



DOCUMENTING THE
VACANT, ABANDONED, BLIGHTED
PROPERTY PROBLEM
IN MARYLAND



MARYLAND
Association of
COUNTIES



COMMUNITY DEVELOPMENT
NETWORK OF MARYLAND



Maryland Municipal League
The Association of Maryland's Cities and Towns

WWW.COMMUNITYDEVELOPMENTMD.ORG

OVERVIEW

Local governments across the state face challenges related to vacant and abandoned properties. This document summarizes survey responses from local officials about issues and challenges they face related to blighted properties.

The survey results make clear that:

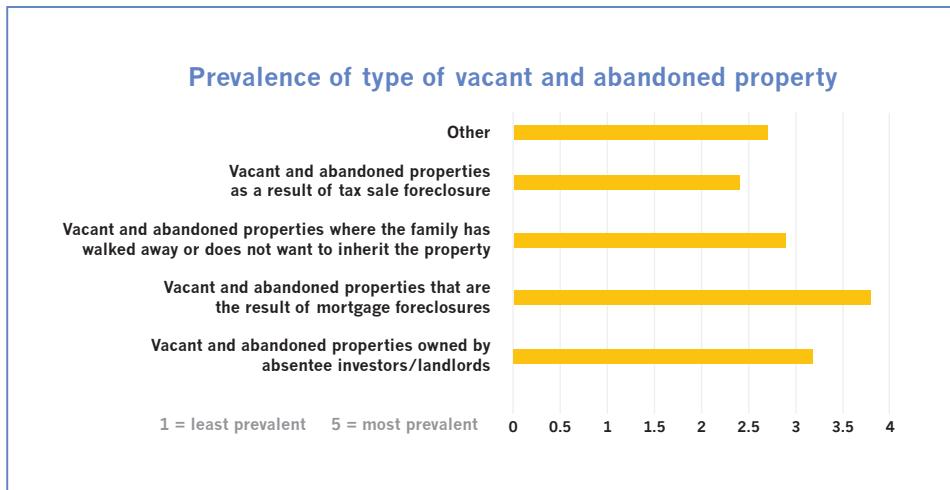
- Municipalities want more notice and more information to address blight in their areas.
- Local governments are not fully equipped to adequately address blighted properties.
- While foreclosures are prevalent, some municipalities are also dealing with absentee landlords and investors who do not take care of their properties.
- Smaller municipalities want more tools to address issues related to vacant properties.

The Prevalence of Blighted Properties

Respondents ranked how prevalent certain kinds of blighted properties were in their county or municipality – with 1 being the lowest and 5 the highest. Responses are summarized here in order of the prevalence of each category:

1. Vacant and abandoned properties resulting from foreclosure: 3.8 ranking
2. Vacant and abandoned properties owned by absentee landlords/investors: 3.2 ranking
3. Vacant and abandoned properties where the family walked away or does not want to inherit the property: 2.9 ranking

CHART 1



Methodology

The survey questions were drafted by the Community Development Network of Maryland, Maryland Municipal League (MML) and Maryland Association of Counties (MACO). The online survey was conducted through MML and MACO networks from September 15 to October 7, 2016. There were 57 full or partial responses to the survey. Forty-four of the respondents were from municipalities and 13 from counties and Baltimore City (out of a statewide total of 156 municipalities, 23 counties and Baltimore City). A list of counties and municipalities that responded to the survey can be found at the end of this document.

Addressing Blighted Properties

Participants answered questions on a range of topics about how their county's address blighted properties.

Vacant Property Registry

- 64 percent of participants reported they do not have a vacant property registry
- 19 percent have a vacant property registry (17 percent did not respond). Of those that do have a registry, two respondents noted the registry is simply a spreadsheet kept internally.
 - *"The vacant property registry is a very handy tool. Maryland National Capital Park and Planning has partnered with the Municipality to create a map showing all vacant properties by category, property vacant and privately owned, vacant owned by the town, and vacant owned by the County, HUD, etc. The registry is used by the police department, county agencies and developers, and also used at stakeholders meetings."* – Doris Sarumi, Town Manager for the Town of Fairmount Heights in Prince George's County



Defining vacant and abandoned (or blighted) property

Local counties and municipalities use different definitions of vacant and abandoned properties.

