

Memorandum



CITY OF DALLAS

Date June 20, 2008

To Member of the Quality of Life Committee: Pauline Medrano, Chair; Vonciel Jones Hill, Vice Chair; Carolyn R. Davis; Angela Hunt; Sheffie Kadane; David A. Neumann; Steve Salazar

Subject Group Facilities: Boarding House Task Force Update

On Monday, June 23, 2008, you will be provided with an update on the Group Facilities: Boarding House Task Force. Attached is the material for your review.

Please let me know if you need additional information.

A handwritten signature in black ink, appearing to read 'D. O. Brown'.

David O. Brown
Interim Assistant City Manager

Attachment

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge Jay E. Robinson
Ryan S. Evans, First Assistant City Manager
Ramon F. Miguez, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
David K. Cook, Chief Financial Officer

Group Facilities: Boarding House Task Force Update

Presented to
Quality of Life and
Government Services Committee
On June 23, 2008





Group Facilities: Boarding House Task Force Update

- **Overview**
- **Status of Recommendations**
- **Preliminary Findings**
- **Next Steps**

Group Facilities: Boarding House Task Force Update

Overview

- On June 11, 2007 the Quality of Life committee was briefed on the proposed Group Facilities: Boarding House Task Force (included in appendix)
- The Task Force was developed to address on-going issues with Group Facilities based on complaints from
 - Facility residents
 - Neighbors
 - Observed safety code and zoning violations by city employees

Group Facilities: Boarding House Task Force Update

Overview

Council was concerned with problems identified with Group Facilities. Some of the issues include:

- Unsafe conditions and code violations
- Violation of use and spacing requirements
- Negative impact on community
- Multiple definitions, and requirements, for group facilities
- Poor quality of life for residents

Group Facilities: Boarding House Task Force Update

Status of Previous Recommendations

Recommendations to the Quality of Life Committee:

- Completed Conduct a citywide inventory to determine extent of problem
- Completed Create a pilot program of a multi-departmental inspection team for group facilities
- Pending Possibly propose modifications to City ordinances governing group facilities
- Completed Improve coordination and cooperation with State, Federal and local agencies by bridging a partnership with agencies that distribute funds to ensure compliance with City ordinances
- Pending Develop/implement strategies for each categorization
- Completed Return to Council at each phase to provide updates and implementation plan for next steps

Group Facilities: Boarding House Task Force Update

Status of Previous Recommendations

Citywide Inventory

Completed Lists were combined from five sources to establish a current citywide inventory.

- Crisis Intervention Referral List
- Code Enforcement
- Building Inspection
- Community Prosecutors
- Police Patrol input

Completed 320 preliminary locations identified

- Located throughout the City of Dallas
- Largest concentration in central area
- Inventory list revised as facilities go out of business or start new business

