restrictive covenants, and predatory loans (Rothstein 2018). Because of the shortage of affordable housing, LMI renters often struggle to find quality, affordable housing and they may face challenges in navigating the relationship with their landlord and advocating for needed repairs (JCHS 2020). This section discusses the challenges and opportunities identified for Philadelphia’s renters—many of which are consistent with

documented national trends. Given the disparate impact of code violations, any intervention that addresses substandard rental housing must be targeted toward supporting and improving systemically excluded groups' access to safe and healthy housing and providing safeguards to renters that do report violations.

## Code Enforcement Violations Are More Likely to Affect Low-Income, Black Communities

In Philadelphia, neighborhoods that are low-income and majority Black have higher instances of code enforcement violations (figure 2). This falls in line with national patterns that show that households with low incomes, particularly Black households, are more likely to experience and report substandard housing conditions.<sup>20</sup>

**FIGURE 2**  
**Code Enforcement Violations in Philadelphia, 2018-19**



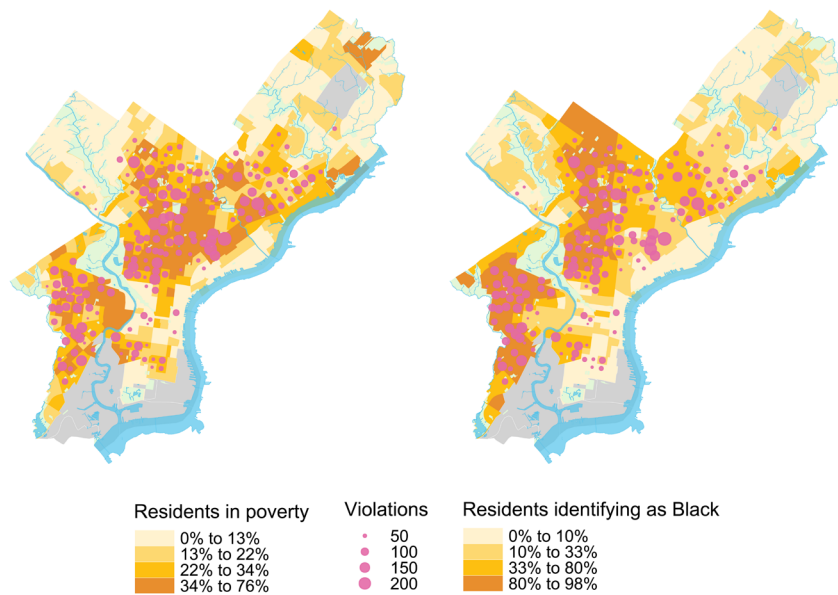
Source: Authors' analysis of Department of Licenses and Inspections violation data, 2018-19. Accessed via OpenDataPhilly.

When code violations are overlaid with demographic data, code violations are concentrated in census tracts with the following characteristics:

- High percentage of residents younger than 18
- High percentage of Black residents
- High poverty rates
- Low median rent prices

Several stakeholders in Philadelphia underscored that although the data do not show a strong correlation between code violations and many immigrant and other BIPOC populations in Philadelphia (namely communities with large Latine and Asian communities), these populations are likely affected by substandard housing but may be less willing to report code violations. The strongest correlation between violations and demographics was between poverty rates and violations—this does not imply causality, but it does mean that as the number of reported code violations go up in a census tract, so does the number of residents in poverty and the number of residents who identify as Black, and vice versa (figure 3). Despite the fact that the overwhelming majority of homes in Philadelphia were built before 1980, many of these older homes are located in high-income areas of Philadelphia, indicating that counter to popular understanding, housing stock age is not always an indicator of substandard housing.

**FIGURE 3**  
**Code Enforcement Violations in Philadelphia Overlaid with Poverty and Race/Ethnicity, 2018–19**

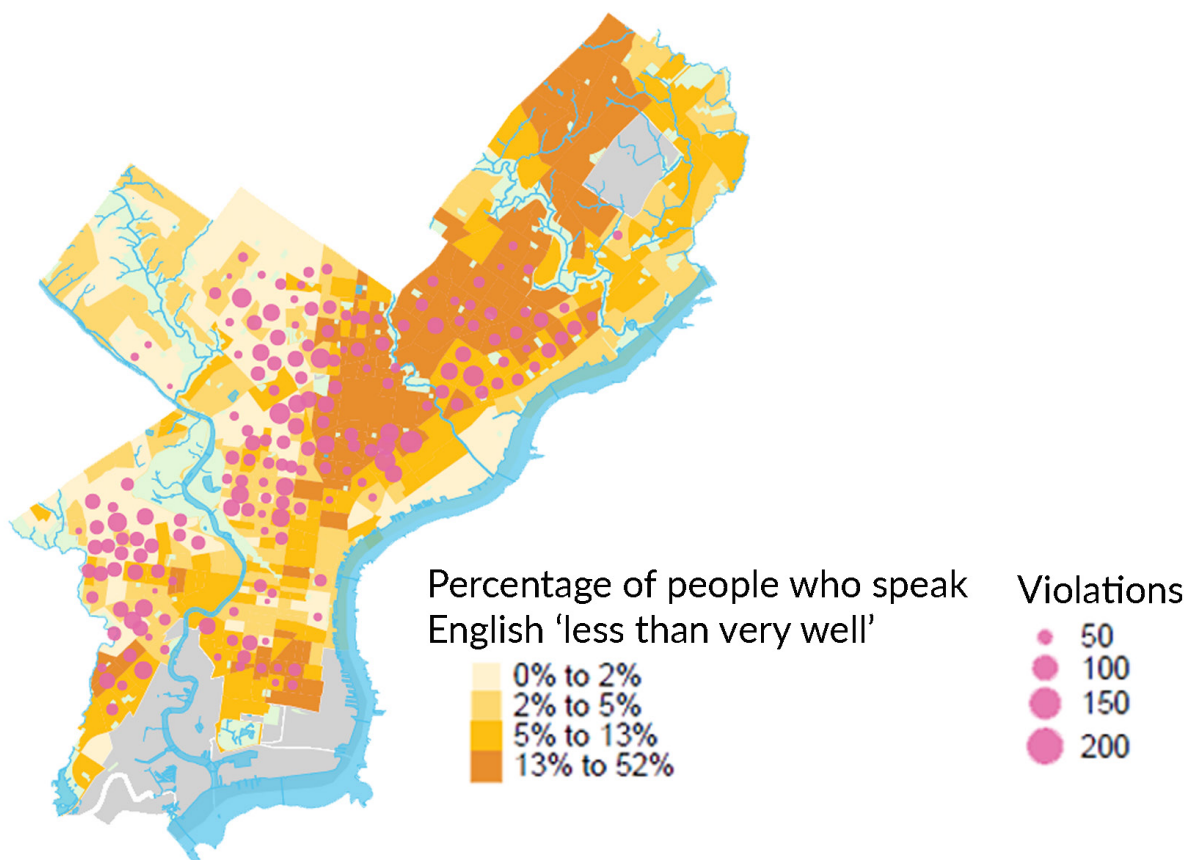


**Source:** Authors' analysis of Department of Licenses and Inspections violation data, 2018–19. Accessed via OpenDataPhilly and US Census Bureau American Community Survey, 2015–19.

## Latine and Asian communities May Underreport Code Violations

Code violation data are limited in that they do not reflect all substandard housing; rather, the data reflect the substandard rental housing conditions that are reported by residents or identified by inspectors as they drive through neighborhoods. Renter advocates reported that violations often go unreported or unnoticed because they are not visible from the outside and because renters may not know their rights as they relate to housing quality, they may not know how to report violations to L&I, or they may be afraid to report violations for fear of retaliation or eviction.<sup>21</sup> This means that although code enforcement violations may be a good proxy for substandard housing, they are not always fully reflective of substandard housing patterns. For instance, in areas with large immigrant populations where residents identify as “speaking English less than well” on the census, there are fewer code violations reported in the data (figure 4).

**FIGURE 4**  
Code Enforcement Violations in Philadelphia Overlaid with English-Speaking Population, 2018–19



**Source:** Authors' analysis of Department of Licenses and Inspections violation data, 2018–19. Accessed via OpenDataPhilly and US Census Bureau American Community Survey, 2015–19.

This does not mean necessarily that these areas do not experience high rates of substandard housing; according to several stakeholders, the data could be interpreted as a reflection of residents' lack of familiarity and comfort with engaging with city regulatory agencies, such as calling to cite a code violation.<sup>22</sup> Moreover, many Asian and Latine communities are often underrepresented and underserved by housing assistance programs (such as rental vouchers, repair grants, and publicly subsidized units), indicating that a greater focus on adapting resources to target these communities is needed (Reina and Aiken 2021).

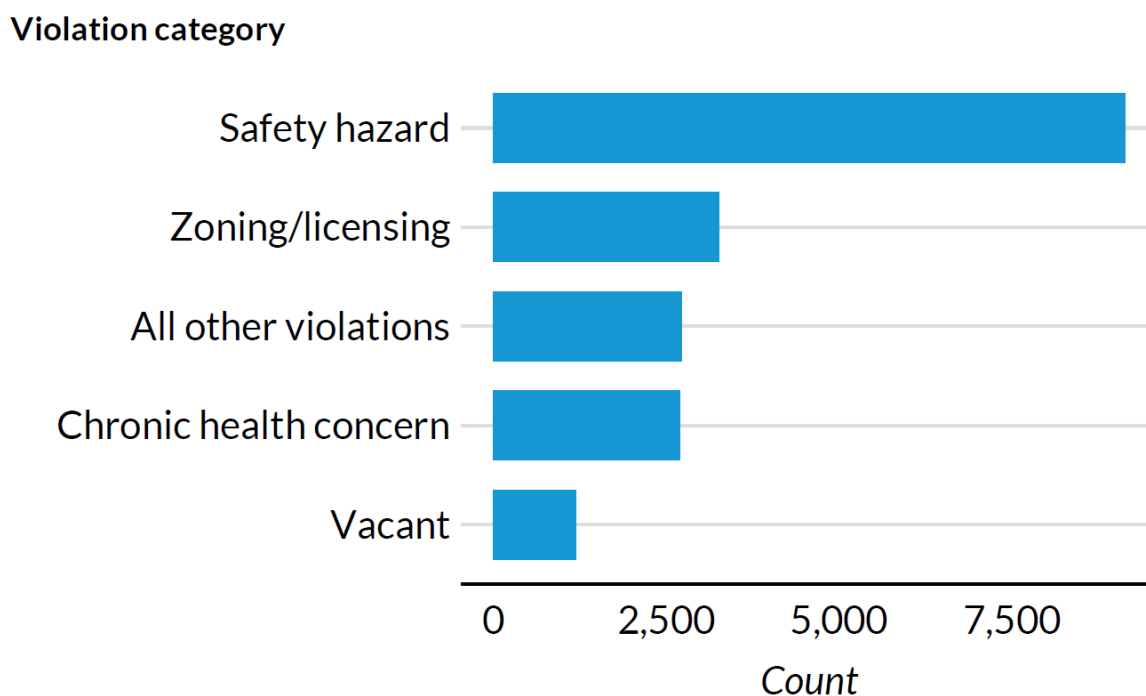
## Not All Code Enforcement Violations Are the Same

Code enforcement violations can range from aesthetic repairs to hazards that affect health and safety, such as peeling lead paint, mold, old or improper electrical wiring, rodent infestations, and even poor weatherization that can force residents to use space heaters in the winter. L&I does have a categorization system for violations, but the system does not consider the severity of the violation. And according to L&I, the categorization is rarely used as a method for prioritization. Therefore, the majority of violations are categorized as “standard” violations. To distinguish between violations that are associated with negative health outcomes (both immediate and long term) and those that are not, the analysis was first limited to just code violations that occurred in residential properties identified as rentals. Within this universe of residential rental code violations, violations were categorized into one of four categories (for the full methodology, see appendix D):

- Violations associated with **chronic or cumulative health concerns**, including violations like faulty plumbing, which can cause mold and lead to a range of health conditions and ailments including increased asthma hospitalizations. This category also includes violations related to rodents, animal droppings, infestations, sanitation, heat/utilities, and weatherization.
- Violations associated with **life-safety hazards**, which can cause immediate injury, including violations related to electrics, wiring, fire, carbon monoxide, structural issues, overcrowding, and roofs.
- **Vacancy** violations, which are identified as an uninhabited building that does not have a vacancy permit. Vacant buildings in disrepair can attract pests and rodents and can present physical hazards that affect neighborhood health.
- **Other** violations not likely to be associated with either immediate or long-term health concerns, such as zoning, doors, or aesthetic exterior violations.

The majority of code enforcement violations fall into the life-safety hazard category, closely followed by other violations, whereas only 14 percent of code enforcement violations fall into the chronic health concern category (figure 5). This could in part be attributable to the fact that safety hazards include many violations that are part of a standard inspection, meaning they are checked for in every single inspection (things like fire alarms and carbon monoxide detectors). In addition, many safety hazards are exterior violations (such as roofs) that can be cited without entering the home. In comparison, many chronic health concerns are located inside the home, which makes them more difficult to confirm and cite.

**FIGURE 5**  
**Residential Rental Code Violations by Type, 2018–19**

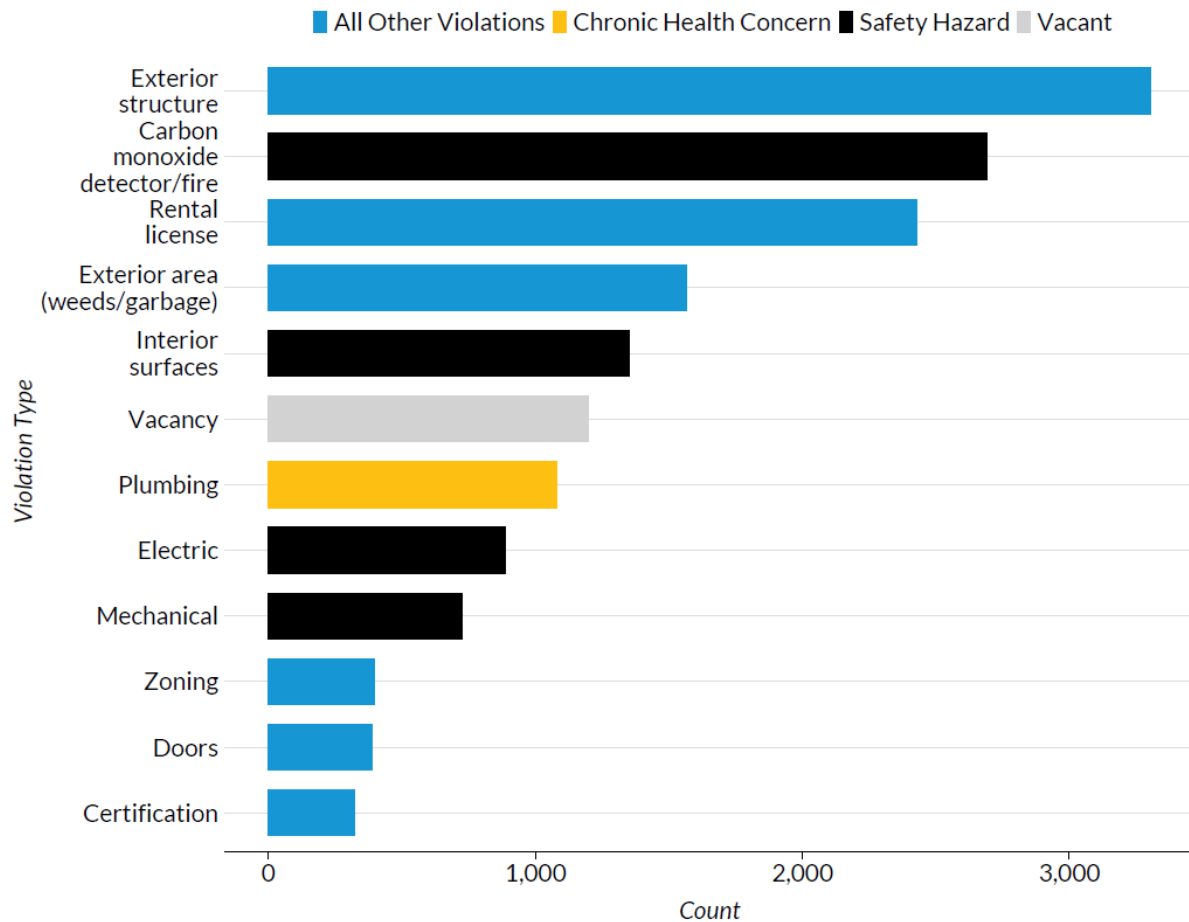


Source: Authors' analysis of Department of Licenses and Inspections violation data, 2018–19. Accessed via OpenDataPhilly.

When the categories are broken down further, exterior structure violations, which can be cited without entering the home, are the most common type of violation. Carbon monoxide/fire checks, which inspectors must conduct during every interior inspection, are the second most common violation. Of the top 10 most common violations, one is a chronic health concern and four are safety hazards (figure 6).

FIGURE 6

Most Common Violations by Violation Category, 2018-19



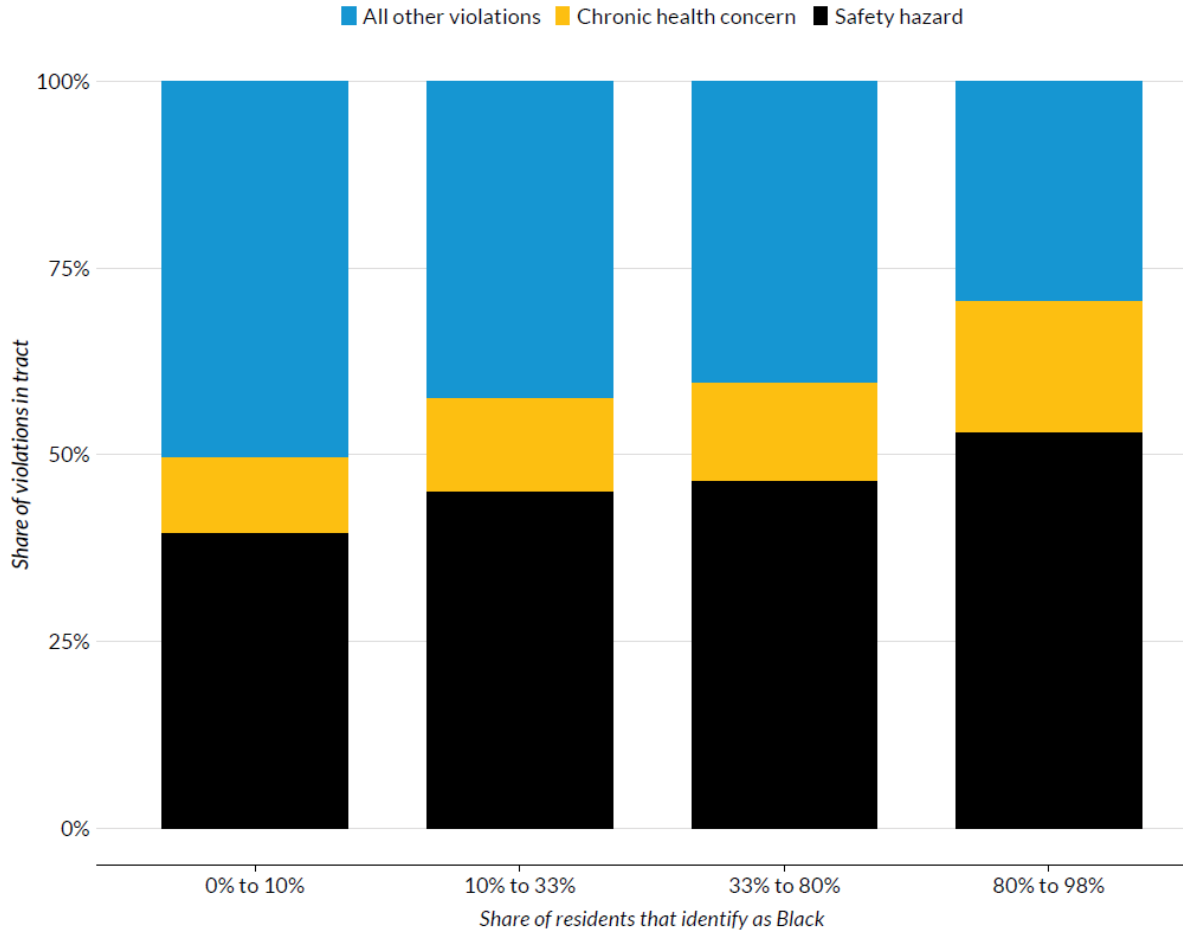
Source: Authors' analysis of Department of Licenses and Inspections violation data, 2018-19. Accessed via OpenDataPhilly.

