

# City of Vacaville

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**FOR IMMEDIATE RELEASE**  
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## **CITY COUNCIL APPROVES FORECLOSURE NUISANCE ORDINANCE**

The Vacaville City Council has unanimously approved amending an ordinance aimed at addressing the growing issue of property owners not maintaining foreclosed properties.

The Council's action, taken July 22, amended the City's Weed and Rubbish Ordinance and the Public Nuisance Ordinance.

In October 2007, Vacaville's Housing and Redevelopment staff began contacting homeowners who had received a Notice of Default in an effort to provide counseling and help them avoid foreclosure. Over 800 property owners were contacted.

Despite this effort, 357 properties went into foreclosure since October 2007. Unfortunately, often by the time a property owner of a foreclosed unit decides to vacate, the property is in poor or substandard condition. This impacts the surrounding neighborhood by reducing the quality of life for others and potentially reducing property values. Besides looking unsightly, a vacant unit can also become an attractive nuisance and create public safety problems.

As a result, several cities were contacted to assess their approach to this problem. Staff then determined that those cities with the greatest success in addressing the foreclosure problem had strengthened their existing nuisance ordinances and expanded their enforcement measures.

Some of the key changes in the ordinances include:

- Eliminates the sixty (60) day waiting period for maintaining a vacant or abandoned building in good condition.

(More)

- Clarifies that in addition to the record owner, persons having charge or possession of the property are responsible for its repair, rehabilitation and maintenance (e.g., lenders of foreclosed properties, tenants, property management agents, etc.).
- Requires the property to comply with all applicable provisions of State and local housing, building and fire codes.
- Expands the owner's obligation to ensure public safety and prevent blight with respect to a vacant or abandoned building.
- If the building is going to remain vacant for 30 or more days, requires the owner or other person having charge or possession of the property to notify the City's Code Compliance Division, and with respect to corporations and out-of-area owners, to hire a local property management company to perform weekly inspections.
- Broadens the City's ability to enforce and collect reimbursement of its abatement costs by imposing a monthly monitoring fee and separate involuntary enforcement response fee for a vacant or abandoned building determined to be a nuisance.
- The City will now charge a monthly Monitoring Fee of \$550 for each month that the property does not meet the requirements of the PNO. The Monitoring Fee has been set to recover the City's regular costs to monitor and respond to the nuisance.
- The City will charge the owner an Involuntary Enforcement Response Fee for each time staff is required to respond to the site because of a problem.

Declaring a property in violation of the PNO, as well as charging these fees, are subject to the appeal process as defined in the ordinance. However, should the fees not be paid, a lien will be placed on the property, and the fees will be paid at the time the property transfers ownership (subject to the lien rights of senior lien holders such as the lender).

The ordinance was originally presented to the Council on July 8, where it passed unanimously. A second vote was taken on July 22, and again it passed unanimously. The new ordinance will take effect 30 days after the second vote, or August 21.

If you have a foreclosed property in your neighborhood that you feel is a nuisance, Call the City's Department of Housing and Redevelopment at (707) 449-5693.

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