

## APPLICATION FORM

All applications must include the following information. Separate applications must be submitted for each eligible program. **Deadline: June 1, 2016.** Please include this application form with electronic entry.

### PROGRAM INFORMATION

County: Henrico County

Program Title: Nuisance Abatement Cadre

Program Category: Criminal Justice & Public Safety

### CONTACT INFORMATION

Name: Cristol Klevinsky

Title: Management Specialist

Department: County Manager's Office

Complete Mailing Address: 4301 E. Parham Rd., Henrico, VA 23228

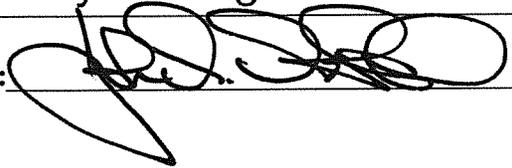
Telephone: 804-501-4370 Website: henrico.us

Email: kle@henrico.us

### SIGNATURE OF COUNTY ADMINISTRATOR OR CHIEF ADMINISTRATIVE OFFICER

Name: John A. Vithoukas

Title: County Manager

Signature: 

# **Nuisance Abatement Cadre**

Henrico County, Virginia

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## **1. Short Overview of the Program**

The Nuisance Abatement Cadre is a multi-agency team tasked with delivering a seamless application of health, safety, law enforcement, property maintenance and zoning standards to problem properties in Henrico County. This is a means of preventing and reducing incidents of crime and disorder and blight that would otherwise endanger the health and safety of residents while contributing to the cycle of disinvestment and decline.

The Cadre consists primarily of representatives from the Police Department, Health Department, Fire Department, Social Services, the Department of Community Revitalization and Building Inspections. To maximize efficiency, other agencies are added to the group on an ad hoc basis as circumstances require. The Cadre was designed to address properties with conditions representing a direct and significant risk to the health and safety of occupants, residents, and customers while more broadly addressing the identified or potential negative community impacts. By reducing the number and type of Code violations, the Cadre increases the health and safety of residents while enhancing the sustainability of both commercial corridors and adjacent residential neighborhoods. The Cadre's coordinated approach reduces duplication and inefficiency for participating agencies, and business and property owners alike.

## **2. Problem/Challenge/Situation**

In 2013, a warehouse was illegally converted to a nightclub named "Phully Loaded Studios" in one of the County's industrial districts. The venue featured DJ's and as word spread of this nightclub, the weekend crowds began to grow. As the club became increasingly popular, the

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Police Department found itself answering calls for service related to drunk and disorderly, drug use, fighting and other illegal activities. With the spotlight now on the facility, and a concern that lives were in danger, the Police Department organized meetings with several County agencies to discuss building, fire and zoning ordinance violations at the warehouse. The coordinated response brought pressure upon the business owner to curtail his activities and the nightclub was eventually closed. Unfortunately, this did not occur before there was a homicide by use of a firearm, where a drug nexus was present.

In the aforementioned case, the ad hoc team of County employees recognized the benefit of closely coordinating their efforts and found it beneficial to create the Nuisance Abatement Cadre to formulate comprehensive responses to similar complex Code violation cases. The focus of the Cadre transitioned to include aging hotels/motels, warehouses and other businesses found to have serious Code violations that could not be addressed by a single agency. Charged with protecting the health and safety of residents through the application of their respective Codes, the various agencies further recognized the value of coordinating their efforts in the most efficient way.

### **3. How the Program Was Carried Out**

The Nuisance Abatement Cadre was informally created in 2013 as a task force to address serious and potentially life threatening Code violations and conditions at an illegally operating nightclub named “Phully Loaded Studios.” In the months following the initial code enforcement effort, the Cadre was formally recognized as an efficient means of coordinating multi-agency responses to

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complex law enforcement, zoning ordinance, building code, fire code, property maintenance and health department issues.

