Desperate situations force city to examine policies on substandard housing

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- Suggestions for improvement

The city had a list of 33 items that must be repaired in both Liberty Street buildings to meet city standards. Here are a few: The rear porch area has a square concrete box full of water, debris and what appears to be feces - shall be properly cleaned and removed and inspected for to determine compliance. All units have floor deterioration that must be repaired. Roof repair needed including replacing rotten roof decking. All units have wall deterioration which must be repaired by removing damaged material and replacing with new. The city has said Evan's building has so much damage it is beyond repair and will need to be removed. Both buildings will go before the Building and Standards Commission in April. The commission can recommend the buildings for demolition at the owner's expense.

Kismosa Evans, her three young daughters and disabled mother lived in a squalid one-bedroom apartment for about a year.

A sheet of black plastic was all that separated the living room, where her mother slept, from the outside after her front door shattered.

The family probably would have lived there longer, but a fire in a neighboring building brought the apartment complex in the 1600 block of North Liberty Street to the attention of city officials.

"It's hard, as you see," Evans, 33, said, sitting in her living room with her children days before she moved. The floor, a patchwork of warped plywood, threatened to cave beneath her weight. The home was falling off its foundation.

The substandard living conditions on North Liberty Street, as well as the unsanitary El Torreón apartments on Colorado Street, exposed an ugly reality of impoverished living conditions, forcing city officials to rethink policies and procedures.

A problem 'bigger than us'

City officials have no idea how many residents might live in situations like Evans, but the guess is many do not come forward.
"Unfortunately, we have found that people who are living in poverty, they either don't take advantage of their rights or maybe they're getting taken advantage of," said Ginny Stafford, executive director of Mid-Coast Family Services.

Many tenants fear eviction or homelessness, she said, and don't speak up.

Poverty levels for the city are above the national average, according the census. About 14 percent of Victoria families live in poverty compared with 11.5 percent nationally. About 23 percent of Victoria families with children under the age of 18 live in poverty; the national level is 18.5 percent.

Evans said she did complain to the health department because of the squalid living conditions, but didn't receive a reply.

After a Jan. 23 electrical fire in the adjacent building on the property, city officials tagged both Liberty Street buildings as unsafe and forced out about six families. Few units had smoke detectors, and city officials found a total of 33 code violations. Evans' building was so far beyond repair the city recommended it to be removed.

Other residents said they were afraid of breaking their leases.

"It's not like we have anywhere to go," said Clifton Brooks, who lived in the room next door. "We're not rich."

On Feb. 9, Evans moved out after city building inspectors tagged her home unsafe for human habitation.

Since Evans and other residents were displaced, local charities and churches have contributed funds to help.

Legally, the landowner should be responsible for the costs of relocating residents, including hotel stays and possibly higher rent payments, said Richard Alderman, associate dean of the University of Houston Law Center.

Instead, local groups have picked up the tab. Stafford worries the problem is so widespread that, if more tenants speak up, the city and groups like hers will be overwhelmed.

"They don't have the resources and neither do we to house all of them, but to continue to let them live there is a danger," Stafford said.

No easy answers

Officials see no simple solution for substandard and unsanitary housing in Victoria.

Since January of last year, the city has received 152 complaints about substandard structures, ranging from old gas stations to residential units.
The city operates on a complaint-driven system to enforce Minimum Housing Requirements in residential structures; however, the code was adopted in the 1980s and has not been updated since 1995.

"The code requires what it needs to require in terms of safety and sanitation," said John Kaminski, director of development services for the city.

Many Texas cities use the International Property Maintenance Code, a stricter and more concise code that addresses the internal safety of buildings, and update the code every three years. Since issues arose on Liberty Street and at El Torreón on Colorado Street, Kaminski said his department has been reviewing new policies and hopes to present suggestions for changes to city council by the summer.

But a change in code won't spell a solution, officials said.

"I'm not sure that it's a code issue," Kaminski said. "I think it's an administrative issue where we're working with improved ways of dealing with these issues."

Property owners' duty

Ultimately, property owners are responsible for keeping up their properties, Kaminski said, although the city has no system in place to keep them accountable.

David Bostick, the Houston-based landlord who manages the North Liberty Street property, was absent for most of the month, residents said.

When questioned, Bostick insisted he was there at least once a week and was forced to deal with tenants who didn't care for his property.

"It's been a challenge to get people to respect any of the changes I do," Bostick said.

Evans said she had a gas leak for a year and could not use her oven or stove. She boiled water with electric hot plates and used a bucket to bathe herself and her children.

Residents said multiple complaints about the unstable flooring and other hazards went unanswered by Bostick.

"He's caring more about the money than he's caring about us," Evans said.

Other Texas cities have adopted different ways to keep owners accountable.

In San Marcos, apartment maintenance men are required to register with the city and given a copy of the city code to use as a standard for upkeep.

Temple often provides landlords with information on how to keep the property up to code.
Kaminski said he believes having landlords register with the city, or having his limited staff perform regular inspections, is not practical.

Victoria had about 6,000 apartment units, according to the 2000 census. Two years ago, the city combined its planning department with its building inspections and code enforcement to form the development services department.

Kaminski suggested the solution lies in improving the city's response in this relatively new department.

"The real key of addressing these situations is having the right policies in place," he said. "I think it's more up to us to improve the process which we've been doing and working on for a year and a half. I think that's the answer."

The department plans to meet with social services groups like Mid-Coast Family Services to form a plan and develop a process to help tenants come forward.

Stafford believes the solution to the widespread problem can be found in working together.

"It is our problem, but it's bigger than us," Stafford said. "We all are going to have to own it. The city doesn't have the manpower, but if we put all of our heads together we can come up with a solution."

Moving forward

Evans now works part time at Jack in the Box so she can continue caring for her mother. With the help of the Victoria Church of Jesus Christ of Latter-day Saints, she moved to a two-bedroom apartment, which has hot water, a floor and a proper front door.

"It's great," she said. "My girls are happier than ever."

Meanwhile, the buildings on North Liberty Street are empty of residents. Trash, rotten food and broken toys litter what was once Evans' driveway. Almost every window is broken and graffiti is scrawled on the inside of one unit.

As of Thursday, Bostick had not contacted the city about any improvements, although when questioned, he said he was getting estimates from contractors to make repairs. The cost of the repairs will determine if it's worth fixing the buildings, he said.

"My thoughts on the city code is that they're not very consistent," he said. "The buildings are in better shape than they were 15 months ago."

Both buildings are on schedule to go before the Building and Standards Commission, which will decide whether to demolish them.
Evans said she wishes the city would be tougher on landlords like Bostick and eventually hopes to file a suit.

Looking back, she remembers feeling trapped in her situation, but happy things have changed.

"I didn't have a choice really," she said, "until God made a way for me to have a choice. Things happen for a reason. I got something good and something better."