

# Invocation of the Forfeiture Ordinance for 1411 Mantua Avenue



The front door and porch area are dirty and in disrepair.



The roof over the porch area is collapsing.



The roof over the porch area, the porch, and the driveway require maintenance.



In addition to the roof, the garage door is in need of maintenance.



The rear doors, handrail, steps, and walls are in need of maintenance.



## Unpaid Special Assessment Liens

Since 2009 the City has recorded 7 liens  
as of March 14, 2016 = \$3,679.46

## Unpaid Code Enforcement Liens

Dating Back to October 27, 2010

City has recorded 8 liens

3 Pending Cases for Code Enforcement Fines

as of March 17, 2016 = \$596,185.00

Property has Assessed Value of \$536,550.00 for 2015

	<u>Code Section</u>	<u>Violation Pending From</u>	<u>Description of Violation</u>	<u>Corrective Action Required</u>
1.	Sections 278, 280, 281, and 289 of Chapter 105, Minimum Housing Code, and Section 34-166, Abandoned Real Property, of the City Code	October 16, 2013	Porch in disrepair (Slides 2 & 3)	Apply for and obtain any necessary permits to repair and paint porch
2.	Section 289 of Chapter 105, Minimum Housing Code, and Section 34-166, Abandoned Real Property, of the City Code	March 20, 2013	Roof is dirty/mildewed and is in need of cleaning (Slides 4, 5 & 6)	Clean roof
3.	Section 281, 279, and 289 of Chapter 105, Minimum Housing Code, and Section 34-166, Abandoned Real Property, of the City Code	October 27, 2010	Roof is in disrepair (Slides 3 & 5)	Apply for and obtain any necessary permits to repair roof
4.	Section 34-21 of the City Code and Section 34-166, Abandoned Real Property, of the City Code	August 19, 2013	Property is not consistently maintained, including but not limited to, by allowing weeds, overgrown grass, trash, junk, and debris	Maintain the landscaping, mow the lawn, and clear the Property of all trash and debris



## Additional Violations Not Visible In Photographs

- Landscape is not consistently maintained and City has had to repeatedly hire vendor to maintain it
- Tarp on roof was removed, but there is no evidence of a permit for a roof repair

## Formal Demand for Compliance

- Demand letter sent March 23, 2016 informing the property owner and all parties with an interest in the property of the City's intent to institute legal proceedings
  - Deadline in demand letter passed March 30, 2016

## Commission Must Find

- Property Qualifies as “Forfeitable Property” (Sec. 34-176), and
- The seizure or forfeiture substantially promotes or protects the health, safety, and welfare of the community. (Sec. 34-177)

## Meets Definition of Forfeitable Property

- ✓ Non-homestead
- ✓ Qualifies for registration as abandoned
- ✓ Two or more Minimum Housing or Abandoned Real Property violations
- ✓ In excess of six months

## Applicable Factors to Consider Regarding Promoting or Protecting Health, Safety, and Welfare of the Community\*

- Number of Violations
- Severity of Violations
- Court Order (Failure to Comply)
- Duration (of violations)
- Unsafe Structure
- Exclusions (i.e. Non-Homestead)

\*Forfeiture Ordinance Enforcement Policy adopted by Resolution 2015-90