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Internet Access: An Easy Solution for a Tough Problem

Abstract

The city of Buffalo should create and advertise a single website that provides access and links to all public information about Housing Court cases, housing violations and housing permits to promote community involvement and serve as an early warning system for problem properties.

Keywords

Buffalo, Housing/Neighborhoods, Housing Conditions and Repairs, Report, Other, PDF

Internet Access: An Easy Solution for a Tough Problem

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May 1, 2008

<http://bfl-housing.wikispaces.com/Access+to+Government+Information>

Executive Summary

The city of Buffalo should create and advertise a single website that provides access and links to all public information about Housing Court cases, housing violations and housing permits to promote community involvement and serve as an early warning system for problem properties.

- The public can most easily access information through the Internet.
- Current Internet searches bring up long, confusing lists containing bits and pieces of information.
- People living in low income neighborhoods may not be Internet savvy and may require the ease of a single, well-maintained site.
- Concerned neighbors could use a website to keep the city updated on houses that are possibly abandoned.
- A website may also allow neighbors to provide Buffalo Housing Court with extra information regarding properties that have been cited.

Encouraging the use of online permits will cut down on the amount of work for the Department of Economic Development, Permit and Inspection Services.

- In 2007, 2693 electronic permits were issued and only 377 required any kind of correction by a city employee.

Making lists of Financial Assistance Programs more accessible online will help owner/occupants to maintain and make necessary repairs to their properties before they become a blight on the city.

- Currently, lists of Financial Assistance Programs are *primarily* available at Buffalo Housing Court. They are made known to owners who are already in

court due to housing violations. The current programs mentioned online are somewhat difficult to find unless you know exactly where to look.

- Making Financial Assistance Programs known to owners before they are ever cited may help to reduce the number of cases on the court's already overwhelming docket.

Making a single website where community members can place complaints will help to cut down on confusion and promote compliance.

- Currently, complaints may be called into the Mayor's Call and Resolution Center, made directly to housing inspectors, or called into Housing Court. The tracking systems used by the Housing Court and the inspectors are not connected.
- Connecting both information systems or using the website to channel all complaints or concerns to one hub will help the city to keep track of problem properties and the status of their repairs.

An aggressive advertising campaign will promote usage of the new website and help the community to get involved in correcting housing issues in Buffalo.

- Flyers are a very inexpensive and plausible means to spread the word about a new website, its contents and the ways in which it may be used to help fix communities.
- With over 300 block clubs, the city has many concerned citizens and activists and could easily ask for their assistance to distribute the flyers.

In today's modern society research has become more dependant than ever on the Internet. There are, however, many problems still associated with Internet-based research. First, many people, especially in low income neighborhoods, do not have easy access to the Internet. Second, while people who do not have Internet access at home may go to a local library to use the computers, Internet research can be a very confusing and difficult task. A quick search on Yahoo for "City of Buffalo housing violations" brings up links to hundreds of websites featuring everything from blogs, news articles and various city ordinances to helpful sites such as the Office of Housing and Inspections.

A resident of Buffalo who does not have easy access to the Internet may find a good deal of information about housing violations and Housing Court cases through the local block club. The City of Buffalo has over three hundred registered block clubs. While some of these are not very large or active, those that do have active participants can be very useful and informative. When a block club registers with the Board of Block Clubs of Buffalo and Erie County it is given "A Guide to Solving Neighborhood Issues: Dealing with Problem Properties."¹ The information contained in this packet is the result of the efforts of Assemblyman Sam Hoyt and a large number of local organizations and individuals. It is updated every six months (most recently in January of 2008) and can be used as a quick toolkit for solving certain housing issues.

The Neighborhood Issues packet has information on various topics including abandoned houses, property violations, Housing Court and the New York State Building Code. Each section briefly explains the many options a concerned citizen may have and

¹ Available upon request at the City of Buffalo Housing Court, or The Board of Bock Clubs of Buffalo and Erie County in rooms 1319 and 2401 of City Hall.

the various resources that are available to them. Most sections include at least one telephone number where a complaint can be made or where further information on the topic can be acquired, including the Mayor's Complaint Line, The Erie County Health Department, the City of Buffalo Real Estate Department and the Housing Court general information line. The packet also lists the names, emails and phone numbers for twenty four Housing Court liaisons broken down by the district which they serve.

For those who are not already familiar with the role of Housing Court liaisons or the functions of Housing Court, the packet has a general description and encourages people to show up for cases in which they have an interest. The court docket is listed as available online, but a phone call to the court itself can provide a person with the same information. While it may be most convenient to get the Neighborhood Issues packet from a local block club, it is also available at the offices of the Board of Block Clubs of Buffalo and Erie County in rooms 1319 and 2401 of City Hall.

