CITY OF ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. R-26-20 ENACTMENT NO. _____

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RESOLUTION

ESTABLISHING CODE ENFORCEMENT PRIORITIES FOR THE PROTECTION OF RESIDENTIAL TENANTS.

WHEREAS, the intent of this Ordinance is prioritize code violations that have a direct correlation to minimum standards for Rental Dwelling Units that safeguard life or limb, health, property, safety, and public welfare within the City of Albuquerque's jurisdiction; and

WHEREAS, in 2024 the City tracked 16,658 code violations that were acted upon by the Code Enforcement Division of the Planning Department; and

WHEREAS, of the 16,658 code violations, approximately 70 percent were not related to public health and safety; and

WHEREAS, 3,048 violations in 2024 violated the Uniform Housing Code; and

WHEREAS, O-24-59 added a requirement to the Uniform Housing Code that every dwelling unit shall be provided with a cooling facility; and

WHEREAS, R-25-120, enacted March 17, 2025, directed the City to enhance enforcement efforts related to existing rental unit habitability standards and allocated funding to the code enforcement division for an extra officer in the hopes of focusing on tenant habitability standards; and

WHEREAS, as of September 16, 2025 there were 60 cooling violations reported, but only 20 were enforced or closed at that time; and

WHEREAS, by prioritizing violations that affect tenants health and safety, the City takes a step forward in preventing displacement through condemnation during a Housing Crisis; and

WHEREAS, per the *Albuquerque Region Housing Needs Assessment*, "Rental Housing Stock: According to CoStar, a sizeable share of units in

multifamily rental developments of 5 or more units in the region (41%) are class C properties, which are the lowest quality buildings. These buildings are often relatively old and in need of maintenance"; and

WHEREAS, it should be a priority of the City to ensure that these Class C buildings do not fall into further disrepair, adding to the projected housing gap of 55,100 - 59,850 units by 2045; and

WHEREAS, per the *Housing Needs Assessment* "there is an estimated shortage of 21,969 units affordable for households with income at 30% AMI or below in the region" which many of these Class C properties act as naturally affordable units; and

WHEREAS, prioritizing complaints regarding rental units that do not meet habitability requirements will improve the quality of housing, reduce health risks, and ensure a more equitable enforcement of housing standards.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. PRIORITY CODE ENFORCEMENT POLICY.

A. It shall be the policy of the City that Code Enforcement shall prioritize the enforcement of the following code requirements affecting the health and safety of residential tenants:

1. § 14-3-2 Space and Occupancy Standards

2. § 14-3-3 General Requirements

3. § 14-3-4 Substandard Buildings

B. This prioritization system shall also apply to complaints that contain any of the following key words related to residential rental issues:

~~**1. Rental/Renter/Tenant**~~

~~**2. Landlord/Property Owner/Property Manager**~~

1. Heating/Heater

2. Cooling/Air Conditioning/AC

3. Running water/hot water

4. Blocked exit

5. Ventilation

C. It is the policy of the City that violations that fall under Subsections A. and B. of this Resolution shall be prioritized over any other violation types

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that are not related to public health and safety. It is the policy of the City that all prioritized code complaints shall be addressed before code enforcement action is taken on complaints that are not related to health and safety.

D. The prioritization policy created in this resolution shall apply to all complaints received by Code Enforcement, by any method of submission (311, email, phone calls, etc.)

E. Any code violation that has risen to the status of Imminent Hazard, via § 11-1-1-15 Emergency Abatement, shall retain emergency priority.

SECTION 2. REPORTING. The Planning Department shall send a spreadsheet of all violations that met the priority criteria listed in this Resolution to Council Services every January with the following information:

1. Date of violation submittal

2. Date of violation closure

3. The code section that was violated

4. Description of violation provided by the public

5. Address of violation

SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause, word or phrase of this Resolution is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution. The Council hereby declares that it would have passed this Resolution and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 4. EFFECTIVE DATE. This Resolution takes effect five days after publication by title and general summary.

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