There were several clear associated objectives to be met when the Cadre was created. Since the beginning of the Great Recession, there has been a special emphasis on economizing resources without sacrificing effectiveness or customer service. Increasing efficiency when deploying limited staff resources has become a high priority. Whenever practical, the Cadre meets before extensive contacts and or full multi-agency inspections are made. This allows for a complete discussion and sharing of the respective areas of concern. The upfront communication can allow some agencies to step back that might have otherwise spent significant resources investigating their own concerns when in reality they become moot in light of code violations under the purview of other team members.

A multi-agency approach increases convenience and efficiency for property owners with Code violations. As several agencies approach a single business, set multiple appointments and conduct numerous inspections, the result can be not only inconvenient but also confusing and frustrating. In addition, agencies sometimes act without knowledge of the work being performed by others. Some business owners will play one agency against another and/or provide inconsistent and conflicting responses to investigative inquiries. The Cadre approach eliminates these problems.

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Any member of the Cadre may bring a case to the attention of the group. Information about problem properties is often obtained as the result of a citizen complaint or they may be discovered by agency staff while conducting routine inspections within their respective area of specialization. In addition, while the Cadre is comprised of core County agencies, it has also sought the support of and can accept cases from outside agencies, such as the State of Virginia Department of Alcohol Beverage Control, as conditions warrant.

The particulars may be initially shared with the Cadre via email and result in a preliminary and organizational meeting by members who can discuss why conditions at the property warrant a coordinated response. If appropriate, an approach strategy is developed that will involve the respective agencies and further decisions are made including the day and time of the inspection, number and type of staff who represent individual agencies, enforcement timelines and thresholds and property owner contacts. The Cadre may meet on site at the appointed day and time or mobilize at a nearby property to once again review how the inspections will be coordinated and discuss any other required contingencies.

After the joint inspection has been completed, a brief meeting may be held with the owner and/or manager to provide a preliminary review of the findings. The scope and magnitude of the code violations will be discussed along with an explanation of how the follow-up inspection process and formal code violations notification process will unfold. For example, each of the agencies may write up their respective code violations and they may be delivered to the property owner in a package. Information on who the property owner needs to contact for any of the individual

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code violations is also provided. The Cadre offers a partnership with property owners and typically, negotiations take place over compliance methods and deadlines.

The progress against identified code violations is tracked and follow-up inspections and Cadre coordination meetings are scheduled as needed until compliance has been reached. After compliance has been achieved the process is repeated as new cases are opened.

Each of the Cadre member agencies provides their own technologies to support the ongoing team efforts. However, the equipment and technologies employed including databases, statistical software, and vehicles were procured for their day-to-day work apart from involvement with the Cadre. In short, no special technology has been purchased or is required to specifically support the team.

### **4. Financing and Staffing**

Several County agencies would normally investigate businesses with multiple code violations and alleged criminal activity. They continue to do so as members of the Cadre. The Cadre approach is supportive of efforts by Counties to reduce expenses and increase efficiency. No additional costs were incurred as a result of the Cadre's creation or operations. The Cadre has regular members and additional staff from various departments who are assigned to work with the group as needed on a project specific basis. No additional equipment, vehicles or supplies were needed to implement the approach. In fact, the cooperative effort can reduce costs by minimizing duplication among agencies and speeding case resolution.

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## 5. Program Results

As of March 2016, the Cadre has worked the following cases:

- Phully Loaded Studios (Nightclub)
- The Legacy Inn (Hotel)
- All Day Inn (Hotel)
- The Grand Magnusson Hotel (Hotel)
- The Regency Inn (Hotel)
- The Days Inn (Hotel)
- Elliot's (Nightclub)
- The Virginia Inn (Hotel)

In each instance, we can report that a comprehensive and coordinated approach was applied to frequently serious and sometimes life threatening conditions. The results have been significant. For example, the Legacy Inn has closed and been torn down by the owner who plans to split the property and construct two brand new hotels. Phully Loaded Studios was closed down by the owner. The Grand Magnusson Hotel was temporarily closed while repairs were made to a sprinkler system. Elliot's nightclub was sold to a new owner who has committed to running the establishment as a restaurant. The Virginia Inn was demolished and replaced by a new Walmart grocery store with gasoline sales.

