

City Council – Action Request Form

Date: May 25, 2017

To: The City Manager

From: Angela I. Carmon, City Attorney

Council Action Requested:

Adoption of an Ordinance Amending Chapter 10, Article V, Section 10-203 of the City Code Relating to Housing

Summary of Information:

The Mayor and City Council's Legislative Priorities package for 2017 included draft legislation amending the state law pertaining to minimum housing codes to allow the recovery of the cost of service by publication of housing complaints and orders. Said legislation was passed into law by the North Carolina General Assembly on or about May 25, 2017.

Briefly, the purpose of the legislation is to allow the recovery of said publication cost, which has averaged about \$18,000 per year over the past few years, as a lien against the properties that are the subject of the publication. Many of the properties that require the owners to be served by publication are properties belonging to heirs, many of whom cannot be located; therefore, the service by publication is required by law. Once service by publication has been accomplished and the confirmation of the lien process has been completed, the city, if the owner(s) fails to pay the lien, may institute a foreclosure process similar to a tax foreclosure process to recover the cost of publication. Hopefully, the foreclosure sale will result in new owner that is willing to rehabilitate the property and place the same back into the market. As a part of this process, every effort will be made to make sure the new owner is aware of the various city programs that may be available to assist with said rehabilitation effort.

The attached ordinance amendment, which incorporates the aforementioned legislation into the city code, is recommended for your approval.

Committee Action:

Committee	<u>CD/H/GG 6/13/17</u>	Action	<u>Approval</u>
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For	<u>Unanimous</u>	Against	<u></u>
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Remarks: