

UNLICENSED BOARDING HOME REGISTRATION ORDINANCE

Presented By:

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June 25, 2013

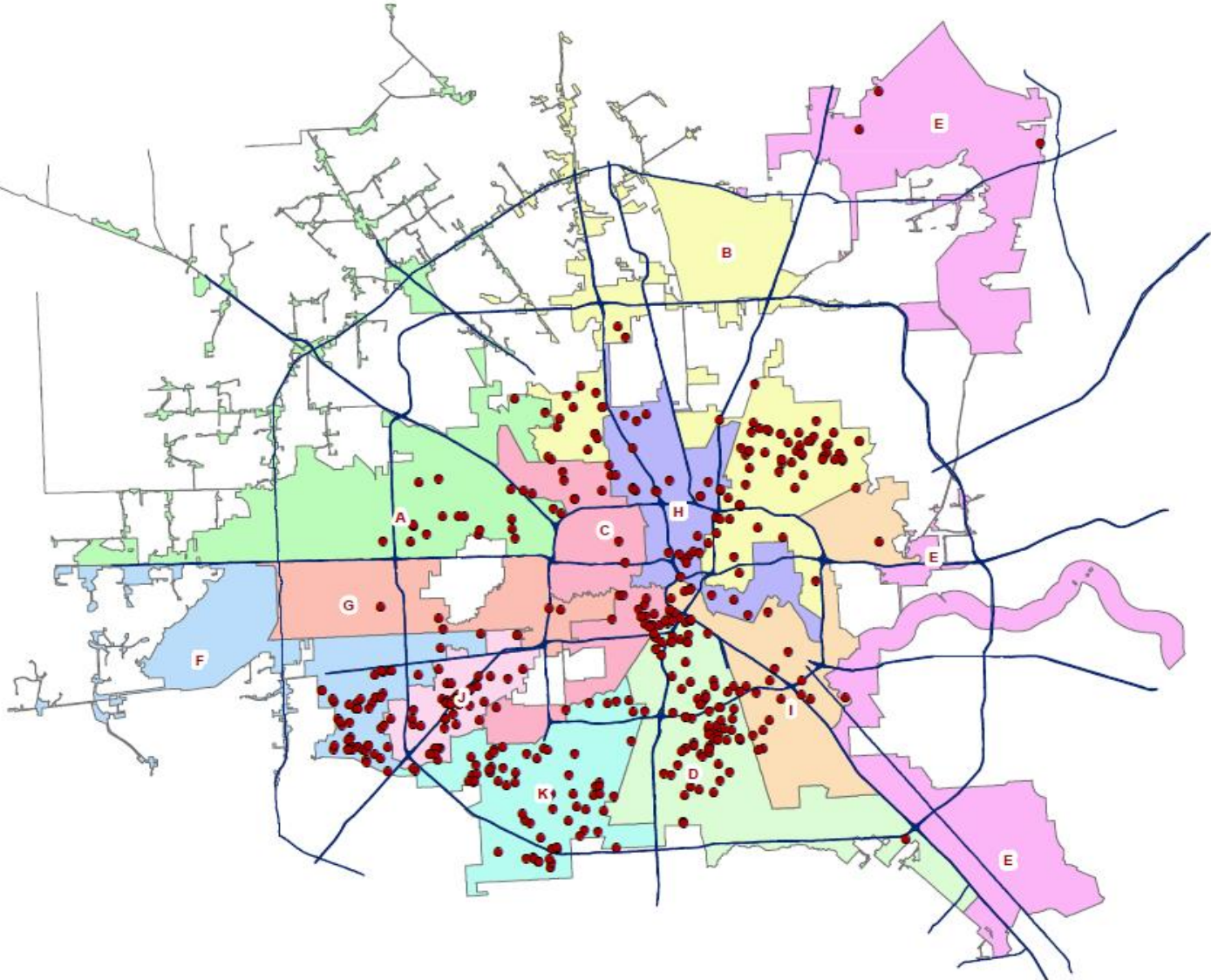
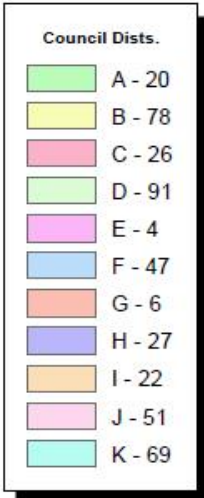
BOARDING HOME - UNLICENSED

- Establishment **that furnishes** in one or more buildings, lodging to **three or more** persons with **disabilities or elderly persons** who are unrelated to the owner of the establishment by blood or marriage; **and....**
- **Provides** – community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services **or assistance with self-administration of medication** but **does not** provide **personal care services** to persons

KNOWN NUMBER OF BOARDING HOMES

- As of March 2013 we have identified **441** Boarding Homes
- Locations are transient – move to stay under radar
- Boarding home locations accounted for **1,386** calls for service to HPD in 2012
- **35** locations (**8%**) accounted for **45%** of calls

Group Homes / Personal Care Homes By Council District



● Group Pers. Care Homes — Freeways

May 20, 2013

Prepared by Crime Analysis & Crd. Ctr. Div.