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In each of these cases, the properties had a history of consuming a disproportional volume of staff resources. They were “call generators” that drained emergency resources. Once the code violations were corrected, those resources were redirected to other areas of need.

### **6. Brief Summary**

The County of Henrico has created a multi-agency team (Nuisance Abatement Cadre) to address commercial properties with extensive code violations and calls for service. In an age of frugality with limited resources public agencies must provide services in the most efficient and effective way possible while meeting and exceeding customer service level expectations. The Henrico County’s Nuisance Abatement Cadre has met both of those criteria. To date, hundreds of code violations have been identified and closed by employing the methodical and coordinated multiagency approach to crime reduction and code violation elimination. The effort has produced dramatic results including crime reduction and the repair closure and/or redevelopment of several commercial properties. Public safety is an integral component of County service delivery and new and better organizational systems must be adopted if we're going to continue to meet future challenges.

### **SUPPLEMENTAL MATERIALS**

Find attached supplemental materials that illustrate how the Cadre has been operating. Please note that some information has been redacted to protect the identity of persons subject to investigations.

**From:** Price, James

**Sent:** Thursday, June 12, 2014 3:32 PM

**To:** Middleton, D A

**Cc:** Police Command Staff; Police Lieutenants; Livingstone, James; Tyler III., Leroy; Vann, Kim; Johnson, Paul; Revels, Gregory; Roberts, Scotty; Campbell, Michael

**Subject:** CLOSURE - The Legacy Inn - 5252 Airport Square Lane - Sandston - VA

Chief Middleton,

**[The owner of Legacy Inn, Mr. Anil Patel, states; he will comply and begin the CLOSURE PROCESS; immediately]**

Pursuant to your request, the following is a synopsis of the meeting that the Multiagency Inspectional Team had at 10:30 AM, today, June 12, 2014, with Mr. Anil Patel; the owner / agent of the business known as; The Legacy Inn, 5252 Airport Square Lane, Sandston, Virginia:

Mr. and Ms. Anil Patel met, in front of the Legacy Inn Office, the Inspectors representing; Henrico County Building Inspections; Community Revitalization - Community Maintenance; Henrico Fire Marshal's Office; and the Health Inspector. This Inspectional Team was accompanied by Community Officers, Dave Leber, Barry Clark, Bill Bryan, and Lieutenant Jim Price.

**Jerry Buresh, Building Inspections** began the meeting by delivering his agency's official inspectional results report that listed a voluminous amount of Building Code Violations. Inspector Buresh then advised Mr. Anil Patel that the entire complex of buildings known as; **The Legacy Inn, has been determined**, as a result of this inspection, **to be; UNFIT FOR OCCUPANCY**. Mr. Buresh advised Mr. Patel that the property was now being posted and **everyone present of the premises needed to vacant the property by 11:00 AM, tomorrow, June 13, 2014.**

**The Health Inspector** delivered his official inspectional report and advised Mr. Patel further that the Health Department's PERMIT allowing lodging at the Legacy Inn, expires, midnight, June 30, 2014, and due to the voluminous number of Health Code Violations discovered during the recent inspection, the **Health Department WILL NOT RENEW the HEALTH PERMIT** authorizing lodging.

**The Henrico County Fire Marshal's Office**, Fire Marshal Mullins, delivered his official inspectional results report to Mr. Patel and that report contained a voluminous list of Fire Code Violations discovered throughout the buildings of the Legacy Inn complex.

**Community Revitalization - Community Maintenance** delivered their official inspectional results report to Mr. Patel and that report listed several exterior Community Maintenance Violations. The major violation additionally listed within this report referred to the Zoning Violation concerning "Long-Term Stay" individuals discovered in numerous rooms throughout the complex.