**Code Enforcement Violations Associated with Negative Health Outcomes Are More Likely to Affect Low-Income, Black Communities**

North, Southwest, and West Philadelphia see the highest instances of violations. These patterns are even more pronounced when focusing on just chronic health concerns and safety hazards, which, in 2018-19, constituted an estimated 63 percent of violations in rental properties (figure 6). Of those chronic health and safety hazards, 73 percent were in census tracts that had poverty rates higher than the citywide poverty rate of 24 percent, and 66 percent were in census tracts with a higher share of Black residents than the city overall (42 percent).

FIGURE 7

**Black Residents in Tract and Violations that Are Chronic Health Concerns or Safety Hazards, 2018-19**



Source: Authors' analysis of Department of Licenses and Inspections violation data, 2018-19. Accessed via OpenDataPhilly.

**Renters Are Often Reluctant to Report to L&I due to Fear of Retaliation**

L&I and renter advocates reported that in addition to LMI renters being more likely to experience hazardous living conditions because of a lack of safe affordable rental units, they are often unaware of the scope and services provided by L&I. Renter advocates also expressed the sense that the renters they work with are reluctant to report code violations because of the perception that doing so may not result in remediation and/or a fear of retaliation from unscrupulous landlords or fear that their home may be deemed unsafe to live in. As a result, renter advocates reported that LMI renters living in substandard units often do not file code violation complaints unless their landlords have already filed to evict them.<sup>23</sup>



# What Are the Challenges and Opportunities for Philadelphia Landlords?

Landlords are a key piece of the puzzle to improving rental housing conditions. Whereas HCE agencies hold responsibility for enforcing property maintenance, landlords are responsible for complying with regulations, making the necessary repairs, and maintaining their properties. HCE agencies must maintain a delicate balancing act in coordination with housing support organizations to ensure the process of complying with HCE is adequately incentivized (relative to noncompliance and HCE avoidance), easy to navigate, and as affordable as possible. This balance is extremely complex and challenging to achieve; but by working toward that balance, HCE agencies can maximize compliance while minimizing impacts on housing affordability.

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## BOX 1

### Who Are Philadelphia's Landlords?

Stakeholders interviewed for this HIA report that a great deal of heterogeneity exists among landlords across the city in terms of their business goals, investment practices, and approaches to property maintenance. Stakeholders report that some landlords have long-term investment horizons, seeking stable renters and maintaining their properties in good condition. Other landlords seek properties in gentrifying neighborhoods, buying, minimally maintaining, and flipping rental properties in a short period. And still others invest in low-value, poor-quality housing, seeking economically vulnerable renters and minimally maintaining their properties.<sup>a</sup> Because of insufficient research on this topic, an accurate estimate of the prevalence of these generalized business practices in Philadelphia is not available.

Philadelphia landlords also are heterogenous in terms of the size of their businesses. A 2021 Pew study found that of the 55,000 landlords in Philadelphia, approximately 73 percent of landlords own only one or two rental properties (accounting for 18 percent of the city's estimated 288,000 rental units), 25 percent of the city's landlords own between three and 24 rental units (accounting for 30 percent of all rental units), and just under 2 percent of landlords own more than half of the city's rental units.<sup>b</sup> Yet, another report found that small business owners own approximately 65 percent of the city's naturally occurring affordable rental units (Urban Land Institute 2021). Given these findings, it is paramount for any rental housing quality intervention to be designed with specific consideration of the diversity in landlord business characteristics.<sup>c</sup>

<sup>a</sup> Sourced from a 2021 stakeholder interview.

<sup>b</sup> Octavia Howell and Elinor Haider, "Who Are Philadelphia's Landlords?" Pew Charitable Trusts, February 24, 2021, <https://www.pewtrusts.org/en/research-and-analysis/articles/2021/02/24/who-are-philadelphias-landlords>.

<sup>c</sup> Sourced from a 2021 stakeholder interview.

## Lack of Streamlining of City Procedures

Landlord affinity group and community development agency stakeholders report that small landlords face an array of challenges in complying with the city's rental housing regulations. Landlord affinity group stakeholders report that landlords experience long delays with relicensing, citing delays of up to six months to get their units relicensed, and that these delays were amplified during the pandemic.<sup>24</sup> According to these stakeholders, at times the delays are caused by things like unpaid property taxes—in these circumstances, the stakeholders report, the delay is not caused by the snag itself but by unclear communication of these outstanding issues. In other circumstances, landlord stakeholders note that delays are caused by complicated administrative process issues that are time-consuming to address. For example, one stakeholder reported that because of a misalignment of property data between L&I and the Philadelphia Department of Revenue, rental condo units are not always properly classified, which causes delays in the processing of rental licenses. Because this was an interdepartmental administrative issue, the landlord stakeholder reported that the process to rectify the issue was tedious and lengthy. Although this type of delay may not happen often, it reflects the general concern among landlords about the burden and time it often takes to navigate and troubleshoot the city's rental licensing process.<sup>25</sup>

In addition, stakeholders reported that landlords, particularly landlords who are non-native English speakers, struggle to use eCLIPSE (Electronic Commercial Licensing, Inspection, and Permitting Services Enterprise), the online system L&I uses to manage code violation cases and to process rental housing licenses, among other tasks. These qualitative findings indicate that there may be some administrative processes in L&I's rental license program that should be refined further.

In regard to the reactive code enforcement system, landlord stakeholders reported experiencing challenges in successfully addressing and closing out code violation cases. Specifically, these stakeholders reported that although inspectors are following a standardized checklist in what they specifically inspect, the stakeholders felt the checklist did not reflect contemporary health and safety standards. Furthermore, these stakeholders perceive there is a lack of consistency in how inspectors cite seemingly minor violations, which makes it challenging for landlords to anticipate how housing quality regulations will be enforced.<sup>26</sup> These findings indicate the potential value of developing a clear, public-facing protocol regarding L&I's internal inspections practices and investing in landlord outreach and education.

## **Self-Certification Does Not Incentivize Landlord Rental Registration**

Local rental advocates perceive that the rental housing licensing program inadequately prevents renters from being exposed to unhealthy conditions. Because landlords self-certify that their units meet housing quality standards, stakeholders reported that many landlords with substandard units self-certify and obtain valid rental licenses without repercussion. In addition, stakeholders reported that many landlords intentionally avoid obtaining rental licenses.<sup>27</sup> This finding is consistent with the literature, which estimates that 30 percent of rental units do not have valid rental licenses (Howell 2021). Renter advocates reported that the lack of penalties for unlicensed rental properties negatively affected eviction case outcomes. Because landlords are required to have a rental license to file for an eviction, advocates reported that landlords frequently obtain licenses—a typically quick process—when they are filing for an eviction. Renter advocates reported that L&I does not publicly report information on when licenses were issued, which complicates the process that renters and renter advocates must use to demonstrate that landlords' rental units are noncompliant with housing quality regulations.<sup>28</sup>

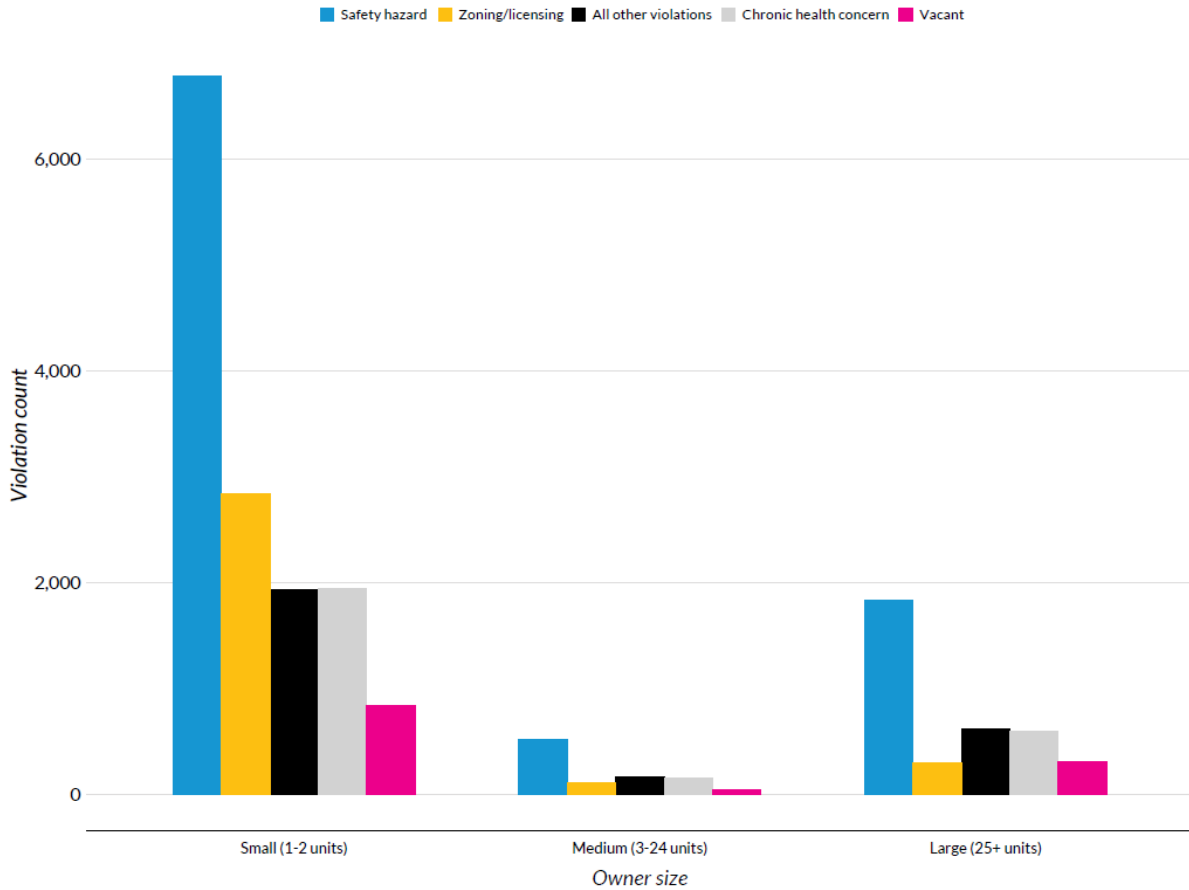
Regarding L&I's effectiveness in taking enforcement action to abate substandard conditions affecting renters, renter advocates and community development stakeholders perceived L&I to be ineffective, citing that L&I is often slow to conduct inspections when renters file code violation reports, and unreliable with scheduling follow-up inspections to check whether violations are abated and with taking enforcement action if violations remain. As a result, renter advocacy organizations perceive that landlords may not have sufficient incentives to address violations, which could cost thousands of dollars, because of the low likelihood of the city and/or the courts imposing sufficient penalties that would result in timely and effective compliance.

## **The Majority of Violations Are in Properties Owned by Very Small Landlords**

Very small landlords (owning one to two properties) accounted for a disproportionate share of violations. Very small landlords own an estimated 18 percent of units in Philadelphia (Howell 2021) but they account for 75 percent of the properties with code enforcement violations.<sup>29</sup> The disproportionate share of code violations attributed to very small landlords may be because very small landlords reportedly are more likely to own lower-value and higher-risk properties (i.e., older properties in poorer condition) and because very small landlords reportedly have difficulty financing necessary renovations.<sup>30</sup>

FIGURE 8

Violation Count by Landlord Size, 2018–19



Source: Authors’ analysis of Department of Licenses and Inspections violation data, 2018–19. Accessed via OpenDataPhilly.

### Small Landlords Lack Access to Capital

Although stakeholders acknowledge there are “bad actors” in the rental market who avoid compliance and intentionally maintain unsafe conditions in their properties, stakeholders also note that a number of small landlords want to comply with housing quality regulations but face technical and financial challenges in doing so.<sup>31</sup> Specifically, community development stakeholders reported that the cost of conducting repairs and remediation has increased remarkably in recent years thanks in part to supply chain disruptions for construction materials as part of the pandemic economic recovery. For example, the Philadelphia Housing Development Corporation reported that in its Basic System Repair Program, through which it provides financial and technical assistance to low-income homeowners, the average cost of repairs for a single-family house increased 50 percent between 2018 and 2022.<sup>32</sup> In addition,

community development stakeholders reported experiencing difficulties with accessing skilled contractors, including issues related to reliability and work quality of the contractors they were able to hire. The challenges experienced by professional home redevelopment agencies likely also affect landlords, especially small landlords who lack property maintenance staff and rely on contractors.<sup>33</sup> In underinvested neighborhoods, stakeholders report that small landlords lack access to loan capital for rehabilitating their rental properties. In those neighborhoods, community development agencies report that landlords operating unlicensed and/or substandard rental properties are often the only source of affordable housing for LMI renters, highlighting the need for public investment in affordable housing development and preservation of existing affordable units.<sup>34</sup>

As described previously, Philadelphia does have a few low-interest loan and grant programs targeted at addressing unsafe housing conditions, but these programs are predominantly targeted toward low-income homeowners—not small landlords. Furthermore, community development stakeholders reported that small landlords are often unaware of these financial resources, or that they hesitate to apply for these programs because of concerns about potential enforcement penalties and eligibility and general program requirements that could be difficult to follow and might impose additional costs. As a result, community development stakeholders reported that they have recorded relatively low participation levels in the pilot Rental Improvement Fund, a low-interest loan program that comes with affordability requirements (stipulations that require landlords to keep rents below certain levels).<sup>35</sup>

## What Are L&I's Challenges and Opportunities?

As discussed previously, HCE agencies face three complex challenges in enforcing housing quality regulations: resource constraints, mitigating impacts on housing affordability, and advancing racial equity in access to safe housing. This section discusses the team's observations and insights on how these challenges have manifested specifically in the context of Philadelphia's HCE agencies.

### Budget and Staffing Challenges

Because of limited capacity, L&I does not take enforcement action against all landlords that do not remediate cited code violations. During discussions regarding the causes of L&I's limitations, all stakeholders cited budget as the cause of L&I's lack of capacity to adequately regulate rental housing conditions and recommended expanding the department's budget to meet its needs. According to

staff members in L&I, the department's capacity is constrained by challenges related to its budget, staff training and retention, and municipal policy.<sup>36</sup>

As an administrative L&I staff member described, L&I is responsible for ensuring health and safety standards are met for all buildings in the city during their life cycle, from their construction to their demolition.<sup>37</sup> This broad scope includes varying tasks, such as ensuring that safe construction practices are being used in the development of new high rises, policing illegal nightclubs on weekends, and boarding up the windows and doors of vacant properties. These responsibilities are divided across divisions within the department. The Code Enforcement Division (CED) is responsible for enforcing maintenance standards for the city's existing buildings.<sup>38</sup>

As of January 2022, the division had 42 staff inspectors for the estimated 288,000 rental units in Philadelphia; those staff inspectors only inspect about 7 percent of these units each year (Howell 2021). By comparison, Rochester, New York, a city with less than one-quarter of the rental units in Philadelphia, has 30 inspectors.<sup>39</sup> According to executive staff, the division needs at least 60 inspectors to manage the existing caseload of complaint-driven inspections.<sup>40</sup> Between 2019–22, L&I lost nearly one-third of its inspectors, many citing large workloads or pay and promotion disputes.<sup>41</sup> In addition, training new inspectors is a time- and labor-intensive process that takes about a year before new staff are fully effective. Because of the rigor of the onboarding process, which includes passing certification exams and other assessments, less than 50 percent of new inspectors make it through the probationary period.<sup>42</sup> In addition, because of wage disparities between property maintenance inspection staff and construction inspection staff, retention of highly performing staff in the division is a challenge. L&I leadership reported that this wage disparity was part of a larger prioritization of resources for construction enforcement over maintenance enforcement. During the past few years, executive staff have focused on addressing this issue by closing the pay gap and encouraging collaboration between construction and maintenance staff assigned to the same districts. L&I executives also noted that civil service regulations are a policy barrier to hiring additional administrative staff, without specialized training, needed to augment the administration of rental licenses.<sup>43</sup>

Since the spring of 2021, CED inspection staff have been assigned to one of three units: the fire safety unit (responsible for enforcing the city's fire code), the property maintenance unit (responsible for enforcing the property maintenance code), and the vending and vacant unit (responsible for managing vacant properties and regulating vendors). To determine unit assignments, division executives assess the performance of inspectors quarterly across a range of quality and efficiency metrics and assign inspectors on the basis of their performance score in descending order first to the

fire safety unit, then to the property maintenance unit, and finally to the vending and vacant unit. Within each unit, inspectors are assigned geographic districts, which are defined by census tract boundaries, based on the districts' relative case volume.<sup>44</sup> For example, the North Central district, which is the city's busiest district by case volume for the division, generated 27 percent of the city's total case volume. As such, the district was assigned 27 percent of each unit's inspection staff.

## **Data Inconsistencies**

Currently, L&I's data are available on the OpenDataPhilly portal. However, understanding the data requires insight into the inspection process as well as significant data cleansing. During the review of code enforcement data files, cases can be counted as closed for multiple reasons, which for some means that the violation is remediated and for others means that it is not. Such confusion makes it difficult for the general public and other city agencies to know the status and results of a case. The lack of consistency also makes it difficult for L&I to track how many cases are closed and how long it takes to close a case. Restructuring data collection and recording processes would allow L&I to improve its prioritization process for inspectors and could enable nonprofit housing advocates to track outcomes for low-income renters to better allocate resources.

In addition to lack of data on case status, public data contain little information on property type, ownership, or severity of the violation. Without these data, it is difficult for L&I to prioritize cases, target enforcement actions, and allocate staffing resources. Office of Property Assessment data on ownership could also be cross-checked against rental license data to determine which properties are likely unlicensed rentals and to proactively inspect properties with owners who have a history of repeat offenses and/or own multiple properties with open violations.

## **L&I's Rental License Process and Management Capacity**

The primary mission of L&I is to administer and enforce the relevant building, construction, fire, and property maintenance codes, processes, and permits. Over the years, city officials have expanded L&I's responsibilities to include other permits and certificates related to buildings, properties, and special uses, such as zoning and certificates of occupancy. L&I also handles business and contractor licensing, including rental licensing. According to L&I, it has 14 customer service representatives, 2 supervisors that focus exclusively on licensing, and 13 staff members in a virtual support unit that can help individuals navigate eCLIPSE, its primary licensing database.<sup>45</sup> L&I also has a designated staff person to work as the liaison to the city council for licensing matters. According to L&I, a significant

part of customer service workload involves requests for help in obtaining and renewing rental housing licenses. From February to April, when landlords typically respond to city notices that are mailed out in December and January, rental licensing renewals can account for 90 percent of L&I's customer service workload. Landlords also can set up virtual or in-person appointments for licenses or inspections through the city's 311 system.<sup>46</sup>

L&I's outreach, education, and assistance on rental housing includes an FAQ on its website along with a rental guide for landlords and renters. According to the L&I website, landlords may need to comply with close to a dozen city requirements depending on the type and size of their rental property. At a minimum, most landlords must obtain or complete four things: (1) a commercial activity license (business license); (2) a local business incomes and receipts tax number so they can pay local taxes on their rental income; (3) a rental license; and (4) give each new renter a certificate of rental suitability and a Partners in Good Housing brochure. The city's good housing brochure reinforces the overarching policy that landlords should comply with all rental housing policies and standards. And depending on the type and age of the rental property, other relevant city requirements include a proactive lead inspection certificate, smoking disclosure, and bed bug guidance.<sup>47</sup>

L&I's licensing outreach typically starts in the summer when it sends invoices to all active licenses to renew for the upcoming year. It also sends "nudge" letters to those with delinquent or expired licenses asking them to confirm whether they still rent out the properties. Recent regulatory changes now require landlords to formally close out their rental license if they are no longer renting a unit; otherwise, L&I assumes they are renting and it can take further action if they have failed to get the license.

When it comes to noncompliance (that is, failure to get or to timely renew a rental license), L&I has the enforcement discretion to either issue a notice of violation when the property has other code violations or it can issue a sites violation notice (SVN) that automatically includes a civil penalty/administrative fine. The landlord would have to pay the SVN fine and pay for the rental license. Anyone can appeal the SVN to the Board of Licenses and Inspections Review. The SVN process is a relatively new enforcement tool. At the end of 2021, L&I inspectors underwent training on a mobile app that allows them to issue notices of violation and SVNs from the field.<sup>48</sup> Other requirements for issuing a license include the lead certification administered by Environmental Health for eligible properties (built before 1978) and the need for a business license and payment of real property taxes unless the landlord lives on the property and rents five or fewer units. As a general policy, L&I will not issue or renew a rental license if the property has current L&I code violations, but it typically does not revoke active licenses in code enforcement cases because the administrative



revocation process takes time and landlords seem more responsive to the notices. According to L&I, eCLIPSE is set up to automatically catch some of these requirements when a landlord applies for or renews a rental license.