Group Facilities: Boarding House Task Force Update

Status of Previous Recommendations

Create a pilot program inspection team

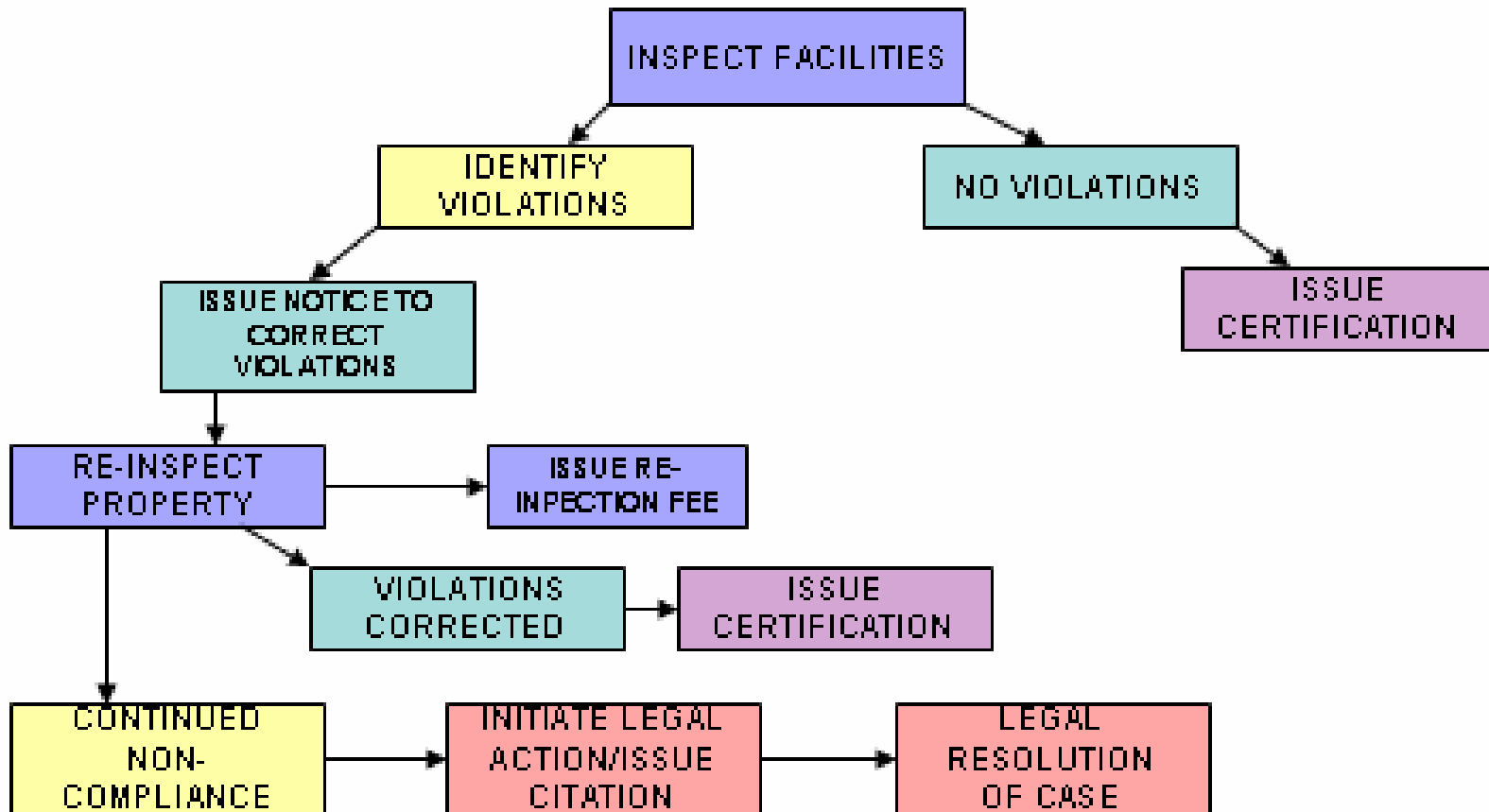
Completed A multi-departmental inspection team for group facilities has been established, and located at the DPD East Dallas Store Front, 4545 Bryan St.

Completed Funding was allocated for 4 FTE's in FY 07-08 budget.

- Inspection team comprised of: DFR Inspector, Code Inspector, Building Inspector, and EHS Caseworker.
- City Attorney's office and DPD officer serve in advisory roles and team members as needed. Additional funding for 2 FTEs (CAO) will be requested in FY 08-09 to provide legal assistance & litigation.
- An operational process has been developed for the inspection program.

Group Facilities Inspection Team

Proposed Process



Group Facilities: Boarding House Task Force Update

Status of Previous Recommendations

Improve coordination and cooperation with State, Federal and local agencies

- The Mental Health Association (MHA) has formed its own Boarding Home Task Force & formulated boarding home operating standards
- Coalition has been formed between agencies, operators and the City to bridge a partnership to ensure compliance with City ordinances
- Agencies have been added as advisors to team
- State has been approached to appoint a liaison to the team.

Group Facilities: Boarding House Task Force Update

Preliminary Findings

Group homes/facilities inspected included those who are:

- Recovering substance abusers
- Mentally ill
- Developmentally disabled
- Senior citizens
- Physically disabled
- Ex-offenders
- Indigent people

Group Facilities: Boarding House Task Force Update

Preliminary Findings

Human Service Issues

- Lack of trained supervisory personnel on site
- Frequent use of emergency services (police and EMS)
- Unsafe conditions for residents
 - Abuse/neglect
 - Overcrowded residences
 - Medication locked up
 - Illegal drug use

Group Facilities: Boarding House Task Force Update

Preliminary Findings

Human Service Issues

- Victimization of vulnerable residents
- Lack of resident daytime activities
- Negative impact on community
 - Perception of a decline in property values
 - Sanitation issues
 - Transient populations (may include registered offenders)
 - Often includes residents with untreated mental health or substance abuse issues

Group Facilities: Boarding House Task Force Update

Preliminary Findings

Inspection of Group Facilities for City Code Compliance included:

- Research prior to physical inspection:
 - Current Certificate of Occupancy (C.O.)
 - Approved zoning for location
 - Prior complaint history for property
- All portions of the applicable Dallas City Codes.

