



AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: APRIL 15, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN KUHARSIN

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing to consider the report, expenses to recover costs for abatement of dangerous building demolition located at 613 W. Monroe Avenue in the amount of \$10,854.74 (General Fund) and assess a maximum of \$355,550 in daily civil penalties. PROPERTY OWNER: CHASE HOME SERVICES LLC - Ward 5 (Barlow)

Fiscal Impact

☐ No Impact ☐ Augmentation Required
☐ Budget Funds Available

Amount: \$10,854.74

Funding Source: General Fund

Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired Baldwin Development to demolish the structure(s) in compliance with Clark County Health regulations (bid must include asbestos removal), removing refuse, waste and post No Trespassing, No Dumping, No Vehicle signs on site. On August 12, 2008, an asbestos survey was conducted by CamAir. To date, there have been thirty-four (34) inspections conducted at this location. The value of the property based on the sale date of October 2008 was \$90,195.

RECOMMENDATION:

That the City Council: Approve the report of expenses to include \$5,700 invoice for Baldwin Development services, \$625 invoice for CamAir asbestos survey in addition to other fees assessed for a total of \$10,854.74 and consider assessing a maximum of \$355,550 in daily civil penalties.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps
3. Report of Expenses
4. Contractor Disclosures
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

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Motion made by RICKI Y. BARLOW to Approve an assessment of \$10,854.74 and civil penalties of \$355,500

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

RICKI Y. BARLOW, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS, DAVID W. STEINMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-LOIS TARKANIAN, OSCAR B. GOODMAN)

Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose, Background and Recommendation sections.

A videotape was shown, but but a copy was not submitted.

The property owner was not present.

MR. SMITH explained that \$500 in daily civil penalties is imposed on the 15th day after the Notice and Order is issued on the property, which was November 17, 2006. Staff had received returned postcards for 20 different Limited Liability Corporations (LLCs) and had contacted the bank who took ownership in October 2007, but no corrective action has been taken.

COUNCILMAN WOLFSON stated that taking two and a half years to impose assessment fees and penalties on this property is ridiculous, noting staff's multiple efforts to contact and work with the property owners. MR. SMITH explained that the property owners had attempted to avoid action by the City by changing the property's ownership to different LLCs, forcing the City to allow the new ownership the same due process as the previous owner. COUNCILMAN WOLFSON suggested that the ordinance be amended to better protect the City's financial interests by limiting inspections to two.

MR. SMITH stated that staff attempts to contact the bank that holds the lien when a property goes into foreclosure, but that information is difficult to find before foreclosure proceedings begin. COUNCILMAN STEINMAN noted the lender of record on a property is a public record and encouraged MR. SMITH expand the scope of his research. MR. SMITH added that staff has a process for working with lenders to address abandoned properties and several lenders are working with the City.

COUNCILMAN ROSS observed that lenders and banks are doing nothing to help people who are losing their homes and he would not support reducing the fines to any banks.

COUNCILMAN BARLOW thanked his colleagues for their comments and support, noting foreclosed and abandoned properties are a problem throughout the City.

MAYOR PRO TEM REESE declared the Public Hearing closed.