## **L&I's Proactive Code Enforcement Activities**

Beyond its standard complaint-driven process, the city of Philadelphia does conduct a few proactive inspection practices and enforcement programs that can serve as the initial foundation for a more robust and comprehensive transformation to strategic code enforcement. For example, when L&I gets permission to enter a building or rental unit, all interior inspections prioritize life safety and fire hazards. If such violations are found, those cases receive priority attention. The department also is working on implementing remote inspection software to streamline and increase the division's capacity to conduct re-inspections in a more efficient and effective manner.<sup>49</sup> On occasion, staff within L&I's CED Litigation Support Unit and attorneys in the Law Department work with L&I inspections staff to identify "bad actor" landlords with a high volume of noncompliant rental units and pursue litigation against these landlords, a common strategic code enforcement practice.<sup>50</sup>

CED also participates in several special cross-agency task forces that involve proactive routine inspections on select types of complex and/or problem properties. These properties include high-rise buildings, special assembly occupancy buildings (i.e., nightclubs and bars), public and charter schools, and vacant buildings over 5,000 square feet. In response to community resident complaints, the division recently rolled out licensing requirements with mandatory routine inspections for auto repair shops, partnering with the Department of Streets to notify shop owners of the new requirements.<sup>51</sup> Nevertheless, L&I's enforcement process for rental units is largely complaint driven. Although landlords are legally required to apply annually for licenses, the process does not involve unit inspections. In essence, landlords self-certify that their units meet maintenance requirements and many landlords do not apply for licenses without penalty—an estimated 30 percent of the city's rental units were unlicensed in 2020 (Howell 2021).

The Department of Public Health's environmental health services is responsible for enforcing the city's lead safety laws through both a reactive, referral-based system and a proactive, certification-based system. To this end, EHS responds to inspection requests from residents and health care providers and oversees the enforcement of the Lead Paint Disclosure and Certification Law, which requires landlords to have their units independently tested and to obtain certification that their rental units are lead safe or lead free.<sup>52</sup>

With regard to the regulatory efforts of EHS to mitigate the impacts of home-based lead poisoning, community-based organizations reported that while delays did occur for the initial lead inspections to take place, the department was largely effective in addressing complaint- and referral-based cases. In addition, landlord affinity group stakeholders reported that EHS had been proactive in developing and guiding landlords through a streamlined lead certification process.

## Strategic Code Enforcement Principles and Practices

Many of this report's recommendations rest on the principles and practices of strategic code enforcement. As part of its research and analysis, the report's team turned to other cities with a solid track record adopting and effectively implementing strategic code enforcement (CE) programs. Many of those cities have a blend of relatively simple practices that can streamline existing HCE processes as well as more comprehensive policies and programs (such as proactive lead certification, rental registries, and rental inspection programs). The examples feature the intersection of public health and HCE, but many of the insights and lessons represent well-tested strategies and practices essential for a complete strategic CE transformation.

### Defining the Principles and Practices of Strategic Code Enforcement

HCE agencies today operate in a more complex world, with shifting market forces, complex ownership structures, resource constraints, and competing policy and community demands. As a result, traditional code enforcement strategies by themselves do not effectively and efficiently address neighborhood conditions and problem properties. HCE agencies must coordinate and collaborate with a broader array of actors ranging from other city and county departments to housing and community development nonprofits, advocates, and community-based organizations. Considering these new realities, strategic CE offers local governments a new model that organizes existing resources and coordinates programs and staff into a dynamic and adaptive system with identified goals, policies, and processes (Schilling and Lind 2018). Strategic CE principles and practices enable all local government code enforcement agencies to deploy their inspection resources and take administrative and judicial actions in systematic ways—targeting the right response to the right place at the right time. Rather than relying on complaints, strategic CE identifies community and health priorities and takes proactive actions to identify, inspect, and rehabilitate units to proactively address problem properties further upstream. Box 2 highlights six core program elements and seven essential principles of successful strategic CE programs.

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## BOX 2

### Strategic Code Enforcement Essentials

Communities may take different approaches toward implementing strategic CE. For a municipal code enforcement program (from housing and building inspection to zoning and litter control) to become strategic, it should have certain threshold capacities and capabilities within all six of the following program elements (Schilling and Lind 2018):

- Real property information and connected code enforcement data systems
- Inspection and investigation
- Regulations and permitting
- Enforcement and compliance actions
- Case tactics and strategic selection of remedies
- Program assessments and feedback loop

It is important to build a culture that implements strategic CE from the director to the frontline inspectors to staff. Schilling and Lind (2018) outline seven core values for facilitating the transformation to strategic CE:

- Understand code enforcement is an organic system.
- Elevate compliance above enforcement.
- Ensure decisions are data driven.
- Define and track measures of success and impact.
- Engage the community and partners in collaborative partnerships and coordinated actions.
- Develop and support proactive leadership at all levels.
- Ensure a blend of traditional and creative funding sources.
- Identify and mitigate the legacy of racial, social, and economic inequities.

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A scan of the literature found several practice guides and case studies on the intersection of housing and health that offer effective, efficient, and equitable strategies that different cities use.<sup>53</sup> Some of these reports offer insights for policymakers on the challenges in building political and community support as well as the legal and technical capacity necessary for more proactive interventions.<sup>54</sup>

Building on those resources, along with informal conversations with code enforcement directors and attorneys in Baltimore, Syracuse, and Toledo, several promising practices and policies were identified

that are essential when addressing the health impacts that arise from substandard rental housing conditions. Collectively, these and other resources (discussed in the following sections) offer Philadelphia several promising pathways for transforming its code enforcement program into a more strategic model that elevates public health and addresses the unhealthy conditions in substandard rental housing.

## **Refining Policy Goals and Revising Housing Codes Using a Health Lens**

The legal and policy foundation for strategic code enforcement rests with the underlying housing codes. HCE agencies should review their existing codes to ensure they reflect the public health dimensions of housing as a strategy to elevate health as a critical priority in their day-to-day operations. The primary policy goals found in most state and local housing codes focus on the protection of public safety by setting occupancy, equipment, and structural standards for the building itself along with the prevention of fire and acute health risks (e.g., lead poisoning from lead-based paint). With more research and increased expertise on the social determinants of health, communities are now revisiting their housing codes to address housing and neighborhood conditions that can affect the health of tenants and local residents over time.<sup>55</sup> Articulating policy goals on the basis of community priorities can set the tone for transforming the organizational culture within the HCE agency as well as strengthening relationships with local residents and community-based organizations and nonprofits. For example, in Baltimore, the HCE agency reaffirmed its rental housing policy goal to ensure compliance and enforcement (if necessary) for basic health and safety standards in all rental housing and to help mitigate the risks of tenant displacement. The National Healthy Housing Standard (NHHS) (NCHH and APHA 2018) serves as a model code for infusing public health policies, provisions, and practices into local housing and property maintenance codes. The National Center for Healthy Housing (NCHH) and the American Public Health Association (APHA) developed the NHHS in light of recent evidence and expertise from the fields of environmental health, engineering, safety, and building science. Local HCE agencies can leverage the NHHS's framework and NCHH's online tools to diagnose, compare, and clarify existing housing codes to expand and improve how they address the causes of the more persistent and chronic health problems experienced by people living in substandard rental housing.<sup>56</sup>

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### BOX 3

#### **A Policy and Program Framework for Infusing Health into Code Enforcement Agencies**

Building on the expertise and frontline experiences from the health departments and healthy housing coalitions from Alameda County, California; Greensboro, North Carolina; and Newark, New Jersey, the Kresge Foundation, Strategic Actions for a Just Economy, and ChangeLab Solutions developed a comprehensive framework to help policymakers and practitioners revamp their HCE efforts to eliminate environmental and safety hazards and address the underlying conditions of unhealthy homes.<sup>a</sup> ChangeLab's 10 core components that cities of any size or from any region can apply to diagnose and improve their current efforts are as follows:

- Adopt a strong housing code.
- Fund the code enforcement program sufficiently.
- Train officers comprehensively.
- Partner with community organizations.
- Promote cross-agency coordination.
- Develop a cooperative compliance model.
- Enforce the local housing code.
- Adopt a proactive rental inspection program.
- Establish supplementary programs.
- Evaluate the code enforcement program.

<sup>a</sup> ChangeLab Solutions, "Up to Code: Code Enforcement Strategies for Healthy Housing" (Oakland, CA: ChangeLab Solutions, 2015) [https://www.changelabsolutions.org/sites/default/files/Up-tp-Code\\_Enforcement\\_Guide\\_FINAL-20150527.pdf](https://www.changelabsolutions.org/sites/default/files/Up-tp-Code_Enforcement_Guide_FINAL-20150527.pdf).

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#### **Encourage Compliance through Streamlined Regulatory Processes and Extensive Community Outreach/Education**

Strategic CE starts with the way HCE agencies communicate with property owners who have outstanding code violations or who fail to register or license their rental properties. Many HCE agencies issue formal notices of violation that resemble law enforcement citations with legal terminology and threats of severe punishment and fines. Although the notice may list the sections of the code that were violated, the format often does not give the frontline inspectors the opportunity to really explain the rationales behind the code or to translate the specific code terms. Recently, a

number of HCE agencies have been using “nudge letters” earlier in the code enforcement process; these letters translate the code terms into plain English and set a tone of more collaborative compliance. Recent research involving behavioral analysis of the code enforcement processes in New Orleans, Louisville, and Chattanooga indicated that contacting property owners earlier, in advance of inspections; simplifying and providing direct calls to action in notices of violations; and proactively communicating and providing resources to previous violators improved compliance 14.7 percent, 3.3 percent, and 9.2 percent, respectively, and provided an estimated cost savings of 6 to 15 percent of each code enforcement department’s budget (Linos, Quan, and Kirkman 2019).

General outreach and engagement strategies through websites, social media, and user guides offer another vehicle for HCE agencies to build community trust and engender a culture and climate of compliance and collaboration. Most HCE agencies have brochures, FAQs, and user guides that outline the steps for how landlords register their rental properties or obtain a rental licensing and/or when routine inspections are necessary.<sup>57</sup> Given that landlords may have other requirements to comply with (e.g., business license or tax), outreach and engagement strategies such as a good website and “customer service” representatives can, in the long term, encourage more landlords to register their rental properties.<sup>58</sup>

## **Cross-Training Health and Housing Inspectors**

Depending on state and local rules, HCE inspectors have certification requirements and training they must undergo to ensure they are current with the technical requirements of housing systems (plumbing, electrical, structural, etc.) and property maintenance standards that form the basis for their inspections and notices. Local government environmental health inspectors also have their own certification and training requirements for inspecting commercial establishments or housing (for elements such as mold, common vectors, or the presence of lead) that require these inspectors to have an additional layer of specialized technical expertise. Given these somewhat technical and detailed requirements, municipalities rarely cross-train their housing and health inspectors. However, in Memphis, the cross-training that was conducted as part of the 2018 Health Impact Assessment provided a good start for facilitating stronger cross-agency collaboration among housing and environmental health inspectors and programs.

## Rental Regulatory Policies and Programs

Another common strategic CE approach is adopting regulations that address problem properties that can in some cases help prevent properties from deteriorating in the first place. As a complement to complaint-driven code enforcement, local government regulations impose property maintenance and other standards on the operation of certain properties, uses, and businesses. When it comes to rental housing, local governments (in most states) can adopt one or more of three common approaches: (1) rental registries and licensing, (2) lead certification, and (3) proactive rental inspection, but all three strategies can reinforce one another. Some cities might start with a registry or licensing program and then add lead certification or proactive inspections. Despite the mounting evidence of how unsafe, unhealthy housing can cause serious health conditions (Korfmacher and Holt 2018), local governments still encounter powerful and vocal opposition to adopting or strengthening rental regulations from landlords, apartment owners, and real property interests.<sup>59</sup>

### RENTAL REGISTRATION AND LICENSING PROGRAMS

Regardless of which regulatory approaches a local government takes, a well-managed rental registry can help HCE agencies determine how many rental properties exist and who owns them. Local governments generally adopt an ordinance that requires and defines the parameters of the rental property registration, such as number of units, frequency, registration fees, ownership/property management information, and relevant fines or penalties for late renewal or failure to register. Sometimes the registration requirement is connected to business licensing requirements and fees. Standalone rental registries are typically voluntary and are not connected to additional regulatory requirements. Thus, they primarily serve as data and information-gathering programs that allow local governments to understand rental housing trends and analysis. Some cities may impose a fee and small penalties for failure to register but often they do not actively enforce the registration requirement.

Instead of voluntary registration, some communities require a rental license that (depending on the state law and the terms of the local ordinance) can have more legal implications and potentially stronger enforcement mechanisms (such as requiring annual licensing before renting) that could make it difficult for a landlord to go to court to evict a tenant (as is the case in Philadelphia). Some rental licensing ordinances clearly prohibit occupancy of a dwelling without a license. Local rental licensing programs typically have fees associated with them and can also be connected with additional requirements such as obtaining and applying for a business license.

## LEAD INSPECTION AND CERTIFICATION PROGRAMS

Given the overwhelming evidence about the irreparable harm to children from living in older homes with lead (such as from paint, soil, or water pipes), several cities in the past 5 to 10 years have adopted special lead inspection and certification programs for rental housing units that pre-date the 1978 national ban on lead. Lead exposure is a major challenge for older industrial cities with older housing stock. Many within the public health and housing code enforcement fields consider **Rochester, NY**, the prototype proactive rental inspection certification program (see box 4). **Cleveland, Toledo, Philadelphia, and Buffalo** have recently implemented lead inspection programs that were years in the making, due in part to organizing the required staff and ordinances, and accounting for landlord pushback. For example, **Pittsburgh** launched its proactive lead inspection program in May 2022 after the resolution of lawsuits brought by landlords.<sup>60</sup>

Local community foundations and national healthy home organizations have been instrumental in forming cross-sector coalitions of policymakers, academics, and social justice and community leaders along with health care, public health, housing, and community development organizations in favor of proactive lead inspection programs.<sup>61</sup> The Greater **Buffalo** Community Foundation brought together its lead task force to create a comprehensive strategic action plan that built momentum for a proactive lead inspection program that was adopted in late 2020.<sup>62</sup> In 2019, with assistance from the national nonprofit Green and Healthy Homes Initiative, **Philadelphia's** cross-sector coalition came together to facilitate the adoption of its proactive lead inspection and certification program.<sup>63</sup> **Cleveland's** coalition is perhaps the most robust in terms of its collective impact, as it is led by several prominent local foundations and hospitals with support from enterprise community partners and other local housing and community development organizations.

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### BOX 4

#### **Rochester's Proactive Inspection Program—Proof of Concept**

In 2005, Rochester, New York, implemented a comprehensive rental housing-based lead law that mandated proactive lead inspections of all nonowner-occupied rental properties built before 1978 as a cost-effective preventive measure to reduce the prevalence of pediatric lead poisoning. In many respects, Rochester serves as the model against which many practitioners within the fields of public health and HCE compare their own lead inspection programs. Rochester already had a solid HCE program on which the proactive lead inspection program could rest upon. In the process of applying this law, the city council established a citizen advisory group to educate community residents and inform implementation. The HCE agency hired and trained four lead inspectors whose primary responsibility was to conduct lead inspections, which the department reported cost approximately



\$600,000 per year. Rochester illustrates the importance of leveraging data to prioritize high-risk neighborhoods for inspection while providing community-based education and technical assistance for rental owners and renters.

Although other cities have proactive lead inspections, what distinguishes Rochester from those cities are its efforts to document and measure the results. Cross-sector, cross-agency partnerships with housing and health agencies and public health researchers enabled Rochester to track progress over a 10- to 15-year period. The University of Rochester's evaluation of the policy intervention found that all targeted units were inspected in the four years following the law's implementation and that there was a 94 percent passage rate among target rental units, which exceeded expectations. From landlord focus groups and surveys, the evaluation found that this was likely due to the city's lead-mitigation education program, which enabled owners to learn how to repair hazards effectively and to pass their scheduled inspections. As a result, elevated blood lead levels among children tested in Rochester declined from 8.3 percent two years before implementation to 4.4 percent two years after implementation. From landlord focus groups and surveys, the evaluation found that the lead law did not cause significant additional costs to landlords (the median per unit cost of repair was \$300), with higher costs being reported for low-end rental units (Korfmacher, Ayoob and Morley 2012).

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When it comes to implementation, a critical first step is gathering health and housing data about the units and the owners to help focus the inspections on pre-1978 rental units and in neighborhoods with the highest concentrations of reported lead poisoning.<sup>64</sup> Other common elements across these programs include inspections done by private, certified lead inspectors and a phasing of the citywide inspections over a period of several years. Note that these inspections generally have limited scope—a trained inspector performs a standard dust wipe inspection to determine if any lead particles are in the house and if there are, does the level of lead exceed EPA limits. If the inspections find excessive amounts of lead, then the city or county agency running the program works with the property owner to abate the lead hazards. Most cities also have resources available to cover or defray the abatement costs for eligible property owners. If the housing unit passes the lead inspection, the city or county issues some type of certificate of approval until the next scheduled inspection. Although the local code enforcement directors and staff that were consulted for this report felt that lead certification inspections are effective and critical to protect the health of children, they did note these inspections ignore other conditions in the unit that may also pose serious threats to the health and safety of the tenants (for example, lack of heat/air conditioning, no smoke alarms, overcrowding, mold, infestations). Several of them continue to advocate within and outside of their local governments for a more comprehensive internal inspection of all rental units in their jurisdiction.

## PROACTIVE RENTAL INSPECTION PROGRAMS

In the past five to seven years, healthy home advocates, local governments, and public health and housing policy and technical assistance organizations have made proactive rental inspection (PRI) programs a top policy priority.<sup>65</sup> For many experts and practitioners, routine rental housing inspections remain the code enforcement gold standard when it comes to effective and efficient rental housing regulation. As a complement to complaint-driven code enforcement, HCE agencies (and/or their contractors) inspect all defined rental housing units on a regular basis (e.g., every one to two years). Some cities link the inspection to annual or semiannual rental licensing requirements or they merge regular inspections with lead-safe certification requirements.

PRI programs can help communities advance important policy goals related to housing stability and the preservation of aging and affordable rental housing stock. Routine inspections also benefit property owners by encouraging preventative maintenance that is often more cost-effective than deferred property repairs that may only get worse (and more costly) for older housing units.<sup>66</sup> Compared with reactive HCE efforts, PRI programs protect the most vulnerable low-income renters who may not know their legal rights to habitable and safe housing, especially those with language barriers or physical disabilities. Tenants with credit issues or eviction records may fear retaliation (eviction or rent increases) from their landlord should they file a complaint with their local HCE agency. A growing body of academic evidence and policy reports also document the effectiveness and efficiency of PRI programs. Studies span the fields of public health, housing policy, community development, urban planning, public policy, and economics (box 5).

Given these and other benefits, why are PRI programs not more prevalent?<sup>67</sup> The overarching barrier in cities is opposition from properties owners and their respective landlord and apartment associations; this opposition generates a lack of political will to adopt, implement, and fund PRI programs. Landlords cite the costs to comply and the administrative hassle of the inspections, along with general pro-property rights perspectives against government regulation as some of the main objections. Local elected officials and a few city code enforcement officials worry it will cost too much to hire and train a cadre of city rental inspectors. Other policymakers and even tenant advocates contend any costs, such as registration fees and repairs costs, will only get passed on to already rent-burdened renters; or small mom-and-pop landlords will leave the market and those more affordable rental units will be converted and no longer available to rent. Collectively and cumulatively, many cities have been fighting the political battles over PRI programs for years.

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## BOX 5

### Results from First Wave PRI Programs

A sample of some important studies, articles, and reports and their key findings follows:<sup>a</sup>

- Sacramento, CA: From 2008 to 2013, the city's housing and dangerous buildings cases (HCE caseload) decreased by 22 percent.
- Greensboro, NC: More than 8,700 rental properties were brought up to code in four years under Greensboro's proactive rental inspection program.
- Los Angeles, CA: From 1998 to 2005, LA's award-winning Systematic CE Program inspected more than 90 percent of the city's multifamily housing stock and more than 1.5 million habitability violations were corrected; these actions resulted in an estimated \$1.3 billion in reinvestment and repairs by the owners.

**Source:** A Guide to Proactive Rental Inspection Programs (2014). Change Lab Solutions.

<sup>a</sup> Many of these "first wave" reports and findings from roughly 2005-2015 can be found in ChangeLab's Guide to Proactive Rental Inspection Programs (2015).

