



**City of Dallas**

**City of Dallas**  
**Boarding Home Unit**  
**Quality of Life, Arts, & Culture**  
**January 17, 2023**

Christopher Christian, Director  
Code Compliance  
City of Dallas

# Presentation Overview



- Background/History
- Purpose
- Issues/ Operational or Business Concerns
- Operational Impact
- Proposed Action
- Next Steps



# Boarding Home Facility (BHF) Background/History



June 27, 2012

- Chapter 8A adopted
- Took effect October 1, 2012, and updated 2015

April 13, 2022

- Senate Bill 500 amendment to city ordinance approved by Council
  - Provides a penalty of a Class B misdemeanor for operating a boarding home without a license;
  - And a fine not to exceed \$2,000 and/or up to 180 days in jail

May 16, 2022

- Briefed Quality of Life on proposed changes

September 29, 2022

- Chapter 8A ordinance final draft changes completed by City Attorney's Office



# Boarding Home (BH) Defined



- A Boarding home facility (BHF) is an establishment that furnishes, in one or more buildings, lodging to three or more persons who are unrelated to the owner of the building by blood or marriage; and provides one or more of the following services to residents:



Community Meals



Assistance with self administration of Medication



Laundry Services



**But does not Provide Personal Care Services**



Grocery Shopping



Light Housework



Money Management



Meal Preparation



# Boarding Home Facility (BHF) Background



## Code Compliance

- Education/Registration
- Inspections/Enforcement
- Issue Licenses



## Dallas Fire

- Annual Fire Inspections
- Enforcement



## Dallas Police

- Enforce Senate Bill 500



# Purpose of the BH Unit



Ensure residents live in safe, sanitary and decent housing

Audit BHF documentation to ensure City requirements are met

Inspect & reinspect licensed BHF every 90 days or sooner if complaint-driven

Investigate/refer complaints of suspected unlicensed BHF to local law enforcement agency

Coordinate with DPD and DFR to easily identify residents who may require special assistance

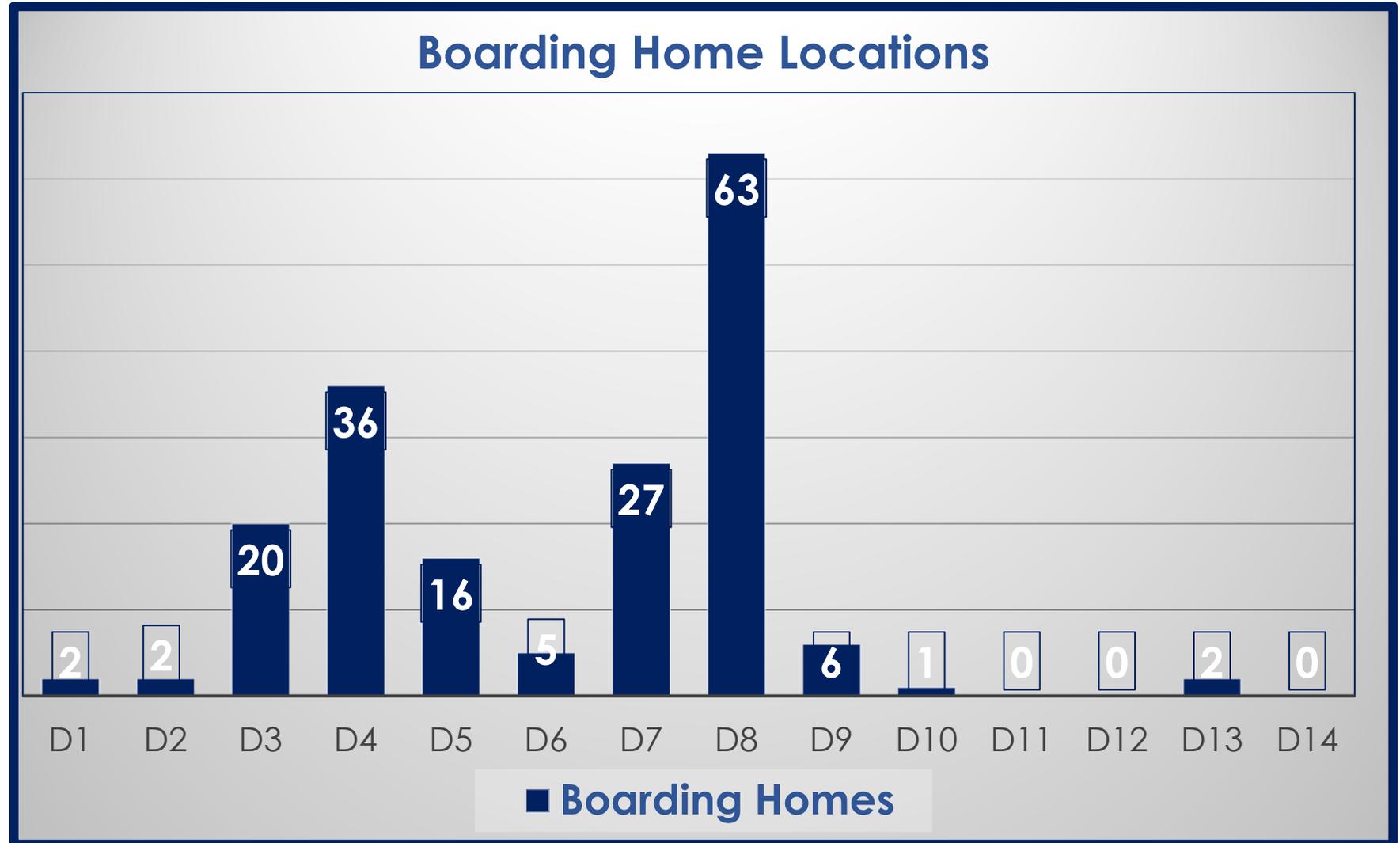
Instances of neglect, abuse or exploitation, we will refer residents to call 911 and Adult Protective Services (APS)



# BHF Locations by Council District



Council District	Boarding Homes
1	2
2	2
3	20
4	36
5	16
6	5
7	27
8	63
9	6
10	1
11	0
12	0
13	2
14	0
<b>Total</b>	<b>180</b>



\* As of January 2023



# BHF Operational Concerns



Some BHF are leased & operated without property owner's consent

Some illegal boarding home operators refuse to register their locations

Boarding home locations/proximities are unrestricted

Difficult to prevent resident abuse, neglect, and/or exploitation

Various models of residential living facilities create complexity in establishing home designation type



# Proposed Changes to Ordinance



Current	Proposed Changes
No provisions or restrictions associated with boarding home locations	Adopt the 1,000 ft rule that prohibits new boarding homes from being within 1,000 ft of one another; this would not apply to current licensed boarding homes that continuously maintain licensing
A license to operate a boarding home facility is not transferable to another owner, operator, or location	Include 'a license and/or an application fee' is nonrefundable and non-transferable to another owner, operator, or location
No provisions that allow for a payment plan on ad valorem taxes, fees, and fines	Allow for a payment plan on ad valorem taxes, fees, and fines to be accepted



# Proposed Changes to Ordinance



Current	Proposed Changes
No verbiage to state a separate license is required for each location	A separate license is required for each boarding home facility that a person operates.
Allows operator to request a waiver due to financial hardship	Eliminate hardship waiver
Requires applicant to provide fingerprint card annually	Eliminate requirement for fingerprint card



# Proposed Changes to Ordinance



Current	Proposed Changes
No requirements for the size of a refrigerator	The refrigerator must be at least 12 cubic feet in area
Allowed for kitchen to contain a stove <u>or</u> a microwave	Kitchen must contain a stove <u>and</u> a microwave
A kitchen must contain a sink with at least two compartments	A kitchen must contain at least a single compartment sink with minimum dimensions of 22"D x 27"W x 5"H or a standard two-compartment sink



# Proposed Changes to Ordinance



Current	Proposed Changes
No requirement to post tenants' rights and responsibilities	Require operator to post information concerning tenants' rights and responsibilities
No verbiage regarding retaliation against residents	Include verbiage that states retaliation against residents is prohibited
Code Inspector has the burden to prove that the operator <u>is</u> operating a boarding home	Establish an affirmative defense by requiring the <u>operator</u> to prove that they are <u>not</u> operating a boarding home



# Proposed Action



Obtain Council approval for proposed ordinance changes due to the following operational concerns:

- Ordinance has not been amended since 2015 and housing amenities have been expanded (i.e., kitchen sink, refrigerator, stove, and microwave requirements)
- Due to growth in new boarding home registrations in areas where boarding homes are already dense
- Due to tenants' rights regarding retaliation and evictions





- Seeking full council vote to amend Chapter 8A- Boarding Home Facilities





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