**Mr. Anil Patel**, after asking for an explanation of an appeal process, **advised that he would notify his employees that their employment is being discontinued and that he, his wife, and Mr. Toney, his building superintendent would begin the process of ensuring everyone is notified to leave and start the closing process of the Legacy Inn.**

Community Policing will place a **new Letter of Authorization [LOA]** on file with our agency that updates the status of the Legacy Inn as being; VACANT PROPERTY, and emergency contact / response information will be on the LOA. Additionally, Community Officer David Leber will place on file; a NIGHT CARD since this property site will be VACANT. **Community Officer Leber will meet Mr. Toney on Friday morning, 6-13-14, to ensure the property placement is completed of "NO TRESPASSING" signage.**

**Mr. Patel advised that he will be notifying all utilities to discontinue service to all buildings associated with the Legacy Inn as of; Monday, June 16, 2014.** Mr. Patel further advised me, and the Multiagency Inspectional Team assembled, that he did not have the money to repair all of the violations discovered nor did he intend on trying to repair anything in the complex. **He intends on seeking the proper permits and demolishing the entire complex** over the next several months. He would then like to build another business model on the property [not a Motel/Hotel] and he has not decided what type of business that may be.

Community Policing will continue to follow-up on this site and work closely with South Station Command and Patrol Bureau personnel in policing this property.

Please advise if you have any questions or concerns.

Jim

Jim Price  
Lieutenant  
Henrico County Police Division  
Community Services Section  
Commander, Community Policing  
Office: (804) 501-4819 [8:00 AM to 5:00 PM - Mon. through Fri.]



**NC STATE UNIVERSITY**  
Administrative Officers Management Program



**From:** Clark, Barry  
**Sent:** Wednesday, June 04, 2014 3:56 PM  
**To:** Price, James  
**Cc:** Tyler III., Leroy  
**Subject:** Legacy Inn Multi-Agency Inspection Summary

Representatives from the health department, Fire Marshal's office, Community Maintenance, Building Inspections, and I met at the Legacy Inn today to complete a comprehensive inspection of The Legacy Inn. The inspection started at 1000hrs and concluded at 1500 hours on June 4, 2014.

This inspection was a room to room inspection of all 125 rooms of the motel. Mr. Axxx Pxxxx and his manager Mr. Txxxx were on scene during the morning and Mr. Txxxx opened the remaining rooms for inspection during the afternoon.

All 125 rooms have violations of one form or another representing hundreds of violations; as follows:

- sagging ceilings, [due to water damage];
- mold issues;
- sagging floors around the air conditioning units and bathroom areas;
- broken electrical outlets;
- bathroom walls that are not secured to the floor;
- insect found in a made up bed;
- long term residents [one resident in room 314 has been there 8 years; seven (7) other long term stay residents [ranging from months to several years] located – Zoning Violation];
- broken GFCI outlets;
- broken vanities;
- Numerous rooms discovered not in service due to being used as storage units;
- water damage in numerous rooms;
- Moderate to severe mold issues in numerous rooms;
- Loose electrical fixtures in the bathrooms;
- leaking toilets in numerous rooms;
- Building Inspector and Fire Marshal fell through a room's rotting floor and into the crawl space three (3) feet below [no injuries];
- broken smoke detectors in numerous rooms;
- spliced electrical wires on lamp cords in numerous rooms;
- leaking hot water heaters in numerous rooms;
- one tenant in room 309 had drug paraphernalia [a bong] on the shelf of his room;
- many of the support posts for the overhang roofing covering the sidewalks outside the rooms were found to be detached [wood rotting];
- Roof for every building in the complex in need of replacement – leaking water into the buildings;
- Building Inspections, at the conclusion of this inspection, Placarded the entire property as; Unsafe for Occupancy – Unsafe Structure;
- Entire complex ordered to be vacated immediately due to the Unsafe Structures;
- Henrico County Social Services Department and Building Inspections facilitated a rapid re-housing effort for eight (8) long-term stay persons;
- Everyone relocated by June 5, 2014, and all rooms successfully evacuated;
- Business Closed as of; June 4, 2014;