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Given these tensions, the PRI programs in several cities have evolved and include features to mitigate the potential or perceived regulatory burden as well to manage the operational cost. For example, after only eight years of having a proactive inspection ordinance, code enforcement officials in Greensboro, NC, found a steady decrease in reactive code enforcement complaints and code violations in rental properties, thus making its housing code enforcement program more cost efficient and effective (box 6). Another strategy for improving efficiency is to have certified, private housing inspectors do the proactive rental inspections, to have the owner pay for the inspection, and to have the inspector follow an approved city checklist along with some level of certification.<sup>68</sup> Owners submit the inspection to register their rental unit or when they apply for their rental licenses. Another feature among cities with PRI programs is to stagger the inspections. Some cities phase in the inspections over the course of two to three years to more strategically allocate staff members and to give landlords sufficient notice and time to preemptively make repairs. For example, a city might start in those neighborhoods with the most code enforcement cases and the older rental housing units. A city can also stagger reinspection based on the results from the initial, baseline inspection. Housing units with no violations and in good condition (e.g., more likely to be newer construction) are given a longer period—three to even five years—before they must have a reinspection. If the initial inspection finds violations, then the reinspection will happen annually.

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## BOX 6

### **Greensboro's Proactive Inspection Decreases the Need for Code Enforcement Actions**

In 2003, Greensboro, North Carolina, enacted a proactive rental inspection program that requires rental units to be periodically inspected and certified as meeting minimum housing quality standards. Eight years after implementation, the city code enforcement department found a 77 percent decline in the number of rental units that required the department to take more formal code enforcement actions. The department felt the proactive inspections meant that substandard conditions were caught early, before they deteriorated into major housing quality issues, which made it easier and cheaper for landlords to address. As part of its proactive inspection program, Greensboro's code enforcement department partnered with the Greensboro Housing Coalition, a nonprofit direct service group that provides community education along with assistance to renters, landlords, and homeowners. The coalition operates programs that educate community members about minimum safety standards and the code enforcement process, mediates conflicts, and helps rental owners remediate housing quality issues.

**Source:** McKee-Huger and Loosemore 2012

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## **How Do L&I's Resources Compare with Other Code Enforcement Agencies' Resources?**

To better assess how Philadelphia's code enforcement system compares with other cities' systems and to understand the feasibility and budgetary implications of moving toward a strategic CE approach, data on code enforcement responsibilities and budgets were collected from cities that were selected on the basis of a blend of the following three criteria:

1. Cities are demographically comparable with Philadelphia based on population and housing stock.
2. Cities have extensive experience implementing strategic code enforcement programs that can still provide important insights and ideas for Philadelphia to adapt to local realities and dynamics.
3. Cities have clear and comparable data reporting processes.

The selected cities represent a wide array of approaches to code enforcement, ranging from more proactive code enforcement strategies such as proactive rental inspections, to more traditional and limited code enforcement systems. Table 1 shows code enforcement agency responsibilities and methods of enforcement among the comparison cities, with a focus on PRI programs, lead inspection and certification, and rental registrations.

TABLE 1

Code Enforcement Agency Responsibilities, by City

City	Name of entity listed in CAFR for budget	Rental registry	Vacancy	New construction	Licenses	Fire	Mold	Lead	Bed Bugs	Mandatory proactive inspection
Baltimore <sup>a</sup>	Department of Housing and Community Development	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Chicago <sup>b</sup>	Department of Buildings	Yes	Yes	Yes	No	Yes	No	No	Yes	No
Cleveland <sup>c</sup>	Department of Buildings and Housing	Yes	Yes	Yes	Yes	No	NA*	No	No	Yes
Detroit <sup>d</sup>	Buildings, Safety Engineering, and Environmental Department	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Houston <sup>e</sup>	Public Works Special Reserve Fund - Building Inspections	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Milwaukee <sup>f</sup>	Department of Neighborhood Services	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes
Philadelphia <sup>g</sup>	Department of Licenses and Inspections	Yes	Yes	Yes	Yes	Yes	No	No	No	No
Pittsburgh <sup>h</sup>	Permits, Licenses, and Inspections	Yes (2022)	Yes	Yes	No	No	No	No	No	No
Rochester <sup>i</sup>	Department of Neighborhood and Business Development	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes

City	Name of entity listed in CAFR for budget	Rental registry	Vacancy	New construction	Licenses	Fire	Mold	Lead	Bed Bugs	Mandatory proactive inspection
San Diego <sup>j</sup>	Department of Development Services	Yes	Yes	Yes	No	No	No	No	No	No
San Francisco <sup>k</sup>	Department of Building Inspections	Yes	Yes	Yes	Yes	No	Yes	No	No	Yes

**Source:** Authors' analysis of cities' 2020 CAFR budgets.

**Notes:** CAFR = Comprehensive Annual Financial Report.

<sup>a</sup> "Code Enforcement," Baltimore City Department of Housing & Community Development, accessed February 4, 2022, <https://dhcd.baltimorecity.gov/ce/code-enforcement>.

<sup>b</sup> "Buildings," Chicago Department of Buildings, accessed February 4, 2022, <https://www.chicago.gov/city/en/depts/bldgs.html>.

<sup>c</sup> "Division of Code Enforcement," City of Cleveland, accessed February 4, 2022,

<https://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/BuildingHousing/CodeEnforcementDivision>.

<sup>d</sup> "Rental Property," City of Detroit, accessed February 4, 2022, <https://detroitmi.gov/departments/buildings-safety-engineering-and-environmental-department/bseed-divisions/property-maintenance/rental-property>.

<sup>e</sup> "Building Code Enforcement, Houston Public Works, accessed February 4, 2022, <https://www.houstonpermittingcenter.org/building-code-enforcement>.

<sup>f</sup> "Residential Code Enforcement," Department of Neighborhood Services, City of Milwaukee, accessed February 4, 2022,

[https://city.milwaukee.gov/DNS/Inspections\\_Sections/Residential](https://city.milwaukee.gov/DNS/Inspections_Sections/Residential).

<sup>g</sup> "Code Enforcement," Department of Licenses and Inspections, City of Philadelphia, accessed February 4, 2022, <https://www.phila.gov/departments/department-of-licenses-and-inspections/inspections/code-enforcement/>.

<sup>h</sup> "Code Enforcement," Department of Permits, Licenses, and Inspections, City of Pittsburgh, accessed February 4, 2022, <https://pittsburghpa.gov/pli/pli-code-enforcement>.

<sup>i</sup> "Code Inspection and Enforcement," City of Rochester, accessed February 4, 2022, <https://www.cityofrochester.gov/article.aspx?id=8589936012>.

<sup>j</sup> "Code Enforcement," City of San Diego, accessed February 4, 2022, <https://www.sandiego.gov/development-services/code-enforcement>.

<sup>k</sup> "Code Enforcement," Department of Building Inspection, City and County of San Francisco, accessed February 4, 2022, <https://sfdbi.org/code-enforcement-section>.

Responsibilities commonly covered in the 11 cities examined include the administration of rental registries, vacant building inspections, and construction permitting. All cities have rental registries that a code enforcement agency is responsible for overseeing (Pittsburgh started its rental registry program in spring 2022).<sup>69</sup> However, it should be noted that registries are not all the same: some registries require a property to be inspected before renting, and others, like Philadelphia, require landlords to simply self-certify that their units comply with housing quality regulations. Proactive inspections are a crucial tool HCE agencies use to reduce the risk of renters being exposed to unsafe housing conditions. Cities that have mandatory proactive inspection programs for all registered rental units are indicated in table 1 as well. An additional note is that inspection criteria and other requirements vary from program to program.

All 11 cities' code enforcement agencies are responsible for inspecting vacant buildings. Lead inspections and bed bug inspections are split across cities. In Baltimore, Detroit, and Milwaukee, both inspections fall under the responsibilities of the code enforcement agencies. Responsibilities that are less commonly covered include fire inspection, which is only covered in four cities, including Philadelphia; and mold inspection, which is only covered in San Francisco.

Table 2 shows each department budget according to each city's Comprehensive Annual Financial Report (CAFR), along with a high-level summary of how the cities' budgets compare per capita. It is important to note that due to variations between cities in how HCE agencies are structured (as shown in table 1) and in how they report budgets and what those budget numbers include, the data are not directly comparable and should be interpreted with these considerations in mind. Further information on the methodology used can be found in appendix D.

TABLE 2

## Code Enforcement Agency Budgets by Population, by City

City	Name of entity listed in CAFR for budget	Functions of CAFR listed department	Budget	Budget/household	Budget/population in poverty	Budget/vacant unit
Baltimore <sup>a</sup>	Department of Housing and Community Development	Construction permitting, property maintenance, neighborhood preservation, housing development	\$65,554,000 <sup>b</sup>	\$274	\$112	\$1,188
Chicago <sup>c</sup>	Department of Buildings	Construction permitting, property maintenance enforcement	\$24,849,653	\$23	\$9	\$168
Cleveland <sup>d</sup>	Department of Building and Housing	Construction permitting, property maintenance enforcement	\$12,543,000	\$74	\$33	\$301
Detroit <sup>e</sup>	Buildings, Safety Engineering, and Environmental Department	Construction permitting, environmental affairs, property maintenance enforcement, business permitting, zoning and special land use	\$5,537,000	\$21	\$8	\$56
Houston <sup>f</sup>	Public Works Special Fund - Building Inspection	Construction permitting, property maintenance enforcement	\$76,527,000	\$89	\$34	\$694
Milwaukee <sup>g</sup>	Department of Neighborhood Services	Construction permitting, property maintenance enforcement	\$14,795,000	\$64	\$26	\$522
Philadelphia <sup>h</sup>	Department of Licenses and Inspections	Construction permitting, property maintenance enforcement	\$38,894,000	\$65	\$25	\$460
Pittsburgh <sup>i</sup>	Permits, Licenses, and Inspections	Construction permitting, property maintenance enforcement	\$7,092,000	\$51	\$25	\$368
Rochester <sup>j</sup>	Department of Neighborhood and Business Development	Construction permitting, property maintenance enforcement, housing development and neighborhood preservation, business development	\$36,384,000	\$422	\$183	\$2,666
San Diego <sup>k</sup>	Department of Development Services	Construction enforcement, property maintenance enforcement, zoning	\$75,847,000	\$149	\$55	\$1,952
San Francisco <sup>l</sup>	Department of Building Inspection	Construction enforcement, property maintenance enforcement	\$78,500,000	\$217	\$91	\$2,214

Source: Authors' analysis of cities' 2020 CAFR budgets and the US Census Bureau American Community Survey, 2015–19.

Notes: CAFR = Comprehensive Annual Financial Report.

<sup>a</sup> "Comprehensive Annual Financial Report Year Ended June 30, 2020," Department of Finance, City of Baltimore, <https://finance.baltimorecity.gov/files/cafr-fy20-1-25-2021pdf>.

<sup>b</sup> Of the approximately \$66 million budget for Baltimore's Department of Housing and Community Development, approximately \$53,454,000 is in the form of capital resources.

<sup>c</sup> "Annual Comprehensive Financial Report for the Year Ended December 31, 2020," Department of Finance, City of Chicago,



[https://www.chicago.gov/content/dam/city/depts/fin/supp\\_info/CAFR/2020CAFR/ACFR\\_2020.pdf](https://www.chicago.gov/content/dam/city/depts/fin/supp_info/CAFR/2020CAFR/ACFR_2020.pdf).

<sup>d</sup> “Comprehensive Annual Financial Report Year Ended December 31, 2020,” Department of Finance, City of Cleveland, [https://www.clevelandohio.gov/sites/default/files/forms\\_publications/2020CAFR.pdf](https://www.clevelandohio.gov/sites/default/files/forms_publications/2020CAFR.pdf).

<sup>e</sup> “Comprehensive Annual Financial Report Year Ended June 30, 2020,” City of Detroit, [https://detroitmi.gov/sites/detroitmi.localhost/files/migrated\\_docs/financial-reports/32883CityofDetroitCAFR0620AUDFinal.pdf](https://detroitmi.gov/sites/detroitmi.localhost/files/migrated_docs/financial-reports/32883CityofDetroitCAFR0620AUDFinal.pdf).

<sup>f</sup> “Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2020,” Office of the City Controller, Houston, <https://www.houstontx.gov/controller/cafr/cafr2020.pdf>.

<sup>g</sup> “Comprehensive Annual Financial Report Year Ended December 31, 2020,” Office of the Comptroller, City of Milwaukee, [https://city.milwaukee.gov/ImageLibrary/Groups/cityComptroller/Reports/CAFR/2020FinancialReportFinal\\_1.pdf](https://city.milwaukee.gov/ImageLibrary/Groups/cityComptroller/Reports/CAFR/2020FinancialReportFinal_1.pdf).

<sup>h</sup> “Comprehensive Annual Financial Report Year Ended June 30, 2020,” Office of the Director of Finance, City of Philadelphia, <https://www.phila.gov/media/20210427100140/comp-annual-financial-report-FY2020.pdf>.

<sup>i</sup> “Comprehensive Annual Financial Report Year Ended December 31, 2020,” City of Pittsburgh, [https://apps.pittsburghpa.gov/redtail/images/14147\\_Pittsburgh\\_CAR\\_PDF\\_Copy.pdf](https://apps.pittsburghpa.gov/redtail/images/14147_Pittsburgh_CAR_PDF_Copy.pdf).

<sup>j</sup> “Comprehensive Annual Financial Reports,” Department of Finance, City of Rochester, <https://www.cityofrochester.gov/cafr/>.

<sup>k</sup> “Annual Comprehensive Financial Report,” Auditor and Controller, San Diego County, <https://www.sandiegocounty.gov/content/sdc/auditor/cafr.html>.

<sup>l</sup> “2020 Annual Comprehensive Financial Report,” Office of the Controller, City and County of San Francisco, <https://openbook.sfgov.org/webreports/details3.aspx?id=2937>.

Although the budgetary comparisons are not perfectly equivalent, they do set the stage for understanding how responsibilities and budgets vary and what type of funding might be necessary to enable L&I to become more proactive and strategic. On a per capita household basis, Philadelphia received \$65 per household for L&I, leaving it in the bottom quarter of comparison cities, which spend anywhere from \$21 per household (Detroit) to \$422 per household (Rochester). Philadelphia also has a smaller budget per household and per person in poverty in the city, both of which lead to potentially increased caseloads for inspectors. There is not sufficient data to truly understand how proactive inspections affect budgets, but it is fair to say that cities that undertake proactive processes, which are resource intensive, are not—simply by virtue of being proactive—spending more per capita funds on HCE. Of the 11 cities, 6 have some sort of proactive inspection system, ranging from prioritized zones to a proactive procedure. Of the 6 with proactive inspection, the majority have higher budgets, except for Detroit and Milwaukee. This analysis should be seen as a starting point from which to better understand the relationship between budgets and responsibilities and how much additional funding L&I would need to move to a more proactive system.

### **Dedicated CE Attorneys and Proactive Litigation**

HCE by its very nature is a legal process that demands close collaboration and partnerships with the local government municipal law department. Whether it is drafting ordinances, interpreting local policies or state laws, or pursuing litigation, all facets of HCE agency operations require attorneys' diverse legal expertise and experience. Most local governments assign one to two municipal lawyers (part time or full time depending on the size of the city and the agency workload) within the law department to work with the HCE and other code enforcement agencies. Similar to in-house counsel, **Memphis and Baltimore** have law department attorneys embedded in the HCE agency, which offers HCE directors and staff direct access and enables the attorneys to dramatically deepen their understanding of the legal and policy complexities associated with the practice of code enforcement. Special, dedicated code enforcement units within the law department are a more common model in which several attorneys, often along with legal assistants and investigators, work on all municipal code enforcement cases.<sup>70</sup>

## Policy and Program Recommendations

Several recommendations are relatively simple fixes and short-term modifications to existing programs and day-to-day practices, while other recommendations involve structural and institutional policy changes that will take more time to consider, adopt, and equitably implement. As with many socioeconomic policy reforms that focus on housing and community development, market dynamics, neighborhood context, and race come into play. Several of the recommendations require creative problem-solving and bold decisionmaking from city officials with strong support from nonprofit and community leaders. For these broader ideas, it is suggested that the city and its nonprofit and institutional partners take a few interim steps to lay the foundation for more comprehensive system changes. Several recommendations include a general list of possible participating entities and agencies (the likely suspects based on similar initiatives found in other cities), but it is acknowledged that local leaders are often in a better position to identify the precise agency or entity that should lead the effort for change.

Many of the recommendations would likely require additional resources to support the staffing, technology upgrades, and other investments for successful implementation and would affect both the current and future budgets of city agencies, as well as city administrative and personnel policies. Consistent with the health impact assessment model, detailed fiscal or workforce analysis was not undertaken for the recommendations, but preliminary thoughts and examples from other cities are offered as a starting point for further analysis.

Although individual recommendations for each side of the rental housing ecosystem (the regulatory system and the rental housing system) are offered, several recommendations intentionally call for collaborations that involve both sides, which would establish stronger partnerships and policy alignments for greater impact. Building on lessons from other cities, these recommendations would also empower city agencies and their extensive network of nonprofit and community partners to align and elevate policies and programs that address the chronic and acute health impacts of poor rental housing. Individual efforts by housing agencies and health organizations to implement these recommendations within their own respective policy and program silos would have positive but limited impact in addressing the city's rental housing quality challenges; these individual initiatives also would not be an efficient use of resources toward that end.

## Regulatory System Recommendations

Although the health dimensions of the recommendations may not be explicit, they represent building blocks in support of the broader policy goals of improving the public health of renters, families, and their neighbors. Each proposed policy and program action that would move the city of Philadelphia toward a more strategic housing code enforcement program must result in helping landlords maintain their properties consistent with the relevant codes and providing safe and decent rental housing that translates into positive health outcomes for the entire community.

### 1. L&I SHOULD UPDATE ITS INTERNAL CODE ENFORCEMENT DATA MANAGEMENT PROCESSES, AND L&I AND THE OFFICE OF INNOVATION AND TECHNOLOGY (OIT) SHOULD CONTINUE TO EXPAND AND IMPROVE DATA MANAGEMENT AND AVAILABILITY.

No matter what type of problem property, HCE agencies need current and reliable data and information systems that can help them strategically allocate resources, measure results, and ensure existing processes and procedures are effective, efficient, and equitable. Beyond the basic permit management software that tracks inspections, caseloads, staffing, and enforcement actions, strategic CE requires additional layers of data from systems that include housing market, health, neighborhood conditions, and relevant socioeconomic and environmental indicators to proactively identify and address problem properties.<sup>71</sup>

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#### BOX 7

#### Laying the Data Foundation for Strategic Code Enforcement

Strategic code enforcement demands reliable data that can help allocate resources, measure results, and ensure existing procedures are effective, efficient, and equitable. Cities such as **Cleveland** have developed a robust network of local government, university, and nonprofit data systems that provide HCE agencies with data now essential for addressing contemporary HCE problems, such as tracking mortgage and tax foreclosures, utility information, demolitions, housing sales, and rent burdens.<sup>a</sup>

**Syracuse, New York**, uses *BuildingBlocks*, a data platform customized and tested for code enforcement that harvests datasets from a wide range of city and county departments so that records from code enforcement, police, fire, water, building, and tax assessor cases can use regularly uploaded data to identify problem properties.<sup>b</sup> **Hagerstown, Maryland**, leveraged BuildingBlocks' data mining and coordination strengths to develop regular reports that compare property address, the owner's mailing address, property transfer, utilities, and existing city registration and code inspections, which enables the city's code enforcement director to identify nonregistered/noninspected rental properties.<sup>c</sup>

Property condition surveys are another preliminary action to determine the community health of neighborhoods and the scale and scope of problem properties. A number of cities, such as **Detroit, Baltimore, and Memphis** engage community associations, students, local resident volunteers, and housing nonprofits that use mobile apps to complete block-by-block property condition surveys that capture vacant and blighted properties and other problem properties. Data from periodic property conditions surveys (two to three years) can support in-depth analysis and assessment of housing quality over time and across geographies that closely examines and documents the relationship of housing and neighborhood conditions and health.<sup>d</sup>

**Notes:**

<sup>a</sup> Lind (2016).

<sup>b</sup> Caloir et al. (2022).

<sup>c</sup> “Hagerstown, MD: Rental Property Licensing,” Tolemi, October 30, 2020, <https://www.tolemi.com/post/hagerstown-md-rental-registry>.

<sup>d</sup> Keall et al. (2010).