Group Facilities: Boarding House

Task Force Update

Preliminary Findings

CO/Use/Spacing issues

- Approximate 30% of the premises do not comply with current regulations for the appropriate C.O.
- Facilities that did not require a C.O. often do not have a confirmation letter from Building Inspection claiming a Handicapped Group Dwelling status.
- Facilities claiming Handicapped Group Dwelling status offering 'Personal Care' do not always have a state license for Assisted Living Facility.
- Usage standards of the State of Texas & the City of Dallas do not always match, leading to confusion for facility operators as to which standards to follow.
- Confusion about use classifications between State/City categories causes inspectors to be initially unsure how to classify property for inspection (DFR & BI).

Group Facilities: Boarding House Task Force Update

Preliminary Findings

Property Issues

- Some facilities were bunking over 4 residents per small room, in violation of code requirements.
- Smoke detectors missing or not working
- Fire extinguishers missing or not correct type
- Electrical problems (exposed wiring, etc.)
- Missing outlet plates
- Structural problems (cracks & holes in walls)
- Foundation problems

Team Preliminary Findings

AREA	Number of Inspections	Code Violations	Fire Violations	CO/ Spacing/ Zoning	Number of Residents
South Central	5	20	14	2	45
Southwest	3	2	0	0	140
Northwest	0	0	0	0	0
North Central	0	0	0	0	0
Southeast	9	25	30	3	60
Central	23	40	48	9	308
Northeast	10	12	2	0	44
TOTALS	50	99	92	14	597



Group Facilities: Boarding House Task Force Update

Next Steps

- Continue inspections to complete current facility inventory
- Develop recommendations regarding C.O./use issues/spacing issues



Questions?



APPENDIX

Current Dallas City Code Definitions

- **FAMILY** – Individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of household by blood, marriage, or adoption.
- **ASSISTED LIVING** – An establishment that furnishes in one or more facilities, food and shelter for four or more people who are unrelated to the proprietor of the establishment and who provides personal care services
- **BOARDING HOUSE** – a facility containing at least one but fewer than six guest rooms that are separately rented to occupants
- **DWELLING UNIT** – one or more rooms designed to be a single housekeeping unit to accommodate one family and containing one or more kitchens, one or more bathrooms, and one or more bedrooms.
- **RESIDENTIAL HOTEL** – a facility that receives more than 50% of its rental income from occupancies of 30 consecutive days or more and contains:
 - Six or more guest rooms with living and sleeping accommodations by no kitchen or kitchenette;
 - Six or more guest rooms with living, sleeping, and kitchen or kitchenette facilities that are offered for rental on a daily basis; or
 - Six or more guest rooms with living and sleeping accommodations, each of which is individually secured and rented separately to one or more individuals who have access to bathroom, kitchen, or dining facilities outside the guest room on a common basis with other occupants of the structure.

Current Definitions

- **GROUP RESIDENTIAL FACILITY** – an interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to a group of persons who are not a “family” as that term is defined by code, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:
 - Facilities that negotiate sleeping arrangements on a daily basis;
 - Dwelling units occupied exclusively by families (Note: Dwelling units occupied exclusively by families are considered to be single family, duplex, or multifamily uses, as the case may be); or
 - Any other use specifically defined by Chapter 51A of the City code
- **HANDICAPPED GROUP DWELLING UNIT** – a single dwelling unit that is the domicile of not more than eight handicapped persons who are not a “family” as that term is defined in this chapter, and who are living together as a single housekeeping unit. Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including supervisory personnel, does not exceed eight.

Human Service Definitions

- **Adult Protective Services (APS):** Mission is to protect older adults and persons with disabilities from abuse, neglect and exploitation by investigating and providing or arranging for services as necessary to alleviate or prevent further maltreatment.
- **Department of Aging & Disability Services (DADS):** North Texas Behavioral Health Mission is to provide a comprehensive array of aging and disability services, supports, and opportunities that are easily accessed in local communities.
- **Authority (NTBHA)** is the Local Behavioral Health Authority for Collin, Dallas, Ellis, Hunt, Kaufman, Navarro and Rockwall Counties.