

Ousted:

The City of San Antonio's Displacement of Residents through Code Enforcement Actions



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Executive Summary

In this report, we examine the City of San Antonio's displacement of residents from their homes for code violations, with a focus on single-family residences. From 2015-2020, the City issued close to 1,000 orders to vacate and orders to demolish single-family homes, including at least 607 orders for occupied homes. Residents who are displaced from their homes by these blunt code enforcement tools are among the city's most vulnerable residents. With the loss of their homes and lack of access to relocation assistance, these residents face a perilous future, including a high risk of homelessness.

In our research, we sought to better understand the City's process for issuing these orders to vacate and demolish and how this process compares to other large cities in Texas. We also analyzed the locations of these orders and whether certain communities have been disproportionately impacted. And finally, we examined the types of city resources available to help residents receiving these orders.

The following is a summary of our findings and recommendations.

Findings

1

The City of San Antonio's aggressive use of code enforcement tools that displace residents is unprecedented among large Texas cities.

- In contrast to the City of San Antonio's 607 orders to vacate and orders to demolish occupied single-family homes from 2015-2020, the cities of Houston, Dallas, Austin, and Fort Worth issued—combined—no more than 16 orders.

2

The City of San Antonio's vacate and demolition orders are heavily concentrated in San Antonio's lower-income communities of color within the urban core, near areas of rapid redevelopment incentivized by the government, and in areas that the City proactively targets through code enforcement sweeps.

- Four out of the five census tracts with the highest number of vacate and demolition orders in San Antonio are located in the near westside of the city—an area where the ethnic makeup of residents is 94.6% Hispanic or Latino. This area has been subject to a number of redevelopment pressures and is adjacent to one of the largest economic development projects in the city, the UTSA campus expansion.
- The second largest cluster of vacate and demolition orders is in the near eastside of the city, in neighborhoods that have historically been home to San Antonio's African-American community and are now experiencing rapid gentrification and economic development pressures.

3

The City of San Antonio routinely fails to provide residents with a due process hearing when ordering them to leave their homes for code violations or ordering the disconnection of their utilities.

- From 2015-2020, San Antonio code enforcement officials issued single-family residents 337 orders to vacate outside of a hearing process, in addition to an estimated 44 emergency demolition orders.
- The City of San Antonio is unique among its peer Texas cities in routinely bypassing the hearing process when issuing an order to vacate or demolish occupied single-family homes. Since 2015, none of the other five largest cities in Texas have issued such an order outside of a hearing process.

4

The City of San Antonio's repair programs serve too few homeowners and contain too many barriers for low-income homeowners with substandard conditions to qualify for assistance.

- The City of San Antonio's program that assists with major home repairs and reconstruction served only 65 households in 2020.
- Lacking clear title is a "quick dead end" to receiving city repair assistance. This barrier is especially problematic for the disproportionate number of Black and Hispanic homeowners in the city who inherited their homes from family members without a legal paper trail.

5

The City of San Antonio rarely provides relocation assistance to residents who receive a vacate or demolition order from the City, in violation of Texas law.

- State law includes a clear mandate for cities to provide relocation advisory services and pay relocation assistance when displacing residents as a direct result of a code enforcement action.
- Only 9 (4%) of the 208 single-family households who received a vacate order from the City of San Antonio outside the DART program from 2018 through 2020 received financial relocation assistance from the City.

Recommendations for the City of San Antonio

Recommendation 1: The City of San Antonio should cease issuing vacate orders, emergency demolition orders, and utility disconnection orders outside of a judicial or quasi-judicial hearing process.

Recommendation 2: Amend the City of San Antonio's code to allow for the issuance of vacate and demolition orders for occupied residences only as a last resort when the residents are in imminent danger of serious bodily injury.

Recommendation 3: Expand access to the City's major and minor home repair programs.

Recommendation 4: Develop a code enforcement program that advances racial justice and eliminates discriminatory code enforcement sweeps in neighborhoods with high concentrations of Latino and Black residents.

Recommendation 5: Offer relocation assistance and counseling to all residents who receive a code-related order to vacate or demolish their residence from the City of San Antonio.

Recommendation 6: Adopt a cooperative code compliance program that better supports vulnerable homeowners by helping them bring their homes into compliance with city code and, as needed, securing alternative housing.

Recommendation 7: Provide low-income homeowners with a right to counsel in hearings where the City seeks an order to vacate or demolish their home.