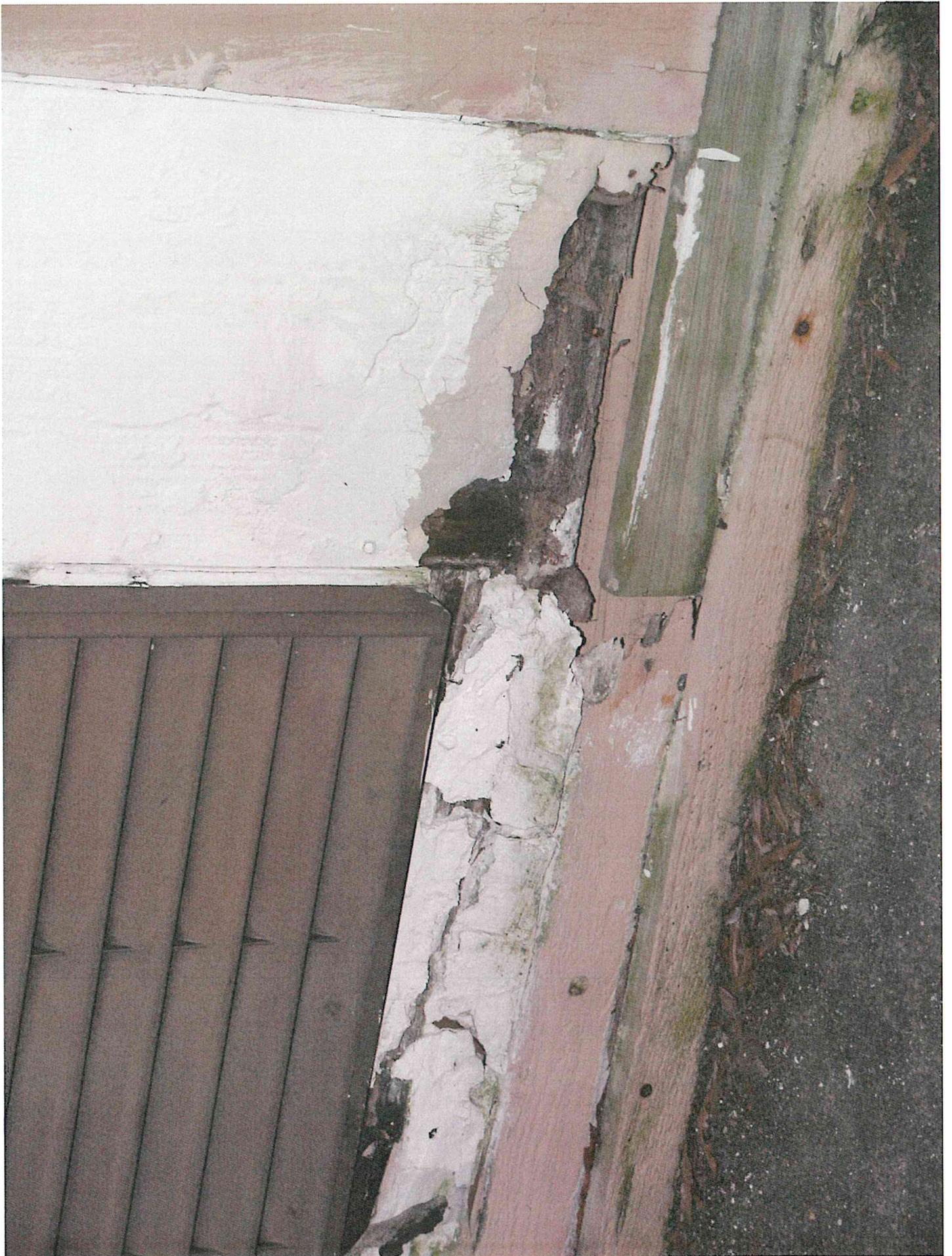
Jerry Buresh, Building Inspections, has planned a debrief for all interested parties this Friday at his office conference room and has requested representatives from each agency of the Nuisance Abatement Cadre' to attend; if possible.