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Building on successful data accomplishments and recommendations found in L&I’s 2019–21 strategic plan, the agency and the public would benefit from ensuring that essential data about code enforcement cases are consistent, readily accessible, and easily digestible for both internal and public-facing audiences/users, including the following essential case information:

- **Violation outcomes or status:** Currently, every violation has two status columns with the following status categories:
  - » Status Column 1: Closed, Complied—Balance Due, In Violation, Stop Work
  - » Status Column 2: Closed, Complied, CVN Issued, Demolished, Error, Open, Resolve, Stop Work, Warning Issued

According to Status Column 1, 81 percent of cases are marked as closed, but it is difficult to determine whether closed means it was remediated, passed to another city agency, or that inspectors were unable to enter the home and closed the case. In addition to lack of clarity on what constitutes a closed case, the two status columns are not always aligned and violations can be listed as closed in one column and in violation in the other column. From 2018 to 2019 alone, there were more than 1,500 violations where a case was marked as Complied for Status Column 1 but not marked as Closed in Status Column 2. In addition, a violation listed as complied will often show up multiple times for the same violation. This could mean that the violation was remediated and then the problem resurfaced, or it could mean that a “complied” violation does not always equate to violation remediation. L&I’s new online system, eCLIPSE, does track whether each individual violation within a case was remediated or remains an

ongoing threat, which is an important step in making it much easier for L&I to track violations, but this violation status is not readily discernable from public data. L&I should update its systems to include more standardized information on the status of each violation to better enable case follow-up and closure (i.e., is there an outstanding fine, has the case been referred to another department, is it due for another inspection, or was it closed because the inspector was repeatedly denied entry).

- **Severity of the violation:** Given that L&I has a limited number of inspectors for all buildings in the city, it would be more efficient for L&I to identify and then prioritize violations with hazards that pose serious immediate and long-term health and safety threats to residents. Currently, L&I does not use a formal prioritization system but it does prioritize some cases that pose more serious threats to health and safety, such as fire safety violations. However, this safety prioritization is not evident in data and L&I currently uses the categorization data to retroactively search through violations. Creating a prioritization process, including not just the level of priority but also whether it is an interior or exterior violation, could help L&I managers and frontline inspectors more systematically prioritize cases for enforcement actions.
- **Property type:** L&I's current data do not include information on the type of property in which a violation occurs (zoned as residential/commercial/mixed-use), as well as occupancy status. This information would allow L&I to quickly narrow down the types of violations it is looking at and prioritizing. Currently, the only way to figure out property type and occupancy is to undertake a tedious and manual process of categorizing violations according to whether they are residential or commercial violations.
- **Comparability over time:** Since 2008, there have been multiple policy changes that make it difficult to compare violations over time. For example, in 2009, there was a switch to limiting one violation to a max of three inspections; in 2020, certain fields were remapped when it switched to the eCLIPSE system.<sup>72</sup> Although these changes have likely improved reporting processes, they also make longitudinal data analysis difficult.
- **Rental license and ownership information (for residential properties):** Connecting violation data to already public rental license data would enable the city and nonprofit housing, landlord, and renter advocate nonprofits to understand market impacts and trends, such as whether there is any relationship between code enforcement actions and landlords and/or rental units leaving the market. Office of Property Assessment (OPA) data on ownership also could be referenced against rental license data to determine which properties are likely

unlicensed rentals and to proactively inspect properties with owners who have a history of repeat offenses and/or own multiple properties with open violations. Requiring limited liability companies (LLCs) to register their properties to individual owners would also enable L&I to better hold LLC landlords accountable.

- **Rental payments:** Although the relationship between displacement and HCE is not well-established, data are required to better understand the relationship between housing affordability and HCE. Tracking rent payments in homes that have received violations and their status is one way to ensure that HCE agencies can make sure that properties are remediated and safe to live in, while also ensuring that residents are not displaced.

## 2. THE CITY SHOULD IMPROVE AND ENHANCE THE CAPACITY, COMMUNICATIONS, ENGAGEMENT, AND ACCOUNTABILITY OF ITS EXISTING RENTAL LICENSING PROGRAM.

L&I seems to have sufficient infrastructure (data system and staffing) for administering the current rental licensing program and meeting the program's core operational goals. During interviews, representatives from nonprofit organizations raised concerns about the rental licensing program's effectiveness and efficiency. Some representatives felt that the program lacks consistent attention when it comes to accountability and enforcement because landlords face few consequences for not having a license and many ignore the licensing requirement unless and until they have to file for eviction.<sup>73</sup> Others thought the program's goal is really to raise city revenue because they find it hard to see the direct benefits of a rental licensing program. Even with L&I's helpful resources and customer service staffing, several nonprofits and their constituents/clients found it difficult to navigate the L&I website and licensing database eCLIPSE.<sup>74</sup> These navigational issues are less about the resources and staffing and more about making the pivot to consider the experiences of the end users (e.g., landlords, renters, and the respective support organizations and advocates) and how they access and use the information. As for the number of rental properties that currently exist in Philadelphia at any one moment, there is no definitive answer despite best estimates and previous research work by the Reinvestment Fund and the Housing Initiative at Penn (Reina et al. 2020), the Federal Reserve Bank of Philadelphia (Divringi 2019), and Pew's most recent report on rental housing (Howell 2021). The following few suggestions, taken together, could improve overall accountability of the rental license program and encourage more voluntary compliance and uptake.

- **Expand and improve eCLIPSE's functionality on rental licensing.** Maintaining a quality licensing and code violation database is critical for informing the activities of regulatory staff, policymakers, renters, and renter advocates. L&I's current capabilities (e.g., computer

generated licenses, automatic notices to renew, and issuance of violation notices) provide a solid foundation, but simple improvements in the entry of property and code violation data (see recommendations 1 and 2) in the eCLIPSE system and the tracking of rental licensing data over time and then cross-referenced with code violation cases would enable L&I to see trends beyond individual cases.

- **Develop and enhance the city's data analytics on rental licensing.** As a foundational element in creating a more efficient and effective rental regulatory system, such basic data analytical capacity could be done with the city's information technology department or in partnership with nonprofit or university data partners. The city could also benefit from more data capacity to more consistently and accurately estimate and identify the number of rental units in the city and then compare how many of those units have licenses with those that do not. As experience illustrates, this is not an easy task, but L&I in consultation with data experts in and outside of the city could consider a survey or a citizen-driven inventory of rental units as a simple way to understand the universe of rental properties throughout the city. The city might then cross-reference property ownership and tax records with OPA data or even data from the Philadelphia Rental Assistance Program to identify probable rental properties.
- **Build out data partnerships.** With respect to the health of renters in substandard rental properties, HCE agencies need regular access to a cross-section of local government data sets to determine the number of rental properties because property ownership and market conditions change often. In some communities that capacity can be housed with the local government; in other communities the HCE agency relies on universities and nonprofit data partners to track that data and in some cases build and maintain those interfaces. Data partnerships are even more critical when it comes to connecting housing conditions with health impacts and eventually health outcomes.<sup>75</sup>
- **Improve public usability and access to rental licensing and code violation data.** The public can access essential L&I case and licensing information through Atlas, the city's current web-based platform (<https://atlas.phila.gov/>). Members of the public can see if a landlord's properties have a current rental license, when a license expires, and if a property has a history of code violations. Some nonprofit organizations have reservations about the reliability of the data on specific properties (e.g., how often it is updated and what the data actually means), while others find the data difficult to navigate. The city can develop a simple guide that explains how often the data are updated and what the data say or do not say. The city could expand its education and proactive outreach on how the public uses Atlas and eCLIPSE. L&I's website



does have online guides and access numbers for customer service assistance. But if end users still have difficulty navigating the system and leveraging its full capacities, L&I could convene a series of small focus groups with the end users to uncover their challenges and adjust these platforms.

- **Offer assistance and incentives to encourage more landlords to register their properties.** L&I should consider different ways to encourage more landlords to voluntarily register their properties. For example, a temporary amnesty program, together with a robust media blitz, gives first-time landlords three to six months to register their rental properties or renew without penalty. Are there incentives, such as discounts for city fees, landlord trainings, or other private and nonprofit rental housing services, that could be arranged for those landlords who do register their properties? At the same time, to ensure accountability, the city should take a more consistent approach to landlords who ignore getting their license by issuing site violation notices.
- **Hire a full- or part-time *rental licensing community liaison*.** Beyond the day-to-day demands of administering the rental licensing program, stakeholder interviews revealed that several organizations in the rental housing ecosystem perceive L&I as a regulatory agency that only inspects and enforces violations. Which means that renters may not turn to L&I for assistance because they fear it might result in a potential enforcement action or penalties, despite laws against landlord retaliation. These perceptions provide L&I with the opportunity to rethink how it engages with the rental housing community—landlords, renters, advocates and community-based groups. It is suggested that L&I (or the Division of Housing and Community Development [DHCD]) bring on board a community liaison that can conduct outreach to better understand the concerns and issues of the rental housing community with the goal of revamping existing city rental housing practices and policies so they are more welcoming to landlords and renters. The liaison also can deliver important messages about the importance of getting rental licenses and develop public outreach materials and guidance that explain why and how landlords can register their properties. A liaison could also provide frontline L&I inspectors, community members, landlords, and housing advocates with a designated point of contact to troubleshoot and problem solve licensing issues, as well as increase overall program accountability and transparency.

### 3. L&I AND THE LAW DEPARTMENT SHOULD STREAMLINE AND REVAMP THEIR CURRENT PROCESSES AND PRACTICES FOR INSPECTION/REINSPECTION AND ENFORCEMENT ACTIONS WHILE FOCUSING THEIR LITIGATION CAPACITIES ON LANDLORDS WITH SUBSTANTIAL HEALTH AND SAFETY VIOLATIONS AND/OR MULTIPLE PROPERTIES.

Reactive HCE programs respond to the same code cases in the same way. Strategic CE develops policies and procedures for assessing the facts of each case, determining the most appropriate course of action, and expediting priority cases that pose imminent threats or have significant community impacts. Such a strategic approach enables the HCE agency to more efficiently and effectively identify routine and simple cases so that it can refocus resources and legal attention toward more serious cases.

In many cities, landlords, property owners, and even tenants find it difficult to readily understand their respective rights and responsibilities when it comes to following or leveraging local rental housing regulations. Code enforcement processes can be cumbersome and difficult for the average property owner to comprehend and follow. Many times, the underlying ordinances, together with the culture within HCE agencies, create a legacy of processes and procedures that layer additional steps and procedures on top of one another with the adoption of each new ordinance or program. Beyond HCE, this procedural complexity multiplies with and within other municipal departments that promulgate and administer their own ordinances and programs

Regular process mapping and management systems analysis can provide HCE with strategic insights that can help streamline existing regulatory and HCE processes and procedures. In the most basic sense, the HCE agency, its staff, and frontline inspectors chart each and every step for each and every regulatory and code enforcement process. Some of these steps are found in ordinances and written policies and procedures and many are informal practices that have become the standard operating procedure by default. Mapping existing processes and their individual steps and assignments, and then having management and staff collaboratively discuss and assess current procedures with the goal of removing those excess steps, can save time, resources, and improve overall effectiveness and efficiency. In 2018, with direct input from staff and supervisors, **Memphis's** HCE agency underwent a process mapping and management systems analysis that helped the agency save time and resources by streamlining its flow of paperwork throughout the entire code enforcement operation.<sup>76</sup>

The following potential avenues could help L&I and the Law Department better coordinate and focus their collective resources, which, ideally, would allow them to have greater impact addressing substandard rental housing:

- Work with a private inspection firm to manage a virtual inspection pilot for simple, non-life safety cases that could reduce the response times, improve overall efficiency, and enable L&I to focus inspectors on more complex and serious cases.<sup>77</sup> In response to the COVID-19 pandemic, dozens of communities across the country, such as Arlington County, Virginia, and Los Angeles County, California, began to incorporate virtual inspections for routine code cases.<sup>78</sup> Virtual inspections have the potential to help with the standard renewal of different licenses and permits. L&I could pilot the technology and revamp its process for certain simple types of cases so it can determine whether and where virtual inspections might work the best.
- Commission a consultant to evaluate the processes and workflow to achieve greater efficiency and improve outcomes. Working collaboratively with L&I, the consultant could complete a process map and workflow analysis of all L&I code enforcement activities from the start of the code enforcement process (e.g., from complaint intake, inspection, and issuance of notices) to subsequent enforcement and compliance actions (e.g., appeals, abatements, litigation) to the closure of cases. As illustrated by the code enforcement work in **Memphis**, process mapping sets the stage for a 360-degree assessment of each step in each code enforcement activity or action with the goal of reducing unnecessary steps and streamlining the remaining work with direct input from the inspectors and staff involved. Results from the mapping and subsequent workflow analysis could help L&I set the stage for reducing the current 30-day window for responding to citizen complaints.
- Dedicate a small team of one to two attorneys and two inspectors to focus exclusively on the most difficult and serious substandard rental housing cases, similar to other specialized units that focus on other priority problem properties (e.g., vacant properties, nuisance conditions). A dedicated unit sends a message to the community, the policymakers, and the business community that protecting public health and safety is a critical priority. A special team could proactively identify and investigate owners with multiple rental properties that pose serious threats to public health and the safety of the occupants or the neighborhoods. L&I and the Law Department could leverage OPA ownership data to identify landlords with repeat violations and then prioritize inspections for properties owned by those landlords. Such an approach puts the bad actors on notice and holds them accountable for bringing their properties into compliance. At the same time, not all cases require litigation, but the Law Department and L&I can negotiate and work with those willing landlords to develop compliance plans that could include access to public and nonprofit rehabilitation resources where appropriate.

- Building on its experience with the vacant properties and nuisance abatement task forces, this tactical team, when necessary prepare complex cases and take them to court (if necessary). Depending on the conditions of the properties, the team could seek preliminary injunction—the Court of Common Pleas in Pennsylvania can issue civil court orders that mandate immediate repairs for serious property conditions without a full trial. As part of this team, the Law Department could engage help from private investigators or train current staff to help track down and serve court documents to landlords hiding behind complex ownership structures as well as help L&I inspectors prepare cases for court. The **city of Baltimore**, for example, has property litigation investigator staff positions within its HCE unit to undertake more complex investigations involving LLCs and lending situations.<sup>79</sup>

#### 4. CITY LEADERS SHOULD AMEND OR SUPPLEMENT THE BUDGETS AND STAFFING OF THE REGULATORY AGENCIES (L&I AND THE LAW DEPARTMENT) TO ADOPT AND IMPLEMENT SHORT-TERM ACTIONS (SIX MONTHS OR LESS) THAT CAN IMPROVE CAPACITY AND COORDINATION IN ADMINISTERING AND ENFORCING THE CITY'S CURRENT COMPLAINT-DRIVEN CODE ENFORCEMENT SYSTEM AND RENTAL LICENSING PROGRAM.

According to L&I's analysis, 60 inspectors are needed to fully operate, investigate, and enforce the city's existing housing and property maintenance codes.<sup>80</sup> CED currently has 42 inspectors, so L&I would need to hire 18 additional inspectors along with the supervisory and administration staff to support the current HCE system.<sup>81</sup> Based on recommendations discussed previously, it is assumed that additional L&I inspectors would generate additional litigation cases for the Law Department; thus, the Law Department would need staffing to handle the anticipated increase in cases. At the same time, the necessary fiscal analysis to determine the staffing impacts, including potential cost savings, of the short-term recommendations outlined in this section was not undertaken. Based on discussions with code enforcement directors from other cities, it seems reasonable to predict that gains in efficiency and effectiveness could enable L&I to adopt these recommendations with less than the suggested 60 inspectors. City officials should undertake or commission a detailed workforce/workflow analysis to assess the fiscal and budgetary implications of these recommendations on L&I and Law Department staffing.

5. CITY LEADERS, WORKING IN COLLABORATION WITH L&I AND HOUSING, LANDLORD, AND RENTER ORGANIZATIONS AND ADVOCATES, SHOULD DEVELOP AN ACTION PLAN TO ADOPT AND IMPLEMENT A PRI PROGRAM WITHIN THE NEXT 12 MONTHS.

Current policy and public health research documents that one of the best ways for communities to address substandard rental housing and protect public health is through routine inspection of rental housing (PRIs).<sup>82</sup> Cities such as **Baltimore, Los Angeles, and Rochester**, which have extensive experience with PRIs, offer important insights and lessons for Philadelphia in their design, adoption, and implementation. As discussed earlier, PRIs have common program elements that can be adjusted to fit the scale, scope, and dynamic nature of the rental housing stock while also furthering important policy and public health goals. For Philadelphia, the practical policy approach is to adopt a PRI that maximizes the protections for renters while minimizing the burdens on landlord. Based on insights from a cohort of city officials and a landscape analysis by the George Washington University School of Public Health, the National League of Cities (NLC) developed a series of principles and practices on how local governments can best design, adopt, and implement a PRI that can guide Philadelphia in developing its own process:<sup>83</sup>

- Organize a cross-sector coalition that builds political and community momentum.
- Identify a trusted convener who can organize and facilitate the coalition through the adoption process.
- Develop and promote compelling messages (based on the relevant research and best practices) that document and compare the benefits of PRIs to the costs.
- Deploy a human-centered design model that engages landlords and other core stakeholders to ensure the city's approach reflects the needs of the end users.
- Adapt key PRI features based on success of other cities:
  - » City inspector option (Los Angeles) where city staff conduct the inspections versus private inspector option (Baltimore) where the city manages a network of approved/certified private home inspectors to conduct the inspections.
  - » Stagger inspections based on performance of the property during the last inspection.
  - » Provide education to landlords and the community along with access to stable and sufficient repair resources.
  - » Ensure sustainable funding for the PRI.

- » Ensure effective use of data and embed program monitoring and impact evaluation to mitigate the displacement of renters and ensure the preservation of low-rent housing units.

Based on the analysis of Philadelphia’s rental housing ecosystem, the city and its partners could include the following preliminary actions within a PRI action plan—note that some of the following ideas are alternatives and some of the suggestions might happen over time as programs and capacities expand and evolve:

- **Merge EHS’s lead certification process and L&I’s rental licensing process into a new PRI program.** EHS is about to finish the initial lead self-certification for the entire city that covers a significant percentage of the city’s rental units. *Instead of having two separate inspection processes, it would be more efficient and effective to consolidate these inspection and licensing requirements into one uniform program.* As part of the merger process it would be prudent to briefly assess the strengths and challenges of the lead certification program as lessons from this effort could inform a more comprehensive rental inspection model. A critical decision is determining whether to rely on private inspectors (Baltimore) or to rely on city inspectors (Los Angeles) as the staffing, training, and costs will likely be different. At some point in the merger process the city will need to develop a management structure to administer the program. It is suggested that city officials explore a more collaborative, shared ownership model between EHS and L&I that builds on the respective strengths and contributions from each agency that can also collaborate with city agencies and nonprofits from the housing and health support system.
- **Adopt the private inspector model.** Given that EHS already uses certified lead inspectors, it would seem the private inspector model (based on what is done in Baltimore and similar cities) might make the most sense and would likely cost less to manage than to have a city driven model (Los Angeles). Baltimore’s program devotes time and resources to recruiting and certifying the qualifications of the approved private rental inspectors, which is something that L&I already does as part of its building and construction division.
- **Arrange a Baltimore study tour.** When it comes to adopting model practices and policies from other places, a two-day site visit could help Philadelphia officials better understand the community context along with the technical details related to staffing, policies, capacities, resources, and training. Plus, peer-to-peer learning among HCE officials and managers can help anticipate potential challenges as well as identify potential assets and opportunities.

While differences will exist (legal, policy, community, political, etc.), a site visit can help see current systems and problems in a new light.

- **Inventory and identify the legislative and legal changes, along with the programmatic resources,** that would be necessary to effectively, efficiently, and equitably implement a phased rollout of a PRI program.
- **Consider phasing in the PRI over a period of two to three years.** Toledo did that for its Lead-Free Certification program as it helps landlords prepare for the inspections and potential repairs.
- **Develop data-driven criteria for determining where to start the PRI.** One approach is to start in neighborhoods with concentrations of code cases (those that have come through the complaint-driven systems). Additional criteria might include those properties that are the oldest or that initially failed the lead certification test.
- **Consider the equity impacts of implementing the PRI.** City officials, in close collaboration with landlord organizations, housing and community development nonprofits, and renter advocates, must also consider the equity implications of the PRI process from its launch, the section of the neighborhoods, and the actions that it will take to ensure compliance. Although few studies document a direct cause and effect between the adoption and enforcement of PRIs and tenant displacement,<sup>84</sup> it remains a critical issue that city officials and their nonprofit partners should document and track. A critical balance is at stake between the protection of public health and the potential displacement of low-income renters and landlords of color.
- **Stagger the renewal of rental licensing and reinspection.** Building off the successful models found in other cities, it would be efficient and equitable to base the length of the rental license and the need for proactive inspections on the performance/condition of the rental unit. Such performance-based rental inspections reward the good landlords for maintaining their properties and passing their initial rental inspection by giving these good landlords a longer time before they have to request their next rental inspection. Such a simple grading system often applies to those properties and units that are in excellent condition and might be newer than others. For those that have current code violations or the condition of the rental unit is weak, it would make sense for the PRI ordinance and policy to grant a license for only one year so the city can conduct more frequent inspections.