- 37 percent of participants said they use the International Building Code definition.
- 19 percent use the definition similar to the one used by Baltimore City (see Appendix 1).
- 5 percent said they use "uninhabitable" as their definition.
- 18 percent cited language in their local code but did not provide a definition.

Certificate of vacancy

- 73 percent of respondents do not have a certificate of vacancy
- 7 percent have a certificate of vacancy (Harford County revokes the certificate of use and occupancy.)

Foreclosed Property Registry

- 44 percent of respondents said they use the Foreclosed Property Registry
- 37 percent do not use the registry.
 - Comments showed that five respondents did not know about the registry while four thought the registry was useful. Others thought the registry captured information too late in the process to be helpful or the timeframe between the actual foreclosure and the registration was too long.

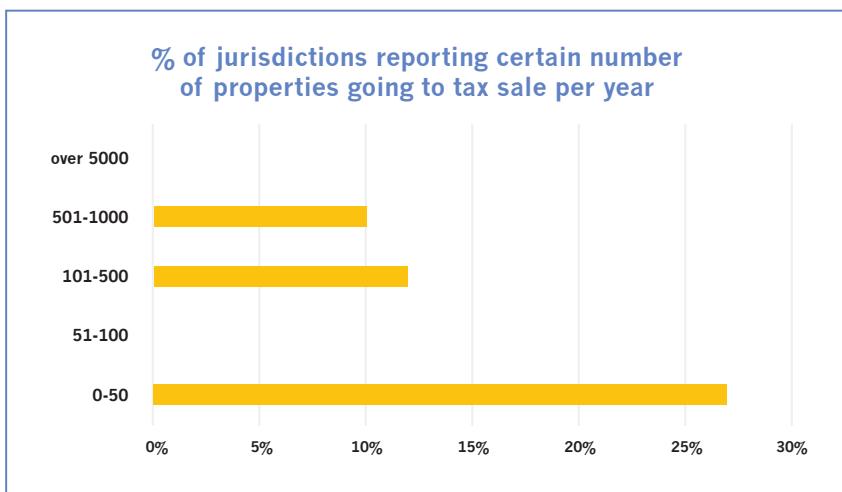
Tax sale

Participants were asked about the tax sale in their areas. 45 percent of the respondents answered this question since it was targeted to counties. Some municipalities also answered.

Number of properties entering tax sale per year (See Chart 2)

- 27 percent of respondents reported that 0-50 properties enter the tax sale process annually
- 12 percent said that 101-500 properties enter tax sale
- 5 percent said that 501-1000 properties enter tax sale
- 10 percent said that more than 1000 properties enter tax sale
 - Participants also noted that delinquent water bills, solid waste fees and maintenance liens forced properties into tax sale, along with unpaid property taxes.

CHART 2



The types of property entering tax sale:

- 22 percent of respondents said that between 0 and 10 percent of their tax sale properties are vacant and abandoned (according to their definition) when the tax sale process starts.
- 7 percent said that between 11 and 30 percent of the tax sale properties were vacant and abandoned.
- 3 percent of the participants said that between 50 and 75 percent of their tax sale properties were vacant and abandoned.

How many properties are sold during the tax sale.

- 29 percent of respondents said that between 0 and 10 percent of tax sale properties do not sell at tax sale.
- 11.8 percent said that between 10 and 30 percent do not sell.
- 3.3 percent said that more than 75 percent do not sell.

Other concerns

Respondents identified several other challenges, including:

- The lengthy time required to take a property through foreclosure and for ownership to clear
- The time it takes for the State Department of Assessments and Taxation to record the new ownership of a property once it changes hands.
- The need to improve the Foreclosed Property Registry.
- The lack of capacity to conduct code enforcement and blight elimination.