One of the newest and most innovative ways in which someone can access information on permits and inspections is to attend a CitiStat meeting or simply watch it on television. The primary purpose of CitiStat is to ensure "greater accountability and efficiency in the management and delivery of city services to the residents of Buffalo."² Each week a department or division head goes to a televised meeting with the CitiStat Review Panel. Among others, the Review Panel includes the Mayor and Deputy Mayor. CitiStat lists six primary objectives of these reviews:

- Ensure accountability, reliability and productivity of City workforce.
- Develop and execute effective strategies and tactics for all delivery systems.
- Accurately gauge the impact and effectiveness of City service delivery.

² http://www.ci.buffalo.ny.us/Home/Leadership/Mayor/CitiStat_Buffalo

- Identify and implement any new technologies needed to improve service delivery.
- Maintain consistent follow-up of all City functions.
- Guarantee swift deployment of resources where needed.

The Department of Economic Development, Permit and Inspection Services is one of the many city departments that must regularly take part in CitiStat meetings. This allows concerned citizens to pose questions directly to the department and receive immediate answers. During the meeting the Mayor presents the department representatives with questions that are submitted by residents of Buffalo and the surrounding areas. Questions can be submitted via the Mayor's Resolution Hotline (716) 851-4890, or on the Internet at www.citi-buffalo.com.

Recently, the Department of Economic Development received a question in reference to permits and their availability. The department representative noted that permits are available online at <http://www.city-buffalo.com/Home/CityServices/ePermits> or at City Hall. The representative explained that someone who is seeking a permit for the first time might want to consider going to City Hall personally to pick up the permit application. There are so many different types of permits and various factors to consider when working on a residential property that it may be advisable to discuss your individual situation with someone who works in the Permit and Inspection Services office.

The Permit and Inspection Services office sees plenty of walk-ins daily and does not require an appointment. The usage of the e-permits, however, is highly recommended for those who are familiar with permits and do not need personal assistance. In 2007, 2693 electronic permits were issued. Of these, less than 377

required any kind of correction by a city employee.³ According to the department spokesman, the use of e-permits has significantly cut down the amount of work for both city employees and the individuals and businesses that use them.

The Department of Economic Development is working on putting more information on the Internet. Their goal is to have a two-week turn-around from the time someone applies for a particular permit to the time all of the necessary inspections have been completed.

The Mayor also uses the CitiStat meetings as an opportunity to give full explanations for certain actions. For example, in a recent meeting the Mayor spent a few minutes explaining why he chose to veto a particular permit that had already been approved by the Department of Economic Development.

Any questions that are read and addressed at one of these meetings will receive a written reply from the Mayor's office restating the response from the department questioned and the action that will be taken. Furthermore, the public is allowed to attend any of the CitiStat meetings. The room where the meetings are held is somewhat small so it is necessary to call the Office of Strategic Planning in advance at (716) 851-5035 and request a seat at a specific meeting. If you cannot personally attend one of these meetings or you do not receive the local cable channel on which they are broadcast, all meetings are archived and available for download at http://www.ci.buffalo.ny.us/Home/Leadership/Mayor/CitiStat_Buffalo/CitiStat_Buffalo_Videos.

³ http://www.ci.buffalo.ny.us/Home/Leadership/Mayor/CitiStat_Buffalo/CitiStat_Buffalo_Videos, click on the video for March 28, 2008.

Without the aid of the Internet, you can get further information about housing violations and housing court cases by going to part 14 of Buffalo City Court. Part 14 is the Housing Court, and sessions are open to the public. In fact, those who are concerned about a particular case are encouraged to attend and offer valid and useful information about the property in question. The general public may obtain docket information by calling the housing court at (716) 845-2646 if the name of the property owner or the docket number is known. Unfortunately, the best way to find the name of a property owner is through the use of the Internet. By entering an address, the property owner's name can be obtained at

<http://www.ci.buffalo.ny.us/applications/propertyinformation/propsearch.aspx>.

Docket information can also be found online at

<http://iapps.courts.state.ny.us/housing/HousingJCAptchaServlet>.

