



Las Vegas

Agenda Item No.: 3.

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: JUNE 5, 2017

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC

☐ Consent ☒ Discussion

SUBJECT:

Bill No. 2017-18 - For possible action. Updates Code provisions pertaining to the City's registration and maintenance program for vacant properties that are the subject of foreclosure and related proceedings. Sponsored by Councilman Steven D. Ross

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

This bill will update Code provisions pertaining to the City's registration and maintenance program for vacant properties that are the subject of foreclosure and related proceedings. The update includes the ability to include additional types of properties as authorized by State law and updates fees associated with registration, including an annual registration renewal fee.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2017-18

Motion made by BOB COFFIN to Approve as Do Pass as a First Amendment

Passed For: 3; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

BOB COFFIN, STAVROS S. ANTHONY, CAROLYN G. GOODMAN; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

VICKI OZUNA, Code Enforcement Supervisor, stated that in 2011, the Council approved an ordinance that adopted a foreclosure registry. It has been successful; however, in the last four or five years, there has been an increase in abatements in which most have houses in an abandoned status. The banks are not putting the houses into default which does not trigger them to be placed on Code Enforcement's abandoned building registry. Staff would like to utilize Nevada Revised Statute (NRS) 107 which has adopted an abandoned building definition and would require the houses to be moved from the foreclosure registry to the abandoned building registry.

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MAYOR GOODMAN wondered whose responsibility it was to find vacant buildings. MS. OZUNA said at the present moment, staff reacts to residents' complaints as there is not enough personnel to scout out the buildings; however, staff has a plan to move forward on a data portal that will help to identify the probability of a house being abandoned and vacant. Staff will also conduct a survey to identify whether there is a need to increase staffing.

In response to a question from MAYOR GOODMAN, MS. OZUNA confirmed that at the present moment, staff will identify abandoned houses and their needs such as no power, if the house is open and accessible and if it is causing a nuisance for the surrounding properties in the neighborhood. If so, staff will go through its process of notifying all current parties that are involved on the property and allow them to mediate it. Should they fail to do so, staff will continue with an abatement contract.

MS. OZUNA confirmed for MAYOR GOODMAN that DEPUTY CITY ATTORNEY VAL STEED assisted in drafting the bill and she mentioned the City of Henderson's process which followed the State's adoption of NRS 107.

MAYOR GOODMAN asked about exposure for the City regarding the process. DEPUTY CITY ATTORNEY STEED did not think an additional exposure was needed.

COUNCILMAN COFFIN believed abandoned houses were a public safety concern and are often occupied by people who should not be there. He complimented MS. OZUNA and her staff for responding to complaints. MS. OZUNA pointed out the importance of the data portal which will help staff to identify the status of a house. She added that sometimes banks do not recognize a foreclosed upon house because they do not want to include it in their bottom line. Additionally, in Wards 1, 3 and 5, banks tend to not be as responsive as they are in Wards 2, 4 and 6.

She confirmed for COUNCILMAN COFFIN that most banks do not want to officially foreclose upon a house. He asked if their names should to be publicized. MS. OZUNA was unsure if this could be done and acknowledged that another issue is that banks rapidly sell loans which make it difficult for staff to identify the mortgage holder.

MS. OZUNA also believed it was important to hold the banks accountable on the properties. She was aware that the Hearing Officer does his best to hold them accountable; however, the banks are willing to go any route to avoid it.

MAYOR GOODMAN asked if there is a City app where the public can report a vacant building. MS. OZUNA confirmed and added that she periodically uses the Nextdoor app to encourage residents to contact Code Enforcement.

Prior to the vote, DEPUTY CITY ATTORNEY STEED noted that the bill has a sunset clause in Section 6 that was tied to the State legislation that also sunsetted this year. The Legislature has passed a bill to extend it another four years; therefore, he recommended that Section 6, which has

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a sunset date of June 30, 2017, be changed in a First Amendment to June 30, 2021 to coincide with the new State Legislation.

MAYOR GOODMAN declared the Public Hearing closed.

