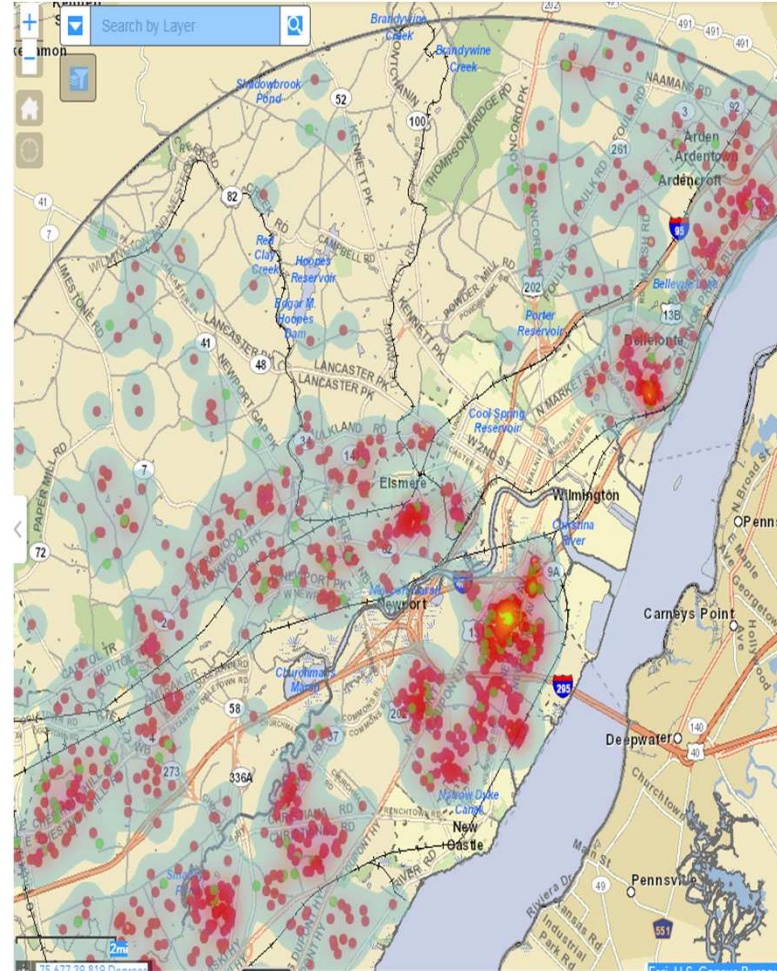


New Castle County Registration of Vacant Premises



VACANT PROPERTY STRATEGY

GOALS AND NEXT STEPS:

- **Amend the County's vacant premises regulations**
- Develop an acquisition strategy for acquiring properties encumbered with County liens.
- Develop a disposition strategy for rehabilitating and transferring homes.
- Identify 75 properties to move to Sheriff's sale
- Streamline the sheriff sale process and accelerate sales for vacant properties.
- Identify new strategic partnerships.
- Collaborate with other agencies to efficiently use resources and grants.
- Work with the AG's office and other jurisdictions to develop a "wish list" of state code revisions for consideration by the General Assembly.

What Was Learned?

- In the first 2 years since the adoption of Substitute No. 2 to Ordinance No. 14-117, **Code Enforcement identified approximately 1,300** vacant premises that may qualify as vacant properties. Yet, only 353 properties were registered – mostly by the banks.
- The current legislation **does not provide for the county to proactively register vacant premises**. Therefore, it was recognized that a process needed to be codified to ensure that as many vacant properties as possible would be included in the vacant premises registry.
- As a result of the increased demands on Code Enforcement and Public Safety, it was also determined that **higher registration fees are needed** to entice persons responsible for vacant properties to do something to get them occupied or repurposed more quickly.

Proposed Vacant Premises Legislation

- Establishes an administrative process that allows for the **Department to register** vacant premises that are not properly registered by the owner or mortgagee.
- Allows for an additional **\$1,000 fee to be assessed for each** vacant premises that the Department registers.
- **Adjusts the annual registration fees** as follows:

< 1 yr.	From \$0 to \$100
1 yr. to < 2yrs.	From \$100 to \$500
2 yrs. to <3 yrs.	From \$500.00 to \$1,000
3 yrs. to <5 yrs.	From \$1,000 to \$2,000
5 yrs. to <10 yrs.	\$3,500 (No change)
10 yrs.+	\$5,000 plus \$500 for each year over 10 (no change).

Proposed Vacant Premises Legislation

- Allows for a **one-time waiver** of the annual registration fees, for good cause shown, when:
 - All financial obligations associated with the vacant premises that are owed to the County are paid.
 - There are no open zoning, building or property maintenance code violations on the property.
 - The owner is in the process of demolishing, rehabilitating or repairing the vacant premises; the owner is actively attempting to sell or lease the vacant premises; or the property is subject to a blight remediation or redevelopment program which the County or other legally designated housing authority has approved.

Proposed Vacant Premises Legislation

- **Exempts** the following:
 - Property or rights-of-way owned or controlled by a government entity.
 - Property within the Village of Arden.
 - Model home actively used to market homes within an active land development.
 - Newly-constructed home that is actively marketed for sale and available for purchase in an active land development site.
 - Private, public, for-profit or non-profit organizations that have been building, rehabilitating and providing affordable housing units within the County or other similar jurisdiction for a minimum of 5 years (*Fees Only*).

Process

Property vacant for 90 consecutive days



Responsible Party or mortgagee (in case of mortgage default) registers w/n 10 days of property becoming vacant?

NO



Violation notice issued stating that property has been vacant for 90+ days. Given an additional 10 days to register. (Did responsible party or mortgagee register property pursuant to violation notice?)

NO



Administrative hearing – administrative hearing officer weighs evidence. If determined that property is vacant and not registered, finding of vacancy issued and given an additional 10 days to register. (Did responsible party or mortgagee register vacant property?)

NO



Finding of vacancy appealed to LIRB w/n 10 days of written decision?



YES

Stayed pending decision of LIRB appeal.

YES

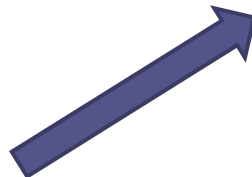


Property entered into vacant property registry



Annual registration renewal and fees per Ordinance

YES

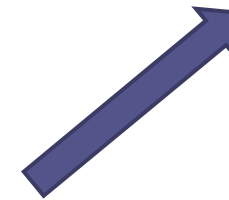


Department will register the property, charge the applicable registration fee plus an additional \$1,000 fee

NO



YES



Proposed Vacant Premises Legislation

- **Includes examples of items that suggest a property may be vacant, including:**
 - Accumulation of mail, advertisements or other materials delivered to or posted at premises.
 - Disconnected utilities.
 - Delinquent taxes or overdue sewer charges.
 - Property violations within 120 days preceding a notice of vacancy.
 - Absence of vehicles on premises with current registrations.
 - Other evidence based on visual examination of officer or information provided by proximate property owners or tenants of neighboring properties.

Proposed Vacant Premises

- **Includes examples of evidence that may suggest that the premises is occupied, including:**
 - Regular mail delivery by U.S. Postal Service.
 - Proof of continuous utility services.
 - Absence of property maintenance violations.
 - Valid business license.
 - Recent tax statements identifying property as official address of business or residence.