## 6. THE MAYOR, CITY COUNCIL, AND FINANCE DIRECTOR SHOULD REDIRECT AND REINVEST A PORTION OF L&I REVENUE (E.G., FINES, PENALTIES, AND FEES) INTO A SPECIAL L&I

## ENTERPRISE FUND THAT COULD DEFRAY SOME OF THE COSTS OF EXISTING AND PROPOSED HCE PROGRAMS.

One hundred percent of L&I's fines and fees go back into the city's general fund.<sup>85</sup> Code enforcement operations in the majority of cities rely almost exclusively on general funds with some supplemental government funding (such as Community Development Block Grants) for special programs and services. According to L&I, it generates around \$35 million a year from both of its divisions (building services/permits and code enforcement).<sup>86</sup> A special fund that recaptures a certain percentage of L&I's fees could be used for a range of activities and program investments related to strategic code enforcement, housing and public health, and proactive rental inspections—anything from marketing and public service campaigns to the cross-training of housing and health inspectors. City officials should carefully examine not only the fiscal implications of developing such a fund, but also the potential uses for such a fund. For example, **Toledo's** code enforcement program deposits all revenues into its Nuisance Abatement Trust Fund (NATF) (established by ordinance) that it can use for eligible costs or expenses, such as nuisance abatement work (e.g., graffiti, board-ups, special projects), illegal dumping cameras, code enforcement vehicles, equipment purchases, technology upgrades, and urban greening costs to mow and green vacant lots. All funding requests and expenditures must first be approved by the NATF oversight committee. Toledo does not use the NATF to augment budget and staffing shortfalls. According to Toledo's former CE director, Toledo collects approximately \$400,000 to \$500,000 each year, but the former director notes the city collects less than 25 percent of the outstanding annual collections, which is about \$2 million. The annual budget for its HCE division is approximately \$4 million.

## Rental Housing Support System Recommendations

Philadelphia has a robust network of public and private housing, renter advocate nonprofits, and community development organizations. City housing agencies and their nonprofit partners have come together to develop Housing for Equity—An Action Plan for Philadelphia,<sup>87</sup> a rental housing preservation study,<sup>88</sup> and extensive collaborations around pandemic-driven eviction diversion and renter assistance programming, among other housing initiatives.<sup>89</sup> Public health and substandard housing conditions have not by and large been the primary policy focus behind these collaborations, with the exception of the lead inspection policy adopted in 2020.<sup>90</sup>

Although the rental housing regulatory system serves as the city's policy backbone, the recommendations in this section identify opportunities to expand the range, scope, and scale of current rental housing repair and education programs and resources to help property owners and



renters prevent and remedy unhealthy housing conditions. Several of the ideas acknowledge examples from other places and build on the collective experiences of policymakers and practitioners while also acknowledging the larger roles that some hospitals, health care institutions, and providers would play as part of a holistic effort to address the social determinants of health related to housing.

Collaboration within and among city agencies, across sectors, and among and between housing and health nonprofits is a consistent theme in almost all the recommendations here. The previous HIA work in Memphis illustrates that cross-sector collaboration can create opportunities for resource-sharing that facilitates effective intervention design and program implementation (Stacy et al. 2018). Partnerships and collaboration are essential for improving the housing and health conditions for all Philadelphians. Therefore, allocating the necessary time and resources to formalize emerging collaborations and partnerships would help advance progress toward rental housing quality goals. Following are recommendations at various scales and levels of effort (e.g., short-, medium- and longer-term strategies) that cumulatively could build a more cohesive policy and program ecosystem on the health of rental housing.

#### 1. THE MANAGING DIRECTOR'S OFFICE SHOULD CONVENE A CROSS-AGENCY WORKING GROUP TO ALIGN AND EXPAND EXISTING AGENCY DATA, PROGRAMS, AND RESOURCES THAT ADDRESS SUBSTANDARD RENTAL PROPERTIES.

As Urban's strategic policy HIA documents, the health and safety of rental housing require a slightly different set of interventions compared with other rental housing stabilization and preservation strategies that protect renters and preserve naturally occurring affordable housing. Although the city has eviction prevention and similar housing task forces, a working group devoted to addressing the unhealthy housing conditions found in rental properties could provide a regular forum for cross-agency communication that connects the two policy ecosystems (regulatory and housing support).<sup>91</sup>

One place for this working group to start would be the collection of city and market data on the location and condition of rental properties along with more information about the landlords and what they need to routinely maintain their properties consistent with local codes. Such data analysis would enable city agencies to establish strategic priorities and customize interventions that respond to different types of rental properties in those neighborhoods and blocks where substandard rental housing conditions intersect with health challenges of vulnerable populations. Other actions they could explore include a comprehensive, 360-degree assessment of rental property conditions that could set the stage for a proactive rental inspection program or rental property condition surveys that could help city agencies calibrate the types of repairs and the amount of resources necessary to bring

properties up to code. The working group's primary focus is to improve and expand cross-agency coordination and collaboration within the city of Philadelphia.

## 2. CITY OFFICIALS, NONPROFIT, COMMUNITY, AND CIVIC LEADERS SHOULD ENGAGE IN A COMPREHENSIVE COMMUNITY EDUCATION AND PUBLIC HEALTH CAMPAIGN THAT EXPLAINS HOW THE CONDITIONS OF SUBSTANDARD RENTAL HOUSING AFFECT COMMUNITIES AND DISPROPORTIONATELY HURT THE HEALTH OF THE CITY'S MOST VULNERABLE RESIDENTS.

Following the lead of other successful public health campaigns, the city of Philadelphia and its nonprofit partners could benefit from developing a compelling narrative that illustrates the acute and chronic health impacts on families and children from living in substandard rental housing. For example, in adopting proactive lead-safe inspection initiatives, communities, such as **Toledo and Cleveland**, launched effective community education activities about the serious health impacts of lead poisoning from living in housing with lead paint along with explaining how new regulations and resources would mitigate these health risks.<sup>92</sup> A robust public health campaign offers policymakers a strong rationale for adopting and funding these programs and policies, such as the proactive rental housing inspections. Highlighting the public health impacts of substandard housing conditions, such as lead poisoning of children, can mitigate the more traditional economic arguments that property owners and landlords offer when local governments seek to adopt new health and housing regulations. Any public education campaign must rely on the strongest evidence but it can also leverage some of the success stories from other larger cities that have proactive inspection programs.

Beyond the public health impacts, any public education effort should explain the underlying policy rationale for rental licensing and inspections and it should craft compelling narratives from the perspectives of primary regulatory actors, L&I, landlords, and renters that explain the critical roles in preserving rental housing and helping protect public health and safety. A public health campaign also could help L&I refine and hone its messaging on the importance of the current rental licensing scheme and how these systems can help landlords be good landlords, while also providing more detailed guidance on how to get a rental license.

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## BOX 8

### Framing the Nexus of Public Health and Housing

With input from city officials and national experts through its Cities of Opportunity cohort learning initiative, the National League of Cities developed a message guide to help local governments craft more effective and compelling campaigns around healthy housing in support of more proactive rental regulations:<sup>a</sup>

- Work from shared values—values as the basis of everyone’s belief systems
- Messages—make the case for healthy housing
- Gather the information to customize your message:
  - » Define the issue and build your coalition.
  - » Build community support and political will.
  - » Craft the policy.
  - » Expand the healthy housing work.
  - » Develop a library of key messages, supporting messages, and talking points:
    - Every person, especially children, needs access to healthy and hazard-free housing to thrive and reach their full potential.
    - Not everyone can count on healthy housing, especially low-income people and communities of color.
    - This approach helps address the problems that align with cities’ priorities and creates opportunities for landlords to be champions of people’s health.
    - Changes in city policies, programs, and practices are urgently needed to ensure all children and families live in healthy and hazard-free homes.
- Identify the facts/evidence for discrete health housing issues and the policy solution.

**Source:** National League of Cities, “Message Guide: Advancing Health and Equity Through Housing” (Washington, DC: National League of Cities, 2021), [https://www.nlc.org/wp-content/uploads/2021/07/Healthy-Housing-Guide\\_FINAL.pdf](https://www.nlc.org/wp-content/uploads/2021/07/Healthy-Housing-Guide_FINAL.pdf).

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### 3. CITY OFFICIALS, HOUSING AND COMMUNITY DEVELOPMENT AGENCIES AND NONPROFITS, TOGETHER WITH RENTAL PROPERTY BUSINESS LEADERS AND PHILANTHROPY SHOULD EXPAND AND COORDINATE A PORTFOLIO OF PROGRAMS AND RESOURCES THAT SUPPORT “MOM-AND-POP” LANDLORDS AND RENTERS.

The rental housing ecosystems in Philadelphia and in other cities continue to experience shockwaves coming out of the pandemic and economic downturn. Landlords with 10 or fewer housing units are confronted with the challenge of not having sufficient resources and financial capacity to maintain

their properties and make necessary repairs while at the same time dealing with the challenge of having less revenue as many renters lost their jobs during the pandemic and have been unable to pay rent and utilities.<sup>93</sup> This dynamic plays out differently depending on the number and age of units, their location, landlords' expertise and financial stability, and is compounded by racial discrimination and housing segregation. As a general rule, HCE agencies are not always well equipped to identify and respond to these types of business and market dynamics because their primary mission is to gain compliance with life-safety and housing code requirements—even if these smaller landlords may in fact want to make their properties more habitable. To respond to these challenges, the city of Philadelphia and its nonprofit and institutional partners, in collaboration with rental property business leaders, should first inventory and assess existing resources for small mom-and-pop landlords and then identify opportunities for expanding grants, loans, and technical assistance to help these types of rental housing. The following two potential examples illustrate the type of services, resources, and technical assistance that could complement the city's rental regulatory programs led by L&I.

- Expand and customize landlord and property management training and technical assistance resources and programs. The business of owning and managing rental housing in many cities is more challenging given the recent pandemic, and in Philadelphia with its aging housing stock the costs to maintain and repair no doubt have increased. For smaller mom-and-pop landlords, those with 10 or fewer units, the challenges are magnified as they generally have fewer financial assets and property management capacity. Building on these entry-level workshops, this assessment recommends the development of a more robust curriculum that is customized for the landlords in need of the most assistance—those that rent 10 or fewer units.<sup>94</sup> These trainings should also be available for property managers and others who may work for the landlord, including family members performing those roles. The local landlord associations could host and produce these specialized trainings and workshops in collaboration with relevant city agencies (such as L&I and DHCD) or it might be strategic for other housing and community development organizations to coordinate and sponsor. Beyond the workshops and training, this assessment recommends hands-on technical assistance in which nonprofit property managers, contractors, Community Development Financial Institutions (CDFIs), and other experts could provide landlords with guidance on and help with a range of issues from business and financial planning to property management and housing rehabilitation.
- Revamp and expand existing landlord repair programs. Philadelphia offers numerous housing assistance programs that focus on homeowners, affordable housing, public housing, and renters, but only one recent program that focuses on landlords could be found. The

Philadelphia Housing Development Corporation's Rental Improvement Fund did offer landlords up to about \$25,000 in loans to make emergency health and safety repairs.<sup>95</sup> The initial pilot run by Impact Partners for properties in five neighborhoods made only a handful of loans because it seems few landlords were interested given some of the entry-level eligibility requirements. Feedback from landlords with five or fewer units seemed to indicate that loans were not financially viable and that grant dollars might make more sense especially given some of the financial and market uncertainty caused by the pandemic.<sup>96</sup>

#### 4. NONPROFIT HOUSING AND COMMUNITY DEVELOPMENT LEADERS IN COLLABORATION WITH CITY OFFICIALS, PHILANTHROPY, PUBLIC HEALTH, HEALTH CARE INSTITUTIONS, AND RENTAL PROPERTY BUSINESSES SHOULD FORM A CITYWIDE, SAFE AND HEALTHY RENTAL HOUSING PRESERVATION INITIATIVE.

Housing health and safety is intertwined with a myriad of housing and community development challenges, such as structural racism, eviction, affordability, gentrification, displacement, hyper-vacancy/property abandonment, and other issues related to housing stability. During the pandemic, for example, many cities devoted resources and policy attention on eviction prevention and rental assistance programs to safely house low-income renters (Treskon et al. 2021). Most of the recommendations in this HIA focus on facilitating collaboration across agencies and sectors to elevate and mitigate the harmful health impacts caused by substandard rental housing, but they do not expressly connect with these other pressing housing problems. Housing policy has its own programmatic silos, each with its own special regulatory foundation and focus, that in many ways limits the ability of government, nonprofit, and community-based organizations to see and respond to the interaction of these complexities. Often, one set of housing policies focuses on the people (the renters) while another set focuses on the place (the building) with few avenues for coordinating or blending them together toward a more comprehensive approach.

Building on successful housing preservation compacts in **Chicago and Detroit**, we would recommend adapting the compact framework and processes to form a healthy rental housing preservation initiative in Philadelphia.<sup>97</sup> A healthy and safe housing initiative would help align existing rental regulatory programs with rental housing preservation and affordability initiatives so that solutions and strategies are more comprehensive and sustainable. Unlike other task forces and working groups, the compact model features cross-sector partnerships that serve as a forum for piloting and incubating new initiatives and strategies that involve all dimensions of housing preservation policy and program.<sup>98</sup> In **Chicago**, the housing Preservation Compact launched the troubled building initiative (TBI) that used a data driven strategy working with HCE and community-based groups to identify and

assist landlords and property owners of two to four-unit flats along with assistance to finance necessary repairs. The TBI uses a blend of code enforcement strategies paired with housing rehabilitation resources, technical assistance, and financing.<sup>99</sup> The Community Investment Corporation, a CDFI, serves as the backbone hub for the Preservation Compact, convening the cross-sector leaders in policy and strategy development, including the facilitating Chicago–Cook County Interagency Council that consists of the directors and mid-level managers from the city and county’s housing and community development agencies and department. Now approaching its 15th year, the policy focus of the Chicago compact continues to evolve and respond to pressing policy challenges on rental housing preservation and provide continuity across shifts in political leadership.<sup>100</sup>

A similar compact model for Philadelphia could help advance many of the recommendations set forth in this HIA; but more importantly, it could provide a long-lasting forum that bridges the rental housing ecosystems with a focus on rental regulations and health, with the city’s extensive collaborations around the preservation of affordable housing and housing equity. A compact model would also provide the opportunity to elevate the role of health care institutions and their abilities and resources to address unhealthy housing as part of their mission to prevent chronic and acute health problems caused by unhealthy and unsafe housing and neighborhood conditions. For example, the city’s recent housing action plan proposed working with local health care institutions in developing a flexible funding pool from potential health care costs savings to augment existing rental assistance programs for people with extremely low incomes including home repair grant and loan programs. Given the health conditions associated with rental housing, such a social improvement bond or “pay for success” approach could support grants to small mom-and-pop landlords.<sup>101</sup>

Building on the ecosystem map, we would suggest the city and its core housing and community development partners commission a healthy housing feasibility study that could provide a blueprint for establishing stronger policy and programmatic connections across the rental regulatory system and the housing and health support system. Based on this initial analysis, the city and its partners could then form a leadership committee to develop a charter or compact with a series of core organizing principles and then engage in a strategic planning process involving city officials and agencies, housing and community development, and health care nonprofits. The leadership committee would set collective priorities for improving health and equity in access to safe rental housing to better coordinate regulatory activity and service delivery to maximize the efficient use of resources toward those priorities, and to develop a system to measure and evaluate the impact of the initiative on renters’ health.

## Conclusion

The analysis and recommendations presented in this report serve as a call to action for improving Philadelphia's rental housing ecosystems to address the acute and chronic health impacts that flow from living in substandard rental housing. Elevating short-term health impacts and longer-term health outcomes as part of a more strategic and systematic approach to HCE could help better align policy goals and program implementation across agencies and facilitate stronger collaboration with nonprofit organizations, institutions, and advocates. Code enforcement alone, even in cities with strategic programs, can only address part of the legal, socioeconomic, and political complexities that surround substandard rental housing. Local government, civic, and community leaders, in collaboration with regulatory, health, and housing agencies, must strengthen and expand existing cross-sector partnerships that can adopt and effectively, efficiently, and equitably implement more holistic and systematic strategies for addressing substandard rental housing conditions as promising pathways for improving community health.

# Appendix A. Terms and Project Advisory Group

Appendix A provides a list of technical and professional concepts and terms used throughout the report that are common within the field of HCE and the broader rental housing ecosystem.

1. **Housing code enforcement (HCE) agencies:** Municipal government divisions, departments, or agencies responsible for inspecting, administering, and enforcing state and local housing and property maintenance codes.
2. **Rental property registry or rental licensing:** Rental licensing ordinances set a legal requirement that owners must get a license, usually every one to two years, before they can lawfully rent the housing unit. Sometimes ordinances include administrative fees that help code enforcement agencies keep track of location and ownership information of rental properties. Some communities impose penalties or additional costs for failure to register. Some registration ordinances may require annual registration while others may impose just a duty to update if there has been changes in ownership, etc.
3. **Proactive rental inspection:** Impose a requirement that certain target properties must be regularly inspected (timelines often vary from every one to two years depending on the housing stock age).
4. **Fire and life safety inspection:** Requires code enforcement inspectors to inspect for fire extinguishers, alarms, exits, and general fire safety.
5. **Mold inspection:** Requires code enforcement inspectors to inspect for different kinds of mold in the home; in many cities this falls under the jurisdiction of a health agency.
6. **Lead inspection:** Requires code enforcement inspectors to inspect for the presence of lead in the home, whether by targeting older homes or inspecting the homes of children who are found to have elevated blood lead levels.
7. **Lead-safe certification:** An industry certification that indicates a housing unit may contain lead, but the lead is sealed and is not an exposure risk.
8. **Lead-free certification:** An industry certification that indicates a housing unit has been determined to not contain lead.



9. **Bed bug inspection:** Requires code enforcement inspectors to inspect for the presence of bed bugs.
10. **New construction licensing:** Requires code enforcement inspectors to inspect and license new construction permits and sites.
11. **Vacancy inspection:** Requires code enforcement inspectors to inspect and monitor vacant buildings and lots either through a registry or through other reporting to ensure that properties do not become public nuisances.

