

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)

AGENCY PLAN: STATEMENT OF PURPOSE, GOALS AND BUDGET SUMMARY

STATEMENT OF PURPOSE:

The Department of Administrative Hearings will help support the Mayor’s initiative to create a cleaner city by establishing an efficient and cost-effective manner to adjudicate cases in an impartial and independent forum.

AGENCY GOALS:

1. Adjudicate blight code violations issued by authorized City agents.
2. Streamline adjudication of code violations by providing administrative hearings.
3. Enhance collectibility of fines and fees, through garnishments and liens utilizing the Department’s decisions and orders.
4. Adjudicate violations with sensitivity to their impact on the escalating problem of blight in Detroit.

AGENCY FINANCIAL SUMMARY:

2009-10 <u>Requested</u>		2008-09 <u>Budget</u>	2009-10 <u>Recommended</u>	Increase <u>(Decrease)</u>
\$ 2,299,794	City Appropriations	\$ 2,207,840	\$ 2,172,848	\$ (34,992)
\$ 2,299,794	Total Appropriations	\$ 2,207,840	\$ 2,172,848	\$ (34,992)
\$ 963,914	City Revenues	\$ 886,982	\$ 492,232	\$ (394,750)
\$ 963,914	Total Revenues	\$ 886,982	\$ 492,232	\$ (394,750)
\$ 1,335,880	NET TAX COST:	\$ 1,320,858	\$ 1,680,616	\$ 359,758

AGENCY EMPLOYEE STATISTICS:

2009-10 <u>Requested</u>		2008-09 <u>Budget</u>	04-02-09 <u>Actual</u>	2009-10 <u>Recommended</u>	Increase <u>(Decrease)</u>
<u>6</u>	City Positions	<u>6</u>	<u>5</u>	<u>6</u>	<u>0</u>
6	Total Positions	6	5	6	0

ACTIVITIES IN THIS AGENCY:

	2008-09 <u>Budget</u>	2009-10 <u>Recommended</u>	Increase <u>(Decrease)</u>
Blight Violation Adjudication	\$ 2,207,840	\$ 2,172,848	\$ (34,992)
Total Appropriations	\$ 2,207,840	\$ 2,172,848	\$ (34,992)

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)

DEPARTMENT OF ADMINISTRATIVE HEARINGS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: BLIGHT VIOLATIONS ADJUDICATION

The Department of Administrative Hearings (DAH) incorporates the Municipal Ordinance Violations Bureau's (MOVB) collection process into its system, thereby establishing new procedures for the administration, adjudication and collection of blight violations into one framework. The Zoning, Environmental, and Property Maintenance branches of the MOVB are now adjudicated under the Department of Administrative Hearings. The DAH will assess civil fines and costs pursuant to the schedules of violations for the Blight Ordinances. Under the DAH, violation notices will contain hearing dates, so no separate citation will be generated, and hearings will yield Decisions and Orders with which a defendant must comply or appeal to the 3rd Circuit Court of Michigan.

GOALS:

1. Adjudicate unlimited numbers of blight code violations issued by authorized City agents.
2. Streamline adjudication of code violations by providing administrative hearings.
3. Enhance collectibility of fines and fees, through garnishments and liens utilizing the Department's decisions and orders.
4. Adjudicate violations with sensitivity to their impact on the escalating problem of blight in Detroit.

MAJOR INITIATIVES FOR FY 2008-09:

The DAH opened its doors in January 2005 at 561 E. Jefferson. Since then, 169,589 blight violation notices have been issued by the enforcing agencies and 158,897 DAH hearings have been held. The total future volume of violations and hearings is not known, but it is expected to decrease. The decrease is due to the expected deterrent effects of increased enforcement as these efforts continue throughout the city.

The DAH's major initiative is the "Community Docket, which commenced in 2008. The Community Docket is a collaborative effort between the Detroit Police Department, neighborhood-based groups and the DAH. Community and neighborhood groups report blight observed in their areas to DPD ticket writers; a specialized DAH docket is created so that all of the tickets issued for the reported violations in a particular neighborhood can be heard at the same date and time; and the hearings are held in the evening to enable the community members to attend the hearing on the violations that they reported.

The DAH also played an integral role in the successful passage of state legislation to expand the DAH's jurisdiction to include dangerous buildings and right-of-way signage and advertising violations. Additionally, the DAH worked to increase compliance with DAH orders and judgments by the implementation of a judgment notification process to work in tandem with the collections effort.

PLANNING FOR THE FUTURE FY 2009-10, FY 2010-11, and BEYOND:

In 2009, the DAH will complete technology initiatives to enhance citizens' access to blight violation information. The DAH will implement web-based and automated telephone blight violation information and payment options.