Housing Court cases are scheduled according to nine separate districts:

- Niagara District – Monday, 2:00 pm
- Masten District – Tuesday, 9:00am
- North District – Tuesday, 2:00pm
- Elmwood Village – Wednesday, 9:00am
- Ellicott District – Wednesday, 9:00am
- Fillmore District – Wednesday, 2:00pm
- Lovejoy District – Thursday, 9:00am
- South District – Thursday, 2:00pm
- University & Delaware District – Friday, 9:00am

The court separates the districts so that liaisons and concerned neighbors can hear all the cases from their neighborhood in one session. This encourages the public to participate and take more of an interest in the proceedings.

In general, information about court cases is a matter of public record. By inquiring in the record office on the first floor of the City Court, a person may obtain a copy of the documents in a court file. The cover sheet, however, is not available to the public as it often contains personal information about the defendant and any notes taken by the judge.

The Housing Court liaisons also have a decent amount of information readily available for those who may come to court with questions. Particularly important is the list of Housing Court Defendant's Rights. This sheet provides information on everything from the right to an arraignment and representation by an attorney to what can be expected if you do not show up for your trial. The sheet also advises that the maximum sentencing in a housing violation case is \$1,500 and/or 15 days in jail per violation. According to the Housing Court staff, however, such a sentence is usually only imposed on those who have been in court repeatedly for the same violations and are quite obviously not taking the steps required to correct them. "The primary objective of the Housing Court is not to punish you, but rather to do what is necessary to get you to bring your property into compliance with the Housing Codes of the City of Buffalo and the State of New York."⁴

The Housing Court liaisons also keep lists of financial assistance programs for those who are found guilty of property violations, but do not have the ability to pay for the repairs. The majority of these programs are for owner/occupants as the general

⁴ Housing Court: Defendant's Rights Sheet. Available upon request at the City of Buffalo Housing Court.

sentiment is that landlords who cannot afford the maintenance of a property should sell it to someone who can. Programs such as the City of Buffalo 50/50 Program will match an owner/occupant's contribution of at least \$10,000 with a city grant of up to \$25,000.

There are also programs that provide low interest loans to low income owner/occupants and senior citizens. Several city programs can help low income owner/occupants with the removal and clean up of lead paint

Defendants in Buffalo City Housing court must watch a 10 minute video before their arraignment. The arraignments are usually all held on Mondays. The video, created by the judge, advises defendants of their rights and provides general information on what they can expect to happen during court. The video also covers general information on sentencing, receivership, court liaisons, orders to vacate and the right to an attorney.

Generally, if an owner/occupant defendant pleads guilty, he will be asked how much time he needs for repairs to the property. The case may then be adjourned for that amount of time, if it is reasonable, and will be continued once the time has elapsed and inspectors have reevaluated the issues at the property. If you sell your property during this time, you will still be held liable for the correction of any violations that were cited when you were the owner of the house.

Currently, Buffalo Housing Court is working on a website that will present most of the information I have discussed. At the present time, the website is still under construction and not yet available to the public. Once complete, the website will be available at <http://www.nycourts.gov/courts/8jd/Erie/bcchousing.shtml>. Its purpose is to create one single site where the general public can view all the information relevant to housing court, access the docket, find the names and numbers of liaisons and

download/email complaint forms. The website will also act as a kind of "hub," as it will have links to the e-permits page mentioned earlier, as well as links to other city departments that affect Buffalo housing and violations. The website will have search functions that include the court calendar and allow the public to access specific information about cases without having to call or come to the court in person. Public information about whether the case deals with a City Code violation or Health Code violation as well as the owner's name will be made available.

Certain forms will also be available on the website such as "3 day Pay or Quit notices". This will help landlords who may not be familiar with the legal proceedings of an eviction case. The "forms" category will also contain samples of forms such as Orders to Vacate, so that people will be able to see what they look like and know what to expect. It would also be very helpful if the "Guide to Solving Neighborhood Issues" packet is made available on this website in a format that is easy to print. This would be a great time saver for people who might otherwise have to go down town or to their local block club for that information.

The Community Complaint Form that will be uploaded and available on the new website allows the general public to offer information to the court such as "Property progress since last court date" or "Occupancy Issues (Vacant, squatters, owner-occupied, etc.)" and even the "Community Impact". This form may be handed in person or emailed to the Housing Court Program Coordinator. The form will then be copied and distributed to the court file and both the Prosecution and Defense Counsel.

Often complaints about properties which are abandoned or in need of repair are made to the Mayor's Call and Resolutions Center. From there, the complaint is "triaged"

by its urgency and usually sent to an inspector. With the new Community Complaint Form on the Housing Court website, citizens will be able to send their comments directly to the court if the property in question is already on the docket. There is no area on the website in which the general public will be able to "post" complaints or comments as that would necessitate the constant monitoring of the site and could lead to retaliation from people whose property was mentioned.