#### Project Advisory Group Members

- Homeowners Association of Philadelphia (HAPCO)
- Jefferson Health
- CEIBA
- Children's Hospital of Philadelphia
- Temple Health
- Department of Licenses and Inspections
- Philadelphia Housing Authority
- City Council
- Tenant Union Representative Network (TURN)
- Community Legal Services
- LISC Philadelphia
- Department of Public Health

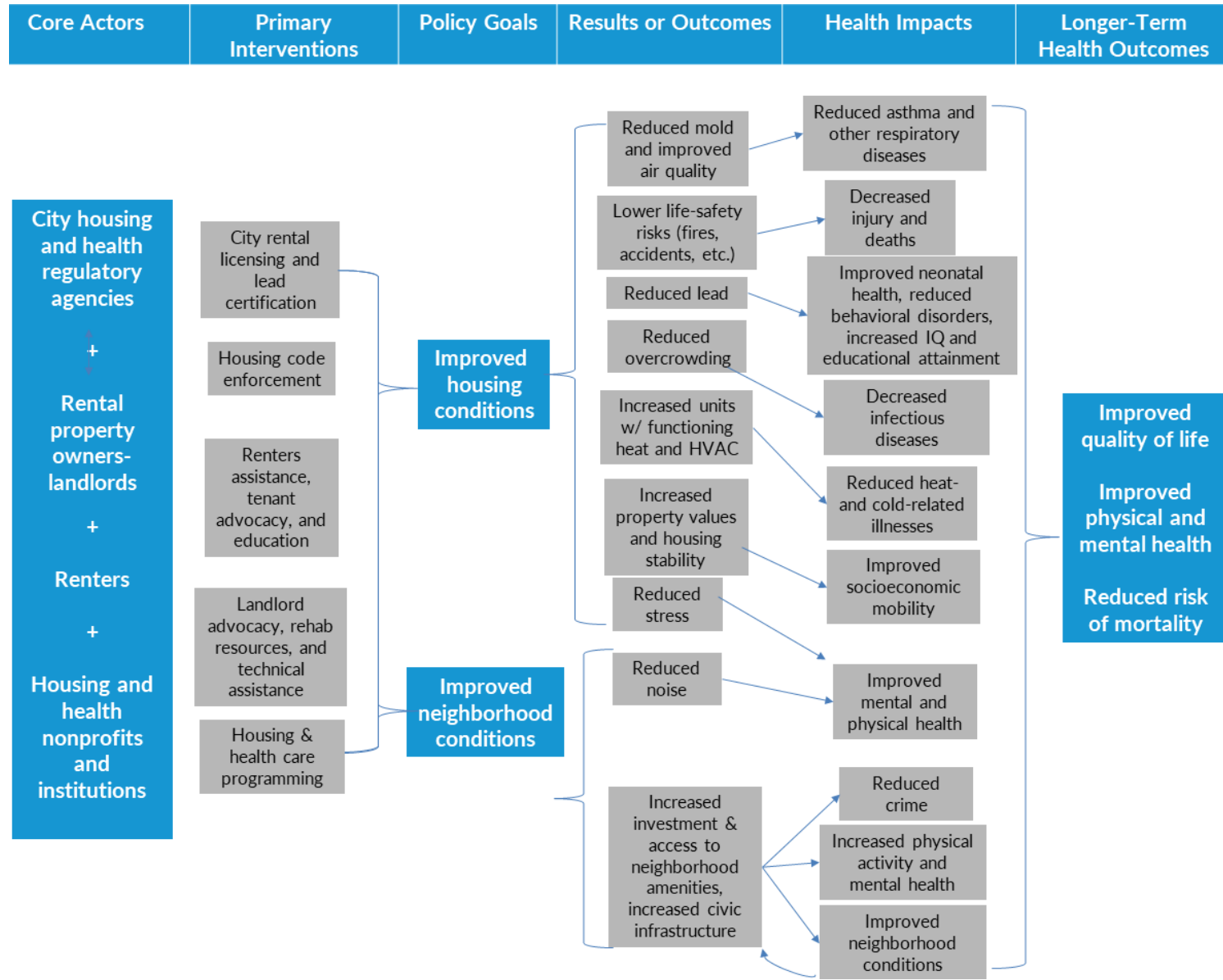
# Appendix B. Logic Model

This HIA rests on a theory of change that improving rental housing conditions through HCE can correspondingly improve health by reducing risks of exposure to unhealthy and unsafe conditions. The logic model in figure 1 illustrates how collectively the core actors implement common local policy and program interventions (column two of model) that can improve housing conditions and the built environment of adjacent and surrounding neighborhoods—which the research shows can cause more immediate and positive health impacts as well as lay the foundation for longer-term health outcomes. **Column one** of the model includes the core actors found in any rental housing ecosystem where some are the recipients or beneficiaries of the interventions and others are responsible for leading or implementing them. Landlords and renters are primarily responsible for the maintenance of private rental housing (single-family and multifamily), but city housing and health regulatory agencies along with housing and health nonprofits play critical roles in either regulating rental housing or supporting and assisting renters and landlords. Appendix C identifies the specific entities and agencies found in Philadelphia’s rental housing ecosystem.

**Column two** of the model outlines the more common policy and program interventions led by and implemented by the core actors. The logical model does not list all interventions that a community could adopt. Some of the interventions involve collaboration among and across multiple actors. Many of the interventions are led by one agency or organization with a focus on either the rental housing regulatory system or the housing resources and support system. For example, the top two boxes illustrate common regulatory interventions that local government agencies manage (e.g., rental licensing and strategic code enforcement policies and programs). The bottom three boxes cover a range of advocacy, education, rehabilitation/repair, and technical and legal assistance resources that can protect renters, help landlords improve housing conditions, and empower community groups to revitalize neighborhoods.

FIGURE B.1

Logic Model for Health Impacts from Substandard Rental Housing Conditions



Source: Authors' analysis.

**Column three** of the model connects the broader policy goals on improvements to the conditions of rental housing and the surrounding neighborhood with the specific interventions in column two. Note, however, that such interventions are designed to motivate action by landlords and in some cases alter the behavior of renters as they have the onus to make the necessary repairs or change their conduct to bring the property into compliance with the minimum requirements of the applicable codes. As illustrated in the ecosystem map (figure 1), the primary actors in the rental regulatory system operate within the context of the rental housing market, such as the age and location of the property as that greatly influences the economics of property maintenance. Sometimes the actors make these improvements to rental housing or neighborhoods on their own. When market forces are insufficient motivations, local governments may need to administer and enforce regulations that attempt to deter the landlord from maintaining property conditions that increase risks to public health. Especially with low-income renters, rental housing interventions focus on the behavior of landlords and renters and have an indirect relationship on public health.

**Columns four and five** explore how specific changes in the physical conditions of the rental properties and the surrounding neighborhood can lead to positive impacts on the mental and physical health of renters and neighbors. Under the rubric of the social determinants of health, each of these boxes is supported by multiple public health, urban planning, housing, and urban policy research articles and studies. Sometimes the public health benefits happen as a result of removing or mitigating substandard housing conditions, such as:

- Lead paint
- Mold
- Rodent infestations
- Fire hazards

A review of the public health and housing literature found strong support for how improvements to housing and neighborhood conditions (Column four) can cause positive health impacts (Column five) that can then set the foundation for longer-term health outcomes (Column six) (Bashir 2002; Beck et al. 2014; Branas et al. 2016; Branas et al. 2018; Chan and Ma 2020; Cohen et al. 2002; Coley et al. 2013; Collins 1986; Eriksen et al. 2015; Keall et al. 2010; Mendell et al. 2011; Sampson and Winter 2016; Shenassa et al. 2007). At the same time, it is important to acknowledge that researchers continue to conduct more in-depth and longer-term studies to document and track how these more immediate health impacts can improve overall quality of life, physical and mental health, and reduction

of mortality. The logic model here illustrates the strong evidentiary foundation for this health impact assessment.

In terms of HCE interventions, the primary focus for this HIA, the logic model illustrates that HCE can directly affect health by addressing hazardous housing conditions that lead to poor health outcomes for renters and nearby residents. Effective code enforcement can positively affect health outcomes, such as the reduction of lead poisoning of children (Korfmacher, Ayoob, and Morley 2012), but poor code enforcement can lead to displacement of renters, which can cause negative health outcomes (Desmond and Kimbro 2015; Jelleyman and Spencer 2008).

There are factors beyond the regulation of housing maintenance to be considered as well. The ability of rental owners to adequately maintain their units is contingent on a variety of factors, such as the income they earn from their units, their operating costs (including the cost of maintenance), and their access to capital, which are all influenced by market dynamics. Small rental owners (rental owners who own less than five rental properties) are especially prone to lacking the financial resources and property management expertise to adequately maintain their properties (Garboden and Newman 2012).<sup>102</sup> As such, a key pathway to improving rental housing quality in addition to HCE is to build up the resources necessary for rental owners to provide high-quality housing.

# Appendix C. Philadelphia's Rental Housing Ecosystem

## Rental Regulatory Ecosystem: Core Actors and Organizations

In Philadelphia the rental housing regulatory system contains agencies that oversee the enforcement of relevant fire, lead safety, housing, and general property maintenance codes: the Department of Licenses and Inspection (L&I), the primary HCE agency of Philadelphia responsible for enforcing the city's housing and property maintenance code; the Law Department, which supports L&I in taking administrative and judicial actions against noncompliant landlords; and the Department of Health's Environmental Health Services (EHS), which is responsible for enforcing compliance with the city's lead certification laws.<sup>103</sup> Although not described in this appendix, the authors do acknowledge that certain divisions of the broader Philadelphia municipal court system play a role in hearing and deciding enforcement cases that involve substandard rental properties filed by the Law Department on behalf of L&I. The main report outlines the core functions of L&I and describes the challenges and opportunities L&I currently has or may confront when addressing substandard conditions in rental housing. The following sections provide an overview of the other two agencies that play a direct role within the regulatory side of the rental housing ecosystem.

### The Law Department

The Law Department's Code & Public Nuisance Litigation Unit (Code Unit) files civil enforcement actions and represents the city in administrative hearings where the property involves a range of land use, building, housing, and health codes. The unit contains 13 attorneys (a chief, 2 unit managers, and 10 frontline litigation attorneys), along with a supervisor who over sees 6 support staff (legal assistants/paralegals and administrative staff). About 85 to 90 percent of their workload involves litigation and legal issues from L&I; this includes cases from both the construction and code enforcement divisions. Before the COVID-19 pandemic, this unit would get approximately 6,000 case referrals each year, with the large majority of them coming from L&I. L&I and the Code Unit are in constant communication about how to best proceed against specific property owners in certain types of cases; some of these cases involve landlords of residential rental properties. L&I and the Code Unit

also engage as part of ad-hoc regulatory and enforcement task forces that include other city departments, such as police, fire, and public works, to address special types of property cases (e.g., vacant properties, homeless encampments, criminal nuisance properties). Once a code enforcement case is filed in court, it can take many months to gain a successful resolution (this was true even before the pandemic). A major challenge in the processing of enforcement actions involves intricate ownership models (layers of LLCs) that require special investigative capacities to track down and to properly serve the owners with legal notice and other court papers.<sup>104</sup>

## **Environmental Health Services**

Environmental Health Services is part of the Philadelphia Department of Public Health responsible for regulating food vendors, disease vector control, environmental engineering, and lead safety. EHS's Lead and Healthy Homes Program is responsible for enforcing household lead regulations. Typically, this program is staffed by 30 employees but currently it has 26 employees. Staff are divided across teams that focus on outreach and education, lead inspections, medical management, general administration, lead-safe or lead-free certifications, and abatement of lead hazards. EHS enforces home-based lead regulations through reactive and proactive programs. On the reactive side, when health clinics identify elevated blood lead levels in patients, they refer cases to EHS through the Pennsylvania Medical System.<sup>105</sup>

## **Housing Support Actors and Organizations**

In Philadelphia, a large constellation of agencies and organizations provide critical support for renters and landlords for evictions, housing stability, fair housing, and housing repairs that support broader policy goals of housing affordability, stability, and preservation. A smaller subset of those agencies have programs that play, or are beginning to play, a key role in helping renters, landlords, and housing and community-based organizations address unhealthy housing conditions. This section highlights key organizations and programs in the housing and health care sectors identified in the stakeholder analysis that have a focus on providing support to renter and/or landlords on issues related to rental housing quality.<sup>106</sup>

## **Tenant Union Representative Network**

The Tenant Union Representative Network (TURN) provides guidance to renters on navigating renter and landlord issues, such as substandard rental housing conditions and evictions. Specifically, TURN provides workshops, individual counseling, and an eviction prevention hotline. In regard to addressing substandard rental housing issues, TURN advises clients with uncooperative landlords in the process of withholding rent, reporting violations to L&I, suing their landlord, or, if clients live in large rental properties, organizing with other renters to form unions. Because clients' landlords often engage in illegal retaliation, TURN also provides guidance to renters on filing housing discrimination cases with Philadelphia's Fair Housing Commission, which enforces the city's Fair Housing Ordinance. TURN often gets referrals from community development and health care agencies on an ad hoc basis.<sup>107</sup>

## **Community Legal Services**

Philadelphia Community Legal Services (CLS) has a housing team of staff attorneys that provides legal advice and representation to renters impacted by substandard rental housing conditions, evictions, and a range of other housing-related issues. In addition, CLS and several hospitals maintain Medical Legal Partnerships (MLPs) in which staff attorneys will host legal clinics at hospital sites. One such MLP is with the Children's Hospital of Philadelphia (CHOP). When health care providers identify negative health outcomes associated with hazardous housing conditions (i.e., lead poisoning, respiratory issues like asthma) and a need for legal assistance, providers refer cases to MLP staff attorneys.<sup>108</sup>

## **Community Asthma Prevention Program and Room2Breathe**

Since 1997, CHOP has operated the Community Asthma Prevention Program (CAPP), which is targeted at mitigating home-based environmental asthma triggers in homeowner households. Low-income families whose children have had two emergency room visits or hospitalizations for asthma are enrolled in the program, which provides home-based classes and supplies and coordinates provision of pest management from the Philadelphia Department of Public Health to assist families in mitigating environmental asthma triggers in the home environment. The program's community health worker staff coordinate these interventions with the families' primary health care providers. Although the program serves all of Philadelphia as well as parts of Montgomery and Delaware counties, CAPP primarily focuses on serving families in West Philadelphia.<sup>109</sup>



In response to CAPP's focus on West Philadelphia, the Philadelphia Department of Public Health designed the Room2Breathe program, which is based on CAPP, and in 2019 launched the program to expand service capacity across the city. The program receives referrals and is embedded in Temple Pediatrics and St. Christopher's Center for the Urban Child.<sup>110</sup>

### **Community Asthma Prevention Program +**

In 2018, CHOP developed an add-on program, CAPP+, in partnership with Rebuilding Together Philadelphia and Habitat for Humanity (two housing preservation stakeholder agencies in the city, see Appendix C) to provide \$15,000 grants for eligible families to comprehensively mitigate home-based triggers through home repairs. After CHOP staff identify needed repairs for eligible families, housing preservation partners coordinate permitting and hire contractors to conduct repairs. Funding for the program comes from both CHOP and the Pennsylvania Department of Health. The program was originally targeted toward eligible homeowners, in part due to fear of unintentionally fueling gentrification and rising housing costs in naturally occurring affordable housing. However, during the pandemic, CHOP began piloting grant assistance for renter families. To select renter families for the pilot, CHOP screened low-income renter families to find low-income landlords who were interested in remediating their properties but lacked the resources to do so.<sup>111</sup>

### **Pennsylvania Apartment Association**

The Pennsylvania Apartment Association (PAA) is a statewide chapter of the National Apartment Association that represents property managers, landlords, and their suppliers across the state. According to interviews, the PAA represents more than 98 landlords and property managers in Philadelphia, who in turn own and/or manage more than 156,000 rental units. The organization provides resources and networking opportunities for members, coordinates mutual aid efforts (e.g., PAA has been leading resettlement efforts for Afghani refugees in the state), and advocates for policy on issues that affect its members.<sup>112</sup>

### **Homeowners Association of Philadelphia**

The Homeowners Association of Philadelphia (HAPCO) is a local chapter of the Pennsylvania Residential Owners Association that represents 5,500 landlords across the state and conducts policy advocacy at the state level.<sup>113</sup> The organization represents landlords and property managers in the city of Philadelphia. Similar to PAA, the organization facilitates networking and provides educational

resources to its members. In addition, the organization provides eviction services to landlords seeking to evict their tenants.<sup>114</sup>

## Fair Housing Commission

The Fair Housing Commission (FHC) addresses rental housing issues that affect the health and safety of renters, resolves unfair rental practices, and in essence adjudicates disputes that arise between landlords and tenants. Per the city’s fair housing ordinance, a renter can file a complaint with the FHC when the landlord fails to make repairs or address problems after reporting the problem to a city agency (e.g., L&I, health department, utility companies), shuts off the utilities, forces the renter to pay for maintained repairs, or forces the renter to vacate the unit even though the renter is current in rent. Commission staff review the complaint to determine if it merits a hearing before the commission’s five-member board appointed by the mayor and city council. During the hearing, commission members listen to the facts of the case and can issue an order with instructions for both parties. Either party has 30 days to appeal. In May 2022, voters approved a ballot initiative to amend the city charter to make the FHC, which has operated as part of city government since 1962, an independent commission.<sup>115</sup>

# Comprehensive List of Rental Housing Quality Stakeholder Organizations

This section details the stakeholders that were either interviewed or otherwise identified through interviews as relevant stakeholders to the policy area of rental housing quality in Philadelphia. Throughout the report these organizations are referred to by the category assigned to them (the categories include HCE agencies, health care providers, universities/foundations, community development organizations, renter advocates, landlord affinity groups, and housing preservation agencies). It should be noted that these category labels do not reflect the full scope of the stakeholder organizations they refer to—the labels only reflect the type of work the organizations do that is related to rental housing quality. In the following table, each organization interviewed is listed as well as its assigned category.

TABLE C.1

**Philadelphia Health and Housing Entities**

<b>Organization name</b>	<b>Stakeholder group</b>
ACHIEVEability	Community development organization
Bayada	Community development organization
Ceiba	Community development organization
Children's Hospital of Philadelphia (CHOP)	Health care provider
Chinatown Community Development Corporation	Community development organization
Collaborative Opportunities to Advance Community Health (COACH)	Health care coalition
Community Legal Services	Renter advocate organization
Drexel University College of Medicine	Health care provider
Energy Coordinating Agency (ECA)	Housing preservation agency
Habitat for Humanity	Housing preservation organization
Homeowners Association of Philadelphia (HAPCO)	Landlord affinity group
Hospital of the University of Pennsylvania	Health care provider
Housing Institute at Penn (HIP)	University/foundation
Rebuilding Together Philadelphia	Housing preservation organization
Philadelphia Apartment Association (PAA)	Landlord affinity group
Philadelphia Department of Housing and Community Development	Housing preservation agency
Philadelphia Department of Licenses and Inspections (L&I)	HCE agency
Philadelphia Department of Public Health's Environmental Health Services (EHS)	HCE agency
Philadelphia Eviction Prevention Project	Renter advocate coalition
Philadelphia Housing Authority	Other
Philadelphia Housing Development Corporation	Housing preservation agency
Philadelphia Law Department	HCE agency
Strawberry Mansion Community Development Corporation	Community development organization
Temple University Hospital	Health care organization
Tenants Union Representative Network	Renter advocate organization

Source: Authors' analysis.

# Appendix D. Data and City Comparison Methodology

## Quantitative Methods

The authors' quantitative analysis relied on the following public datasets originally from OpenDataPhilly:

1. Licenses and Inspections Code Violations
2. Office of Property Assessment
3. Rental Licenses

Analysis started by limiting code violations to just 2018–19 because L&I underwent major data protocol changes in 2020, making comparisons from data pre/post difficult and because in 2020, at the onset of the pandemic, L&I cut down its inspections from an estimated 119,000 to 66,000 annually, meaning that pandemic-era analysis would not provide insight into business as usual for code enforcement in Philadelphia.<sup>116</sup> Once the years of interest were narrowed down, then the data were narrowed down to violations categorized as code enforcement in residential units. As the data stand, there is no easy way to categorize violations as commercial or residential, which means that categorization was reliant on text mining and extensive consulting with L&I. Code enforcement violations were identified by cutting out violations related to the following:

1. Permitting
2. Construction
3. Commercial activities or properties
4. Cigarettes and tobacco
5. Piers
6. Community Life Improvement Program (CLIP)
7. Administrative violations

Once the code violations of interest were identified, the authors then limited their universe to just violations that occurred in units identified as rental units. Rental determination was based on Pew's

analysis of landlords in Philadelphia,<sup>117</sup> which identified all units with rental licenses, meaning that this data does not include unlicensed rental units.

Lastly, code enforcement violations in rental units were overlaid with American Community Survey demographic data, namely the following:

1. Race
2. Ethnicity
3. Speak English at home
4. Year house built (percentage built before 1980)
5. Rent burden
6. Poverty
7. Percent younger than 18
8. Percent older than 65
9. Vacancy rate

## Learning City Comparison Analysis

To assemble the comparison city analysis, the comparative analysis featured in Pew's 2021 report (Howell 2021) was reviewed and partners in PACDC and Pew were consulted. Based on the report and their guidance, a list of approximately 20 cities that seemed to have some parallels with the city of Philadelphia and its rental housing dynamic was assembled. Then an exploratory secondary data collection was conducted by searching for publicly available data that enabled the authors to characterize and compare the budgets, staffing, burdens, and responsibilities of their preliminary list of learning cities. Detailed budgetary data on code enforcement department staffing levels is not easily accessible and given limited time it was decided to drop this variable from the analysis. Based on data availability, the authors were able to collect sufficiently robust data from 10 of the learning cities that would enable the authors to conduct relevant comparative analysis.

Secondary data were collected from corresponding government sources. The following demographic variables were obtained from the US Census Bureau's 2019 American Community Survey:

- Number of households

- Percentage of population in poverty
- Number of units built before 1980

Data on the responsibilities of comparison cities' code enforcement departments were obtained by reading departments' public websites. As such, the data reflect the services the departments publicize. It is possible that these departments provide services not reflected in this report.

Code enforcement budget data were collected by scanning through comparison cities' Comprehensive Annual Financial Reports (CAFRs), which, in general, report annual budgets for municipal departments. It was found that there is a critical lack of consistency between cities' CAFRs, which does pose a limitation in comparing municipal budgets. For example, in the 2020 CAFR of Washington, DC, the government aggregated budget estimates for numerous departments into broad categories, making it impossible to discern the budget of the city's Department of Consumer and Regulatory Affairs, which is the department in charge of enforcing the city's property maintenance code. It was decided to remove cities that reported budget data in this way from the analysis. In doing so, the selection of comparison cities was narrowed down to the 10 cities in this analysis.