Suggestions

Respondents made a range of suggestions, including:

- Require counties to notify municipalities when there is a tax sale in their municipality and give municipalities the first right to tax sale properties.
- Make sure auctions are not required in tax sales and give local counties flexibility in implementing any new reforms.
- Streamline the process for counties and municipalities to take title to a tax sale property.
- Provide notice to the municipality or county when a foreclosure is filed
- Require banks to maintain the properties
- Require quicker foreclosure of vacant properties so the local agency does not waste time and money serving the former occupant who can't pay the bills or liens anyway. Filing the deed 90 days after the foreclosure sale occurs is important for this purpose as well.
- Create a statewide vacancy registry that automatically notifies the municipality or county



COUNTIES AND MUNICIPALITIES THAT RESPONDED TO THE SURVEY

<i>Baltimore City</i>	<i>Annapolis</i>	<i>Henderson</i>
<i>Anne Arundel County</i>	<i>Bel Air</i>	<i>Indian Head</i>
<i>Caroline County</i>	<i>Berlin</i>	<i>Laurel</i>
<i>Cecil County</i>	<i>Berwyn Heights</i>	<i>Laytonsville</i>
<i>Charles County</i>	<i>Bladensburg</i>	<i>Kensington</i>
<i>Dorchester County</i>	<i>Boonsboro</i>	<i>Millington</i>
<i>Frederick County</i>	<i>Bowie</i>	<i>Mt. Airy</i>
<i>Harford County</i>	<i>Cambridge</i>	<i>Mountain Lake Park</i>
<i>Kent County</i>	<i>Chevy Chase</i>	<i>Myersville</i>
<i>Montgomery County</i>	<i>Charlestown</i>	<i>New Market</i>
<i>Prince George's County</i>	<i>Denton</i>	<i>New Windsor</i>
<i>St. Mary's County</i>	<i>District Heights</i>	<i>Perryville</i>
<i>Wicomico County</i>	<i>Fairmount Heights</i>	<i>Pocomoke City</i>
	<i>Federalsburg</i>	<i>Poolesville</i>
	<i>Frederick City</i>	<i>Ridgely</i>
	<i>Gaithersburg</i>	<i>Rockville</i>
	<i>Galena</i>	<i>Tacoma Park</i>
	<i>Greenbelt</i>	<i>Taneytown</i>
	<i>Hagerstown</i>	<i>Upper Marlboro</i>
	<i>Hampstead</i>	<i>Williamsport</i>
	<i>Hancock</i>	

Appendix 1: Baltimore City Definition

116.4 Vacant structures. Every vacant structure, as defined in this § 116.4, is declared to be a fire hazard and a nuisance per se, and must be safeguarded and otherwise maintained as required in this § 116.4.

116.4.1 Definitions.

116.4.1.1 General. In this § 116.4, the following terms have the meanings indicated.

116.4.1.2 Vacant structure. "Vacant structure" means an unoccupied structure that is:

1. unsafe or unfit for human habitation or other authorized use, or
2. a nuisance property.

116.4.1.3 Nuisance property. "Nuisance property" means:

1. an unoccupied structure for which 2 or more final, non-appealable Building Code, Fire Code, or Property Maintenance Code violations remained unabated for 10 days or more beyond the date by which the violation notice, citation, or order required the violation to be corrected; or
2. the exterior premises of an unoccupied structure for which, at any time within the preceding 12 months, on 6 or more separate occasions, final, no-longer appealable violation notices, citations, or orders were served to correct violations of Property Maintenance Code, § 305 {"Exterior Sanitary Maintenance – General"} or § 306 {"Exterior Sanitary Maintenance – Trash, Garbage, and Debris"}.

Appendix 2: Capacity for Code Enforcement/Blight Elimination

The Department of Housing's Permits & Code Enforcement division oversees code enforcement and demolition of vacant properties. There are approximately 300 code enforcement employees. However, many other divisions touch this issue as well (Property Management, which manages city-owned vacant land; HABC, which manages its vacant housing stock, etc.)