DEPARTMENT OF ADMINISTRATIVE HEARINGS (45)

BLIGHT VIOLATIONS ADJUDICATION MEASURES AND TARGETS

Type of Performance Measure:	2006-07	2007-08	2008-09	2009-10
List of Measures	Actual	Actual	Projection	Target
Outputs: Units of Activity directed toward Goals				
Number of zoning division violations heard	11,350	13,000	14,000	14,000
Number of environmental division violations heard	9,350	10,000	10,500	10,500
Number of property maintenance division violations heard	20,700	22,000	23,000	23,000
Average number of days between violation issuance and hearing date	55	55	55	55
Percent of Decisions and Orders appealed	<1%	<1%	<1%	<1%
Percent of Decisions and Orders overturned	0%	0%	0%	0%
Efficiency: Program Costs related to Units of Activity				
Percent of Orders in delinquency	50%	45%	40%	40%
Percent of cases that are no-show	50%	45%	40%	40%
Activity Costs	\$2,307,397	\$2,199,607	\$2,207,840	\$2,172,848

CITY OF DETROIT
Administrative Hearings
Financial Detail by Appropriation and Organization

Administration	2008-09 Redbook		2009-10 Dept Final Request		2009-10 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Blight Violation Adjudication						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
11159 - Blight Violation Adjudication						
450010 - Administration	6	\$2,207,840	6	\$2,299,794	6	\$2,172,848
APPROPRIATION TOTAL	6	\$2,207,840	6	\$2,299,794	6	\$2,172,848
ACTIVITY TOTAL	6	\$2,207,840	6	\$2,299,794	6	\$2,172,848

CITY OF DETROIT
Budget Development for FY 2009-2010
Appropriations - Summary Objects

	2008-09 Redbook	2009-10 Dept Final Request	2009-10 Mayor's Budget Rec
AC0545 - Blight Violation Adjudication			
<i>A45000 - Department of Administrative Hearings</i>			
SALWAGESL - Salary & Wages	384,491	384,491	360,002
EMPBENESL - Employee Benef	241,250	259,769	247,702
PROFSVCSL - Professional/Cor	1,298,460	1,092,380	820,990
OPERSUPSL - Operating Suppli	10,000	40,580	40,580
OPERSVCSL - Operating Servic	268,639	477,574	658,574
CAPEQUPSL - Capital Equipme	5,000	5,000	5,000
OTHEXPSSL - Other Expenses	0	40,000	40,000
<i>A45000 - Department of Administrativ</i>	<i>2,207,840</i>	<i>2,299,794</i>	<i>2,172,848</i>
AC0545 - Blight Violation Adjudication	2,207,840	2,299,794	2,172,848
Grand Total	2,207,840	2,299,794	2,172,848

CITY OF DETROIT
Budget Development for FY 2009-2010
Appropriation Summary - Revenues

	2007-08 Actuals	2008-09 Redbook	2009-10 Dept Final Request	2009-10 Mayor's Budget Rec	Variance
A45000 - Department of Administrative Heari					
<i>11159 - Blight Violation Adjudication</i>					
446100 - Administration Fee	122,991	677,922	677,922	107,796	(570,126)
447555 - Other Reimbursements	280	0	0	0	0
448115 - Other Fees	0	0	0	200,000	200,000
448150 - Other Fees-State	21,607	0	0	0	0
448300 - Circuit Court Appeals F	1,075	400	400	400	0
448301 - Motion Fee	8,964	8,160	8,160	6,604	(1,556)
449165 - Personal Services-Eng	0	200,000	200,000	100,000	(100,000)
472117 - Late Payment Fee	18,923	0	74,432	74,432	74,432
472150 - Other Miscellaneous	2,769	500	3,000	3,000	2,500
474130 - Misc Recpts-Cash Ove	(5)	0	0	0	0
<i>11159 - Blight Violation Adjudication</i>	176,604	886,982	963,914	492,232	(394,750)
A45000 - Department of Administrative He	176,604	886,982	963,914	492,232	(394,750)
Grand Total	176,604	886,982	963,914	492,232	(394,750)

**CITY OF DETROIT
MAYOR'S 2009-2010 RECOMMENDED BUDGET**

Department of Administrative Hearings

Appropriation	REDBOOK FY		DEPT REQUEST		MAYORS FY	
Organization	2008	2009 FTE	FY 2009	2010 FTE	2009	2010 FTE
Classification						
11159 - Blight Violation Adjudication						
450010 - Administration						
Dir of Administrative Hearings	1		1		1	
Mgr of Administrative Hearings	1		1		1	
Admin Asst GD II	1		1		1	
Principal Accountant	1		1		1	
Office Assistant III	2		2		2	
Total Administration	6		6		6	
Total Blight Violation Adjudication	6		6		6	
Agency Total	6		6		6	