Barry Clark  
Community Officer  
Community Services Section  
Henrico County Police Division

# Nuisance Abatement

- Maintenance conditions appear on the following two slides.
- Both of these conditions depicted are violations of Planning and Zoning Ordinances and/or Building Codes.
- Henrico County Community Maintenance personnel and Henrico County Building Inspectors would enforce these respective violations.





# Nuisance Abatement Guidance Sheet

## Nuisance Abatement Guidance Sheet

1. Determine number of calls for service for suspect location
  - a. Number of calls for a one (1) year period
  - b. Use the same time frame for all locations
  
2. Determine number of rooms available at the location that are operational
  - a. This can be determined by on site visit or by asking management
  
3. Determine ratio of calls for service per room; per year;
  - a.  $CFS / \text{number of room} = \text{ratio}$
  
4. Establish a baseline
  - a. Use at least 8 different locations in all areas of county
    - i. Steps 1-3 for all locations.
  - b. Make sure comparisons are based on price range (reasonably the same price per night)
  - c. add all CFS ratios and divide sum by number of locations
    - i. this is the baseline average that will be used in notification letters
    - ii. see chart #1

**5. Begin notification proceedings**

**a. Use sample letter and insert appropriate numbers**

- i. Calls for service ratio**
- ii. Average throughout the county**
- iii. Types of calls for service location is experiencing**
- iv. Any other pertinent information**
  - 1. Code violations**
  - 2. Zoning issues**
  - 3. Abandoned auto**
- v. Blight issues**
- vi. Civil or criminal proceedings**

**b. Send certified letter to owner/agent**

**c. Follow-up as appropriate to allow owner to correct issues on property or request assistance**

**6. Begin to monitor location for violations of §18.2-258**

**a. Issue sample letter #2 for any drug law violation**

- i. If possible, include any pictures without compromising case investigation**

**b. Issue a letter 3 months from first letter noting any compliance, further issues, etc.**

## **7. Thresholds**

- a. It is the site at which three (3) or more separate drug violations have occurred within the period of one year prior**
- b. On three (3) or more separate occasions within the period of one year prior it was the site at which two or more persons who did not reside in or upon such site gathered for the principal purpose of unlawfully ingesting a controlled dangerous substance**
- c. It is the site at which any amount of controlled dangerous substance has been manufactured**
- d. Calls for service ratio MUST be at least 1.5 calls/per room/per year**

## **8. Once thresholds are met**

- a. Meet with commonwealth attorney to discuss charges**
  - i. Have documentation above. Pictures are worth a thousand words**
- b. Meet with Building Inspector to discuss affidavit**
  - i. Have documentation above. Pictures are worth a thousand words**

## **9. Miscellaneous**

- a. Location does not have to have prior drug arrests to issue a notification letter**
- b. Follow-up with location as appropriate**
- c. Monitor location for at least one (1) year for violations from the date of issuance of letter of notification**

- d. Goal is to reduce calls for service ratio to 1.0 or lower**
- e. All letters should be sent certified mail**
- f. Keep all documentation**
- g. Gather documentation on what the Police Division has done to assist owner**
- h. Gather documentation on all special assignment/operations at the location**



In our experience, the single biggest factor in reducing and controlling crime and disorder at a given property is good management practices. Due to the Property's dangerous crime and safety issues, the County of Henrico is weighing all legal options, including; criminal prosecution; administrative fines; and civil litigation.

Please call Lieutenant J. A. Price, the Commander of the Community Policing Unit, at (804) 501-4838, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, in order to schedule a meeting to discuss how we can work together to address these serious issues.

We look forward to meeting with you to discuss these concerns.

Sincerely,

Douglas A. Middleton  
Chief of Police