We only address tax lien foreclosure properties. We have one inspector for the entire county outside Cambridge. He is currently just cleaning up the backlog of building permits.

Neighborhood Services Division of the Planning and Code Administration Department.

We have 4 staff members that can handle complaints on vacant properties

If the property is not being maintained when vacant if we have contact information for the such as the realtor, bank, etc. they are notified of the responsibility for upkeep. If we do not have this information, the Town Public Works Dept does property maintenance resulting in a lien being placed on the property for their time and maintenance.

Currently the Department of Inspections licenses and Permits has responsibility for these structures. We currently have two employees

that work on these cases but are not able to dedicate full time and attention to them based upon other duties.

One person completes the quarterly foreclosure spreadsheet and provides to the Mayor and Council, Chief of Police and Police Lieutenant, Superintendent and Assistant Superintendent of Public Works, Town Manager and Town Staff. We address the vacancies as people call in with any complaints about them; otherwise, we do not currently address them. If someone calls in with a complaint (i.e. tall grass), a Town employee will send out a letter referencing our code and asking for assistance with maintenance.

1 officer - Code Enforcement Section

We do not keep track of vacant/abandoned property. Any issues would be addressed to our Division of Planning and Permitting.

One person our Code Enforcement Officer

The Town does not have the capacity to address this problem.

Baseline/Count vacant houses = 580 houses

vacant houses= 91 or 16 % of housing stock

vacant/buildable lots = 20

The code enforcement officer is charged with this work. The code enforcement officer works part-time @ 20 hours per week. In addition to task associated with vacant and abandon properties, he is also responsible for inspections, issuing citations, issuing permits, court cases, and other day-to-day administration of the Code Enforcement Department.

Public Works Department is tasked with this mission and one specific person includes the review and inspection of vacant/ abandoned buildings in their job description

Properties are addressed as uninhabitable or in violation of the IBC Maintenance Code on a case by case basis. The two employees of the Planning Department are tasked with this enforcement.

These problems are addressed by the Mayor and Town Council with the assistance of the Town attorney, Zoning Administrator, Building Inspector and town clerk.

We have 1 person who takes care of all properties in town. The code enforcement officer using the International Property Maintenance code 2012

This falls across several departments, primarily Code Enforcement and the Building Department, but also involves Economic Development, Planning, Legal and others. It is an ongoing concern by a small group of vocal residents and has been difficult for the City to communicate a positive message to this group.

The Code Enforcement division of the Department of Planning and Community Development is responsible for monitoring vacant properties. There are 3 full time inspectors, and the monitoring of vacant properties is assigned to one of those inspectors, but that inspector carries a full load of property maintenance inspections in addition to the vacant property monitoring.

We had one property that was vacant and the bank had foreclosed on the owner some time ago. We finally contacted the bank and made them take down a dangerous tree and maintain the property. All this was handled by the village manager. It took some time to ascertain the bank holding the REO and who to contact at that bank.

The Town is small and there are 2 employees which address this issue as it relates to securing it and one which addresses utility issues. At least one other employee deals with those in foreclosure which are the worst to deal with b/c the mortgagee is no longer around and the mortgagor owns it with no responsibility. That is the crux of this entire issue.

It is a minor issue, mostly relating to grass mowing. We have 1 part time code enforcement officer who writes code infractions.

We have two part-time clerks, the Town's attorney and the Mayor that work to identify ownership of blighted and vacated properties. Once identified, the same personnel work with the property owner to bring the property back into code.

Minimal capacity for addressing vacant/ abandoned properties. Ordinances are limited in enforcement capabilities.

2 employees available for this purpose. Town Administrator, Code Enforcement officer.

Department of Planning and Zoning Division of inspections and permits. There are 3 Property Maintenance Inspectors

The Bowie Code Compliance Office addresses vacant and abandoned properties. The 4 code compliance officers are each responsible for the vacant properties in each of their assigned areas.