WHAT WE FIND AT THE WORST LOCATIONS

- Residents are adversely affected by:
 - Physical condition of residence
 - Lack of training on part of staff
 - Lack of basic care - monitoring of medication etc.
- Residents treated as property – they are a commodity to owners
- Social Security and Food Stamp diversion and fraud
- Residents locked into facility, illegal restraint
- Residents put out on street without medications for no reason
- Psychological as well as physical abuse and neglect



HPD GOALS

- **Improve quality of care and living conditions for residents through enforcement of existing city of Houston Ordinances**
- **Decrease potential for residents and employees to be victims of fraud, violence, abuse and neglect**
- **Provide transparency**
 - **Identify locations in dispatch computers**
 - **Identify locations for disaster response (Hurricane)**

ABILITY TO REGULATE

- **House Bill 216, 81st Legislature Regular Session 2009**
 - **Allows local municipalities to regulate boarding homes**
- **Currently the following cities have passed ordinances:**
 - **El Paso**
 - **Dallas**
 - **San Antonio**

San Antonio (200 Homes)	Dallas (200-250 Homes)	El Paso (25 Homes)	Houston (400+ homes)
Cost to City Budget \$750,000 (200,000 Relocation fund)	Cost to Budget \$1,000,000 +	Building Permitting Dept. Charges set fees	ARA cost \$50,000 (1 employee)
Funded through General Fund.	\$200,000 Revenues from Fees	according to inspection rates for each	
Requirements	Requirements	Requirements	Requirements
<i>Annual inspection</i>	Annual Inspection	Annual Inspection	Annual Registration
<i>Arc-Fault circuit interrupts to prevent fire</i>	Follow HB 216 Model Standards	Does not follow HB 216	Criminal Background Check \$42.00
<i>Sprinklers- (Cost upward 5000.00)</i>	Criminal Background Check - \$42.00	Done through Building Inspection Department.	Enforcement of current Code of City Ordinances
<i>Carbon Monoxide Detectors</i>		Criminal Background Check - \$42.00	Reporting of deaths and crime
<i>Fire Safeguards</i>			Keeping of records
<i>\$25 Food Handlers Permit</i>			Administrative fee \$ 26.42
<i>Rules to prevent overcrowding</i>			
<i>Adherence to property Maintenance Code</i>			
<i>Staff Training</i>			
<i>Criminal Background Checks \$42.00</i>			
Fee- \$1000.00	Fee- \$500.00	Fee- \$ 350 - \$ 500.00	Fee- \$ 125.00
<i>City has Zoning</i>	<i>City has Zoning</i>	<i>City has Zoning</i>	No Zoning
Inspections	Inspections	Inspections	Inspections
Permitting Inspection	Permit	Annual Fire Inspection	No Inspection at this time- reactive investigations
Annual Renewal Inspection	Annual Renewal Inspection	Annual Kitchen Inspection	
Annual fire inspection	Annual Fire Inspection	Annual inspection of liquefied petroleum gas systems	
Annual Kitchen inspection	Kitchen Inspection	Annual inspection to determine compliance with	
	Gas Pipe Pressure test every 3 years	property maintenance code and zoning code	
Reinspection fee \$51.50 per hour per inspector.			

PROPOSED ORDINANCE REQUIREMENTS

- **Registration – specific information will be submitted to the Administration and Regulatory Affairs Department annually.**
- **Principle Information Requirements:**
 - **Name, address, Texas Drivers License for owner and operator**
 - **Name of Boarding Home**
 - **General description of Services**
 - **Bed capacity and anticipated use**
 - **Security and residential monitoring plans**

PROPOSED ORDINANCE REQUIREMENTS

- **Principle Information Requirements Cont'd:**
 - **Telephone number for Boarding Home**
 - **Dates for acquisition of facility and start of operation or anticipated start date**
 - **Owner, operator, employees subject to criminal history checks (private vendor – D.P.S. approved)**
 - **Statement by operator the Boarding Home is in full compliance with Chapter 325 of the Texas Health and Safety Code**

PROPOSED ORDINANCE REQUIREMENTS

- **Principle Information Requirements Cont'd:**
 - **Keep records for review, inclusive of:**
 - **Staffing, shift assignments, resident service agreements signed by each resident or their legal representative, cost of services, name of each resident, personal identifier information, contact information for resident's legal representative, if any – all maintained for a period of 5 years**
 - **Requirement to report criminal activity and deaths**

PROPOSED ORDINANCE REQUIREMENTS

- **Principle Information Requirements Cont'd:**
 - **Monitoring and enforcement- HPD Mental Health Division**
 - **Subject to inspections, surveys, or investigation to assure compliance with ordinance and to protect the health, safety, or welfare of the residents of a Boarding Home**
 - **May be assisted by representatives from Fire, Public Works and Engineering, Health and Human Services, and Neighborhood Departments or**
 - **Other city agencies or entities with appropriate jurisdiction over matters affecting the health, safety, or welfare of Boarding Home residents**

PROPOSED ORDINANCE REQUIREMENTS

- **Principle Information Requirements Cont'd:**
 - **During the course of any inspection, the owner, operator, and any employee of the Boarding Home facility shall be required to identify themselves and provide documentation of their identify upon request**



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