The city currently uses a system called "Hansen" to track complaints that go through the Mayor's Call and Resolution Center and the progress of the inspectors. Unfortunately, there are no plans to connect this system to the website, or to make its contents public information. Each time an inspector goes to a property, it is tracked through the Hansen system and the action taken by the inspector is noted. An inspector has the discretion to cite a violation, issue a fine or require the owner to appear in Housing Court.

Often, if the violation is minimal, the inspector may allow the owner a certain amount of time to make repairs without issuing any kind of fine. Currently, a concerned neighbor must call the city to find out what is being done about a certain property. The call is then forwarded to the appropriate inspector. Inspectors spend much of their time out of the office, for obvious reasons, so it may take a while before anyone can return the concerned citizen's phone call with updated information. By connecting the Hansen system to the new Housing Court website and allowing some public access to view the updates made by inspectors, the time in which the public could receive information would be minimized. Even if the Hansen system is not made available to the public, the information that it contains should be made available to the Housing Court staff as this

would help them to keep track of the repairs and progress made before an adjourned case comes back into court.

Even without the aid of the Hansen system, the new website is going to be extremely useful in bringing a lot of necessary information together all in one convenient location. The creators of the website are relying on word-of-mouth for the site to become well known eventually. As with most city programs, funding is a concern, and any advertisement of the website would need to be financially feasible. A flyer campaign, however, may be possible and within budget.

There are currently twenty housing court liaisons all of whom volunteer their time for the sake of helping the community. These liaisons come from individual communities or non-profit agencies. If each of these liaisons could solicit the help of other concerned people in their communities, it might be possible to organize a day long flyer campaign. The court already has the supplies needed to make flyers and would not have to incur the cost going to an expensive copy store such as Kinkos. However, manpower is still needed to distribute the flyers to all of the Buffalo neighborhoods. Such a campaign would be very cost effective and may help to jump start the word-of-mouth process that will eventually be the primary source of advertisement for the website. Similarly, the court may want to seek help from the more than three hundred block clubs in Buffalo in distributing the flyers.,

The website is somewhat inspired by a very successful site created by the Cleveland Housing Court.⁵ Cleveland, which suffers many of the same housing problems as Buffalo, uses its website as a main source of general housing information for the public. Many of the features that will soon be available on Buffalo's website, such as

⁵ <http://www.clevelandhousingcourt.org/>

useful links, court documents, dockets and forms, are also available on the Cleveland's website.

However, as mentioned earlier, there are still many people who may wish to access this information, but are not Internet savvy. Cleveland's website addresses this issue by placing a large video tutorial directly on the top of the main page. It also features several other videos which provide a wealth of information on everything from landlord/tenant issues, home buying tips and home repair to saving historic buildings. Buffalo would definitely benefit from creating and uploading videos such as these.

Those who are not used to navigating complex websites may find video tutorials less frustrating and more informative than a series of links. It would be very easy for Buffalo Housing Court to upload the video that defendants are required to watch at their arraignment.

One of the methods of accessing information that neither site addresses is the ability for citizens to openly communicate. While it is not possible to have such a forum directly on the Housing Court website due to liability issues, it may be quite possible to link the Housing Court website to a "wiki" site where open discussion is encouraged. A wiki site is simply a website that allows for shared posting and editing of content; Wikipedia is the most famous example. A wiki site could be created easily by anyone in Buffalo wishing to open up a forum for neighbors to share information about local housing issues. These sites are relatively easy to create and can be made entirely accessible to the public. People would be able to post comments about neighboring properties if they fear that there is a violation or health issue. Also, any links or forms that are available on the Housing Court website could also be posted for convenience on

the wiki site. The wiki site could also make use of a "parcel map" such as those found on Yahoo Maps⁶ or Google Earth⁷ to allow people to pinpoint problem properties.

Many people are already familiar with blogs as they are becoming increasingly popular in the media. Blogs do not allow people to edit the comments made by another person. This could be a slightly safer way for Buffalo residents to voice comments and concerns to each other without the fear of having their comment maliciously altered or otherwise misconstrued. It may be possible to create a wiki site that uses blogs. This would harness the ease of a wiki site with the relative safety of blogs.

A wiki site such as the one described could serve as an "early warning system for spotting potential problem properties and areas before it is too late to handle them effectively."⁸ If neighbors have the ability to mention an abandoned property early on, it can alert the city to the problem in time to save the home from deterioration, squatting and theft. Furthermore, it could be used by advocates such as housing court liaisons as a method of keeping up to date on problem properties. A property that has already been cited but has never been repaired would be quite noticeable if several neighbors continually made updated posts about it. The site could also provide contact information for various government officials who may be of some assistance with certain issues.