DHCA's Code Enforcement Section handles vacant property issues, and manages a Clean and Lien program administered by 1 full time staff person.

I sub contract all of this out makes for a cleaner process, and assess a fine each time work is performed.

We are a small municipality. I am the only person addressing this from in house. Our Codes Enforcement officer assists when there is a problem. Outside of that, there is no real policy.

Right now there is only one employee that works on the Foreclosure/ Vacant Property registration.

Berwyn Heights Code Department uses several methods for addressing vacant and abandoned properties, check property tax inquiries, SDAT Real Property Search, Property Preservation Service, Maryland Case Search, MDLand Records, and White Pages.

Berwyn Heights have four employees dedicated to this department for addressing code issues.

Berwyn Heights Code Compliance is charged with maintaining code violations in the Town of Berwyn Heights.

Our capacity for addressing vacancies is extremely limited. There are 1.5 code enforcement employees, code enforcement is charged with addressing vacant and abandoned properties.

The Planning and Code Administration Department administers this program. We have one staff person who identifies the vacant properties and sends notices of the requirement for licensing to the owners, and who coordinates and conducts the interior and exterior inspections. We have one office staff person that handles the licensing process and the lien process if the fee is not paid.

Another office staff person also assists with identification of vacant properties. Our six Property Maintenance Code inspectors assist with notification of high weeds and debris violations to the property owners on these properties.

To abate any nuisance. The Town of Bladensburg Currently 2 Code Officers Assigned. The Code Office and Public Works Departments

The Department of Inspections and Permits and the Department of Health evaluate structures that are abandon and possible unsafe. There are no Inspection and Permits personnel dedicated to these type of issues but are handled by area building inspectors whose main purpose is the inspection of structures. Normally handled through are complaint system.

We have a Deputy clerk/Code Enforcement officer who monitors vacant properties.

Typically these issues fall on the Code Enforcement Officer (1). We presently do not have a good way to deal with vacant and abandoned properties. We tend to the issues that we can, such as, it is likely no one is mowing the grass and, through a process, the town is able to mow and attach the charge to the property.

We have a zoning administrator/town manager who handles complaints of vacant properties and a maintenance supervisor who has to mow grass etc when not maintained.

The Town has the Director of Planning and Two Codes Enforcement Personal who review and carry Ordinances of the Town. Including Property Maintenance and Rental Program

The Town does not specifically address vacant properties. The closest action is to cite the owner for code violations.

Our capacity is limited to a portion of one full time employee's time. Planning responsibilities, zoning administration and code

enforcement are all performed by one person. Addressing vacant properties is typically done under the code enforcement function.

Maintenance of the registry is the responsibility of the Housing and Community Development Department with monitoring support provided by the Police Department's Neighborhood Services Section.

Responsibility for administering the registry has been assigned to one staff person in the HCD Department. There are currently two inspectors working in the Neighborhood Services Section. No individual employee is solely dedicated to this effort.

We have a total of 4 administrative staff members, who have other duties. Dealing foreclosures is a burden. When trying to get the mortgage companies or entities to deal with tall weeds and grass and maintenance, they basically ignore any communications, until we start writing municipal infractions, than the amount in minimal so they just pay it.

It would be helpful if the State could become the focal point for penalties when these entities do not provide responsive personnel to deal with foreclosure communication personnel in these cases.

We use the PMC and the help of the Building Code Official at the County. Unfortunately, there is limited staff to dedicate time to enforce the Property Maintenance Code, including abandoned/blighted/vacant structures.

Ongoing maintenance and clean up is the biggest problem. We put a tax lien on the property and it is paid when the property transfers. The Department of Inspections and Permits and the Department of Health evaluate structures that are abandon and possible unsafe. There are no Inspection and Permits personnel dedicated to these types of issues but are handled by area building inspectors whose main purpose is the inspection of structures. Unsafe or abandon structures are normally handled through a complaint system.



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