



Legislation Details (With Text)

File #: TA2016-12004 **Version:** 1 **Name:** TA2016-12004; Foreclosure Property Registry
Type: Planning Case **Status:** Passed
File created: 1/31/2017 **In control:** Planning & Development
On agenda: 2/16/2017 **Final action:** 2/16/2017
Title: Approve amendments to the Clearwater Community Development Code establishing the Foreclosure Property Registry, procedures for registration and enforcement, and annual registration fee and pass Ordinance 8996-17 on first reading. (TA2016-12004)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Ordinance No 8996-17 - Foreclosure Property Registry Revised per CDB.pdf, 2. TA2016-12004 Staff Report.pdf

Date	Ver.	Action By	Action	Result
2/16/2017	1	City Council		
2/13/2017	1	Council Work Session		

SUBJECT/RECOMMENDATION:

Approve amendments to the Clearwater Community Development Code establishing the Foreclosure Property Registry, procedures for registration and enforcement, and annual registration fee and pass Ordinance 8996-17 on first reading. (TA2016-12004)

SUMMARY:

Since 2006, a significant number of properties have gone through foreclosure in the City of Clearwater. At present, there are over 700 properties in active foreclosure and 256 owned by banks. Because many properties in the foreclosure process often become neglected and/or unsecured, they can have serious negative impacts on the surrounding neighborhood and create conditions which invite criminal activity and foster an unsafe and unhealthy environment for children. Due to the difficulty in determining the party responsible for maintenance during foreclosure, the Planning and Development Department is proposing the establishment of a foreclosure registry.

Proposed Ordinance 8996-17 requires that within 10 days of the filing of a lis pendens the mortgagee shall register the property with the City and provide contact information for a local property management company responsible for maintaining the property. This information will enable the City to have direct contact with the party responsible for:

- the security and maintenance of the property;
- decisions concerning the abatement of nuisance conditions at the property; and
- expenditures to correct violations.

Any unoccupied or vacant property subject to the ordinance must also maintain a visible posting on the structure with the name and all-hour contact number of the mortgagee's local agent.

A property registration and the associated \$200 fee is valid for one year. If the mortgage on a registered property is sold or transferred, the new mortgagee is responsible for obtaining a new registration and paying the requisite fee.

The Planning and Development Department has determined that the proposed text amendment to the Community Development Code is consistent with and furthers the goals, objectives and policies of the Comprehensive Plan and the Community Development Code as outlined in the staff report. The CDB reviewed the proposed text amendment at its meeting of January 17, 2017 and unanimously recommended approval of the amendment, with one change eliminating the required sign posting for occupied properties. The revision has been integrated into the attached ordinance.

APPROPRIATION CODE AND AMOUNT: N/A

USE OF RESERVE FUNDS: N/A