



**FOR INTERNAL USE ONLY**

**INTERGOVERNMENTAL AFFAIRS DIVISION**

**COUNTY AGENCY LEGISLATIVE COMMENT REQUEST FORM**

**Reviewing Agency:** Department of Permitting, Inspections & Enforcement (DPIE)

**Bill/Resolution Number:** PHED Legislative Reference CB-080-2023

**Brief Summary of the Bill/Resolution:**

This bill is to establish a registry for the number of vacant properties in the county and to establish a protocol for how to deal with vacant, blighted, and abandoned properties.

**Agency Impact:**

*Will this bill impact your Agency financially or operationally, or your Agency's mission?*

☒ Yes    ☐ No    ☐ Undeterminable at this time

*If yes, please select the appropriate impact:* ☐ Positive Impact    ☒ Negative Impact    ☐ No Impact

**Discussion of Impact:**

*How does this bill affect the ability of your agency to complete its mission? If there is a negative impact, are there suggested amendments to eliminate the negative impact? Please include facts, figures, and references to supporting material to support your recommendation.*

The county code currently addresses the majority of what is covered in this proposed legislation under the following sections:

Sec. 13-113. - Same; Section 108, Unsafe Structures and Equipment.

Sec. 13-114. - Same; Section 109, Unsafe Conditions - Emergency Measures.

Sec. 13-115. - Same; Section 110, Condemnation and Demolition.

DPIE currently has 4 (four) vacant housing inspectors (4 for the entire County). We would need ten (10) additional inspectors and administrative staff to maintain the registry.

DPIE would need a program in addition to Momentum to enter and keep track of the requested information to satisfy the request for a yearly report.

What would the proposed adjudication process/appeal process. Would it be an administrative process or would it be a civil process to be heard in District Court. (Would the \$1000.00 fine issued by an inspector be an administrative citation heard by AHU or a civil citation heard in District Court). Also, will the penalty be added to the invoice after cleanup and billed to the owner/responsible party or placed on the property as a tax lien? It appears to be an additional fee added to the invoice to a property which no owner has been established.

The Legislation doesn't appear to target Mortgage companies, banks or LLC's which may be responsible for defaulted loans leaving the County still responsible for maintaining those properties. (The County is NOT responsible for maintaining private property, how do we recoup our expenses if mortgage companies, banks or independent entities are not included under this legislation?) What guarantee does the County have to recoup the cost of maintaining private property?



**FOR INTERNAL USE ONLY**

How do we as an enforcement agency place more responsibility and penalties to property owners, Banks, mortgage Companies or LLCs to take responsibility and maintain these properties? What about the homeowners that just walk away or face foreclosure? This legislation doesn't appear to have any more enforcement power than what already exists. We need legislation with enforcement and fines much larger than what is proposed. The vacant property concern is and has been a major concern for several years and the misconception that the County is responsible for maintaining these properties is incorrect.

**Fiscal Impact:**

*Please provide an estimate of the financial impact. For example, will this bill require you to hire more staff, create a computer system, etc?*

The fiscal impact would be the cost of ten (10) inspectors which includes ten (10) vehicles, ten (10) cell phones, ten (10) laptops and the administrative needed to maintain the registry.

**Agency Position Recommendation:**

☐ Support      ☐ Oppose      ☐ Support with Amendments      ☒ No position.

*Please specify any suggested amendments in the space below?*

**Additional Information:**

*Has your agency been contacted by the State Department of Legislative Services staff regarding this proposal?*

☐ Yes      ☒ No

*If yes, please provide comments about the discussion.*

**Contact: Director Dawit Abraham**

**Date: October 2, 2023**