The government entity responsible for property maintenance code enforcement is often a smaller subunit or division among others in a larger department. The cities' CAFRs do not indicate how funding is allocated among those specialized subdivisions. To adjust for this, municipal government websites were scanned for information on the subdivisions within these departments. Because of variation between cities on the structure of these departments and the precise name and functions of the subdivisions, each city's department was coded with standardized functions found in many local governments: "Construction Enforcement," "Property Maintenance Enforcement," "Zoning Enforcement," "Neighborhood Preservation and Housing Development," "Environmental Affairs," and "Commercial Business Regulation." Considering these limitations, this report does compare the budget for each city's department or agency responsible for CE and lists the standardized functions of each department.

# Notes

- <sup>1</sup> We recognize that language evolves, and we strive to be inclusive in our work. Thus, we have adopted “Latine” as a more gender-neutral term to reference people of Latin American heritage. To read more about this term, see Evan Crochet, “Let’s Nix Latinx: Latine Is the Word You Were Already Looking For,” the Diversity Movement, January 18, 2022, <https://thediversitymovement.com/nix-latinx-latine-is-word-you-were-looking-for/>.
- <sup>2</sup> “2019 American Housing Survey,” US Census Bureau, accessed January 2022, <https://www.census.gov/programs-surveys/ahs.html>.
- <sup>3</sup> Michaelle Bond, “Rents Are Expected to Grow Faster than Home Prices in 2022,” *Philadelphia Inquirer*, December 2021, <https://www.inquirer.com/real-estate/housing/philadelphia-rising-rent-rental-assistance-20211223.html>.
- <sup>4</sup> “2019 American Housing Survey,” US Census Bureau, accessed January 2022, <https://www.census.gov/programs-surveys/ahs.html>.
- <sup>5</sup> “2019 American Housing Survey,” US Census Bureau, accessed January 2022, <https://www.census.gov/programs-surveys/ahs.html>.
- <sup>6</sup> “A Look at Children’s Environmental Health in Philadelphia,” Center of Excellence in Environmental Toxicology (CEET), October 8, 2020, <https://ceet.upenn.edu/a-look-at-childrens-environmental-health-in-philadelphia/>.
- <sup>7</sup> “A Look at Children’s Environmental Health in Philadelphia,” Center of Excellence in Environmental Toxicology (CEET), October 8, 2020, <https://ceet.upenn.edu/a-look-at-childrens-environmental-health-in-philadelphia/>.
- <sup>8</sup> “CHOP and Penn Medicine to Lead Philadelphia Regional Center for Children’s Environmental Health,” *CHOP News*, Children’s Hospital of Philadelphia, March 21, 2022, <https://www.chop.edu/news/chop-and-penn-medicine-lead-philadelphia-regional-center-childrens-environmental-health>.
- <sup>9</sup> “Codes and Standards,” International Code Council, accessed March 2022, <https://www.iccsafe.org/products-and-services/codes-standards/>.
- <sup>10</sup> “2019 American Housing Survey,” US Census Bureau, accessed January 2022.
- <sup>11</sup> “2018 Rental Housing Finance Survey,” US Census Bureau, accessed March 2022. <https://www.census.gov/programs-surveys/rhfs.html>.
- <sup>12</sup> Kevin Schaul and Jonathan O’Connell, “Investors Bought a Record Share of Homes in 2021. See Where.” *Washington Post*, February 16, 2022, <https://www.washingtonpost.com/business/interactive/2022/housing-market-investors/>.
- <sup>13</sup> Ryan Briggs and Aaron Moselle, “1,700 Units of Housing Are Set to Vanish in the Next 5 Years. There’s Little Philly Officials Can Do,” WHYY/PBS, November 11, 2011, <https://whyy.org/articles/1700-units-of-housing-are-set-to-vanish-in-the-next-5-years-theres-little-philly-officials-can-do/>.
- <sup>14</sup> “Regional Collaboration to Support the Development of Affordable Housing in Resource-Rich Areas,” Local Housing Solutions, accessed March 14, 2022, <https://localhousingsolutions.org/housing-policy-library/regional-collaboration-to-support-the-development-of-affordable-housing-in-resource-rich-areas/>.
- <sup>15</sup> Stakeholder interview, 2021.
- <sup>16</sup> Stakeholder interview, 2021.
- <sup>17</sup> Stakeholder interview, 2021.

- <sup>18</sup> Philadelphia Code, Chapter 6-800, Bill No. 100011-A, [https://www.phila.gov/media/20181108140841/Phila\\_Lead\\_Disclosure\\_and\\_Certification\\_Law\\_12\\_21\\_11.pdf](https://www.phila.gov/media/20181108140841/Phila_Lead_Disclosure_and_Certification_Law_12_21_11.pdf).
- <sup>19</sup> “Rental Improvement Fund,” Impact Services, accessed March 22, 2022, <https://www.impactservices.org/loan-fund/rental-improvement-fund>.
- <sup>20</sup> “2019 American Housing Survey,” US Census Bureau, accessed January 2022.
- <sup>21</sup> Stakeholder interview, 2021.
- <sup>22</sup> Stakeholder interview, 2021.
- <sup>23</sup> Stakeholder interview, 2021.
- <sup>24</sup> Stakeholder interview, 2021.
- <sup>25</sup> Stakeholder interview, 2021.
- <sup>26</sup> Stakeholder interview, 2021.
- <sup>27</sup> Stakeholder interview, 2021.
- <sup>28</sup> Stakeholder interview, 2021.
- <sup>29</sup> Based on author analysis of OpenDataPhilly, a catalog of open data in the Philadelphia region.
- <sup>30</sup> Stakeholder interview, 2021.
- <sup>31</sup> Stakeholder interview, 2021.
- <sup>32</sup> Interview with Philadelphia Housing Development Corporation, 2021.
- <sup>33</sup> Stakeholder interview, 2021.
- <sup>34</sup> Stakeholder interview, 2021.
- <sup>35</sup> Stakeholder interview, 2021.
- <sup>36</sup> Stakeholder interview with L&I staff, 2021.
- <sup>37</sup> Stakeholder interview with L&I administrative staff member, 2021.
- <sup>38</sup> Stakeholder interview, 2021.
- <sup>39</sup> City of Rochester, Code Enforcement Office correspondence, June 8, 2022.
- <sup>40</sup> Stakeholder interview, 2021.
- <sup>41</sup> “A third of Philly’s building inspectors have quit since 2019. Critics say that threatens public safety.” *Philadelphia Inquirer*, May 26, 2022, <https://www.inquirer.com/news/philadelphia-building-safety-staffing-shortages-inspections-20220526.html>.
- <sup>42</sup> Stakeholder interview, 2021.
- <sup>43</sup> Stakeholder interview, 2021.
- <sup>44</sup> Stakeholder interview, 2021.
- <sup>45</sup> Stakeholder interview, 2021.
- <sup>46</sup> Stakeholder interview, 2021.
- <sup>47</sup> Stakeholder interview, 2021.
- <sup>48</sup> Stakeholder interview, 2021.



- <sup>49</sup> Stakeholder interview, 2021.
- <sup>50</sup> Stakeholder interview, 2021.
- <sup>51</sup> Stakeholder interview, 2021.
- <sup>52</sup> Stakeholder interview, 2021.
- <sup>53</sup> See appendix C for a brief inventory of reports and resources on substandard rental properties, code enforcement, and public health.
- <sup>54</sup> National League of Cities, “Message Guide: Advancing Health and Equity through Housing” (Washington, DC: National League of Cities, 2015). [https://www.nlc.org/wp-content/uploads/2021/07/Healthy-Housing-Guide\\_FINAL.pdf](https://www.nlc.org/wp-content/uploads/2021/07/Healthy-Housing-Guide_FINAL.pdf).
- <sup>55</sup> National League of Cities, “City Level Models to Advance Healthy Housing—Lessons from NLC’s Mayors’ Institute on Housing, Hazards and Health” (Washington, DC: National League of Cities, 2019). [https://nchh.org/resource-library/nlc\\_city-level-models-to-advance-healthy-housing.pdf](https://nchh.org/resource-library/nlc_city-level-models-to-advance-healthy-housing.pdf); see generally, “Cities of Opportunity Housing,” National League of Cities, accessed August 19, 2022, <https://citiesofopportunity.nlc.org/resources/housing-health-resources/>.
- <sup>56</sup> “Housing Code Tools,” National Center for Healthy Housing, accessed August 19, 2022, <https://nchh.org/tools-and-data/housing-code-tools/>.
- <sup>57</sup> See examples from **Baltimore** at “Non-owner-occupied Brochure,” BaltimoreCity.gov, accessed August 19, 2022, [https://dhcd.baltimorecity.gov/sites/default/files/Non-owner\\_occupied\\_brochure\\_07102018FINAL.PDF](https://dhcd.baltimorecity.gov/sites/default/files/Non-owner_occupied_brochure_07102018FINAL.PDF).
- <sup>58</sup> A couple of comprehensive web sites include **Baltimore**, at “Property Registration,” Baltimore City Department of Housing and Community Development, accessed August 19, 2022, <https://dhcd.baltimorecity.gov/pi/rental-property-registration-and-licensing>.
- <sup>59</sup> City-Level Models to Advance Healthy Housing—Lessons from NLC’s Mayors’ Institute on Housing, Hazards, and Health. 2019. National League of Cities. [https://nchh.org/resource-library/nlc\\_city-level-models-to-advance-healthy-housing.pdf](https://nchh.org/resource-library/nlc_city-level-models-to-advance-healthy-housing.pdf)
- <sup>60</sup> Kiley Kosciński, “Pittsburgh Moves Forward with Rental Property Inspection Program,” WESA 90.5, March 1, 2022, <https://www.wesa.fm/politics-government/2022-03-01/pittsburgh-moves-forward-with-rental-property-inspection-program>.
- <sup>61</sup> Note that networks of national organizations also provide guides, resources and technical assistance to nonprofits and local governments in the adoption and administration of proactive lead inspection programs. See generally,
- <sup>62</sup> “Get Ahead of Lead,” Community Foundation for Greater Buffalo, accessed August 19, 2022, <https://www.cfgb.org/community-change/initiatives/get-ahead-of-lead/>.
- <sup>63</sup> “Philadelphia City Council Passes Landmark Legislation to Require Lead Certification in Rental Properties,” press release, Office of Philadelphia Councilwoman Blondell Reynolds Brown, September 26, 2019, [https://www.greenandhealthyhomes.org/press\\_release/philadelphia-city-council-passes-landmark-legislation-to-require-lead-certification-in-rental-properties/](https://www.greenandhealthyhomes.org/press_release/philadelphia-city-council-passes-landmark-legislation-to-require-lead-certification-in-rental-properties/).
- <sup>64</sup> Ambreen Ali, “In Buffalo, Open Data Practices Help Prevent Lead Poisoning,” What Works Cities Certification, January 6, 2022, <https://medium.com/what-works-cities-certification/in-buffalo-open-data-practices-help-prevent-lead-poisoning-b6c1af2d09c9>.
- <sup>65</sup> “Proactive Rental Inspections for Healthy Homes,” ChangeLab Solutions, accessed August 19, 2022, <https://www.changelabsolutions.org/story/proactive-rental-inspections-healthy-homes>.

- <sup>66</sup> Periodic rental inspection programs are a must for every city. Scott McGill. October 2021. American City and County.
- <sup>67</sup> As far as we could determine, the total number of PRIs remains unconfirmed. Experts from ChangeLab Solutions estimate 25 large to mid-sized cities (populations from 200,000 and above) have PRI programs, while local government data and tech experts think only 10 percent of cities, counties, and towns have some type of rental property registry and/or PRI program. See Scott McGill, “Periodic rental inspection programs are a must for every city,” American City and County, October 27, 2021.
- <sup>68</sup> In Baltimore, the city housing code enforcement unit monitors the authorized and approved list of private housing inspectors while providing them detailed guidance on what they need to inspect, etc. <https://www.youtube.com/watch?app=desktop&v=5UzJyw4Thdg>
- <sup>69</sup> “Rental Registration,” Permits, Licenses, and Inspections, City of Pittsburgh, accessed May 2022, <https://pittsburghpa.gov/pli/rental-registration>.
- <sup>70</sup> A few noteworthy examples include **Columbus, Dallas, Los Angeles and San Diego**. As we discuss in the appendix Philadelphia’s Law Department does have attorneys and staff dedicated to code enforcement cases and issues.
- <sup>71</sup> Kermit Lind. (2016) Data Driven Systems—Model Policies and Practices for Strategic Code Enforcement. Vacant Property Research Network. [https://vacantpropertyresearch.com/wp-content/uploads/2016/09/20160609\\_Data-Systems\\_FINAL-1.pdf](https://vacantpropertyresearch.com/wp-content/uploads/2016/09/20160609_Data-Systems_FINAL-1.pdf)
- <sup>72</sup> Stakeholder interview, 2021.
- <sup>73</sup> Stakeholder interview, 2021.
- <sup>74</sup> Stakeholder interview, 2021.
- <sup>75</sup> A good example of nonprofit data intermediary that intersects health, housing and neighborhoods is the Urban Health Center at Drexel University in Philadelphia. <https://drexel.edu/UHC/>
- <sup>76</sup> <http://npimemphis.org/wp-content/uploads/2018/03/The-Pink-House-on-the-Corner.pdf>
- <sup>77</sup> Virtual inspection technology (<https://www.camino.ai/virtual-inspections/>) is being used in Orange County, Florida. “Orange County Division of Building Safety Launches Remote Inspections,” Orange County Government, Florida, July 22, 2020, <https://newsroom.ocfl.net/2020/07/orange-county-division-of-building-safety-launches-remote-inspections/>.
- <sup>78</sup> In fact, the International Code Council, which develops and promulgates the uniform building and housing code, now recognizes virtual inspections as a standard practice in the field. For additional information see the International Code Council website, <https://www.iccsafe.org/advocacy/safety-toolkits/remote-virtual-inspections/>.
- <sup>79</sup> Stakeholder interview, 2021.
- <sup>80</sup> Stakeholder interview, 2021.
- <sup>81</sup> Stakeholder interview, 2021.
- <sup>82</sup> For example, in Rochester, New York, two years after the implementation of the city’s lead safety PRI program, the city saw a 4.9 percent decrease in pediatric elevated blood lead levels compared to two years before the program was implemented (Korfmacher et al. 2012).
- <sup>83</sup> “Healthy Housing,” National League of Cities, accessed May 15, 2022, <https://citiesofopportunity.nlc.org/program-areas/healthy-housing/>; and National League of Cities and the

George Washington University School of Public Health, “Advancing City-Level Healthy Housing,” 2020, [https://www.nlc.org/wp-content/uploads/2020/02/YEF\\_Healthy\\_Housing20WEB.pdf](https://www.nlc.org/wp-content/uploads/2020/02/YEF_Healthy_Housing20WEB.pdf).

- <sup>84</sup> Indirect impacts, such as PRIs forcing landlords to make substantial repairs and whether such costs are passed on to tenants through increased rents, should also be studied as the PRI might be a secondary factor compared to other market-driven pressures found in Philadelphia’s hot rental market.
- <sup>85</sup> Stakeholder interview, 2021.
- <sup>86</sup> Stakeholder interview, 2021.
- <sup>87</sup> Housing for Equity: An Action Plan for Philadelphia,” City of Philadelphia, accessed May 15, 2022, <https://www.phila.gov/documents/housing-for-equity-an-action-plan-for-philadelphia/>
- <sup>88</sup> Rachel Mulbry, “We Can Preserve and Improve Naturally Occurring Affordable Rental Housing,” City of Philadelphia, May 19, 2021, <https://www.phila.gov/2021-05-19-we-can-preserve-and-improve-naturally-occurring-affordable-rental-housing>.
- <sup>89</sup> For example, LISC manages a cross-sector collaboration, the affordable housing preservation network, around the preservation of public assistance rental housing. “Preserving Philadelphia’s Publicly Assisted Affordable Housing-Preservation Network,” LISC Philly, accessed April 22, 2022, <https://www.lisc.org/philly/our-priorities/affordable-housing/preservation-network/>.
- <sup>90</sup> Substandard housing and unhealthy housing conditions are gaining more awareness and interest from regional and local health care institutions and agencies. For example, the southeastern Pennsylvania 2019 Community Health Needs Assessment, as required by the Affordable Care Act, does identify affordable housing as one of the pressing 20 health care priorities for Philadelphia and the region.
- <sup>91</sup> Previous task forces on lead paint and bed bugs did focus on the intersection of housing and health, but this proposal is for a more regular forum that can embed the principles and practices of strategic code enforcement that can infuse and elevate health concerns in the context of rental housing as a complement or supplement to existing working groups on housing stability, preservation, affordability, and eviction assistance.
- <sup>92</sup> “Know the Sources and Prevent Exposure,” LeadSafe Toledo, accessed April 22, 2022, <https://toledoleadsafe.com/>; and “Lead Safe Resource Center,” LeadSafe Cleveland Coalition, accessed April 22, 2022, <https://leadsafecle.org/>.
- <sup>93</sup> Stakeholder interview, 2021.
- <sup>94</sup> Based on interviews, the authors heard that the Homeowners Association of Philadelphia and the Pennsylvania Apartment Association provide basic landlord/property management education that covers the essential legal responsibilities for landlords and their property managers, along with some business management fundamentals, but these courses are not necessarily geared toward the schedule and needs of small mom-and-pop landlords.
- <sup>95</sup> “Rental Improvement Fund,” Philadelphia Housing Development Corporation, March 24, 2022, <https://phdcphila.org/community-investment/development-project-finance/rental-improvement-fund/>.
- <sup>96</sup> Stakeholder interview, 2021.
- <sup>97</sup> “Preservation Compact Background,” Preservation Compact, accessed March 14, 2022, <https://www.preservationcompact.org/about-us/#history>.
- <sup>98</sup> From 2018–19, the Urban Institute facilitated a nine-month strategic planning process that brought city officials and nonprofit housing, community development, and finance leaders to Chicago to learn about the Chicago Housing Preservation Compact. Sarah Rosen Wartell, “A Look Back: Urban’s Collaborations with Changemakers in 2018,” Evidence and Ideas for Change, Urban Institute, December 14, 2018, <https://www.urban.org/evidence-and-ideas-for-change/look-back-urbans-collaborations-changemakers-2018>.

Based on the insights and lessons from Chicago, in 2019, Urban helped these Detroit leaders launch their own Housing Neighborhood Preservation Compact, which is now housed at Detroit Future City. “Detroit Neighborhood Housing Compact,” Detroit Future City, accessed March 14, 2022, <https://detroitfuturecity.com/our-programs/dnhc/>.

<sup>99</sup> “1–4 Unit Buildings: Tools to Preserve 1–4s,” *Strategies*, Preservation Compact, <https://www.preservationcompact.org/blog/strategies/1-4-unit-buildings/>.

<sup>100</sup> The Preservation Compact, accessed May 15, 2022, <https://ar20.preservationcompact.org/>.

<sup>101</sup> At the time of this writing, this recommendation remains on the city’s Housing Advisory Board’s housing equity action plan, but the pandemic has delayed specific actions to implement. Housing Advisory Board, Division of Housing and Community Development, City of Philadelphia, accessed May 13, 2022, <https://www.phila.gov/departments/division-of-housing-and-community-development/about/housing-advisory-board/>; “Housing for Equity: An Action Plan for Philadelphia,” City of Philadelphia, October 2018, <https://www.phila.gov/media/20190115161305/Housing-Action-Plan-Final-for-Web.pdf>.

<sup>102</sup> See also Garboden and Newman (2012).

<sup>103</sup> Stakeholder interview, 2021.

<sup>104</sup> Stakeholder interview, 2021.

<sup>105</sup> Stakeholder interview, 2021.

<sup>106</sup> Stakeholder interview, 2021.

<sup>107</sup> Stakeholder interview, 2021.

<sup>108</sup> Stakeholder interview, 2021.

<sup>109</sup> Stakeholder interview, 2021.

<sup>110</sup> Stakeholder interview, 2021.

<sup>111</sup> Stakeholder interview, 2021.

<sup>112</sup> Stakeholder interview, 2021.

<sup>113</sup> HAPCO Philadelphia, accessed April 22, 2022 <https://hapcophiladelphia.com/about-us/>.

<sup>114</sup> Stakeholder interview, 2021.

<sup>115</sup> Stakeholder interview, 2021.

<sup>116</sup> Department of Licenses and Inspections, Code Violations, 2010–20 (dataset), accessed via OpenDataPhilly November 21, 2021 <https://www.opendataphilly.org/dataset/licenses-and-inspections-violations>.

<sup>117</sup> Octavia Howell and Elinor Haider, “Who Are Philadelphia’s Landlords?” Pew Charitable Trusts, February 24, 2021, <https://www.pewtrusts.org/en/research-and-analysis/articles/2021/02/24/who-are-philadelphias-landlords>.

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## STATEMENT OF INDEPENDENCE

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