One of the most useful aspects of a wiki site may be to help new or current landlords. With so many empty houses in Buffalo, it is understandable that people are hesitant about the pitfalls that may arise for out-of-area home buyers, especially if these buyers are purchasing the homes with the intent of renting them out to tenants. The sparse information given on websites such as E-bay is often inadequate, misleading or

⁶ <http://maps.yahoo.com>

⁷ <http://earth.google.com/>

⁸ Alan Mallach, *Bringing Building Back*, 2006. Page 17.

downright false. While it is often preferable to have an owner/occupant in a house, it is not always possible. People who have honest intentions to purchase, rent out and maintain a property should have a way to inquire about the real condition of the property before they buy it.

A wiki site would give potential home buyers in Buffalo direct access to the concerns and opinions of neighbors about the condition of the home. Furthermore, neighbors who wish to contact landlords who do not live in the area could use the wiki site to post concerns about the property. This may help to alert responsible landlords to issues such as drug dealing in the home or repairs that need to be addressed.

Finally, a wiki site that allows the community to openly discuss housing problems in Buffalo would help current home owners who may be otherwise unaware of certain options that are available to them. A trip to Housing Court or a quick browse of the links on the Housing Court website may alert a home owner to public services that can help them maintain their property. However, word of mouth is still one of the strongest and easiest methods for passing information. Posting on this wiki site would be akin to word of mouth information.

Without the aid of an easy internet website, an elderly person whose home is in dire need of repair may never realize that there are non-profit services available to him that may cover the cost of the repairs. A concerned neighbor, using the wiki site, may inquire or see that such services are available. Moreover, if the wiki site incorporates a forum for discussion, they may directly ask questions about the services to other people who have already used them.

An open forum where people can discuss various methods of housing preservation or financial assistance for repairs could have a very positive effect on the community. The one major problem with such a system, however, is site moderation and liability. Such problems are the main reason that an open discussion forum is not being considered for the Housing Court's new website. "Privacy and liability are important concerns in designing an information system. Protecting individual or privileged information . . . may also be a specific legal issue, depending on the laws of the particular state."⁹

Keeping this in mind, it may be necessary to keep the site as a public forum without any specific ties to the city government, individual inspectors or local block clubs. The site would need to be created by local advocates and maintained by the citizens who use it. Information gathered from the site such as concerns about an abandoned house could be presented to Buffalo Housing Court by using the complaint form available on the Housing Court website. In this manner, the wiki site could serve as a much needed supplement to the Housing Court website without incurring the cost paying someone to maintain and monitor the site.

For better or worse, the Internet is quickly becoming America's primary source of information. It provides fast and easy access to information and instant answers to important questions. Official and un-official community websites may be a wonderful new way to combat local housing issues. The remaining battle is to ensure that everyone has access to the Internet through local libraries. Finally, the city of Buffalo should take an active part in making its communities aware of the resources that are soon to be available to them online

⁹ *Id.* at page 21.

Useful Resources

- ***Cleveland Housing Court:***
<http://www.clevelandhousingcourt.org>
- ***FAQ- Inspections, Property Research and City Housing Court in Buffalo:***
http://www.elmwoodvillage.org/clientuploads/Neighborhoods_Committee/pdf/FAQ-Inspections_and_Housing_Court.pdf
- ***Directory of Western New York Housing Services:***
http://www.newyorkfed.org/aboutthefed/buffalo/housing_directory.pdf
- ***Property Search Engine:***
<http://www.ci.buffalo.ny.us/applications/propertyinformation/propsearch.aspx>
- ***CitiStat Home Page:***
http://www.ci.buffalo.ny.us/Home/Leadership/Mayor/CitiStat_Buffalo
- **Alan Mallach, *Bringing Buildings Back*.** Rutgers University Press, 2006.
- ***A Guide to Solving Neighborhood Issues: Dealing With Problem Properties.***
Available upon request at the City of Buffalo Housing Court, or The Board of Bock Clubs of Buffalo and Erie County in rooms 1319 and 2401 of City Hall.
- ***Financial Assistance Programs Information Sheets.***
Available at the City of Buffalo Housing Court.
- ***The Property Maintenance Code of New York State:***
http://www2.iccsafe.org/states/new_york/NY_Property/property_frameset.htm
- ***City of Buffalo Permits Online:***
<http://www.city-buffalo.com/Home/CityServices/ePermits>

