

WHAT NOW?

When Being A Good Neighbor Fails.

DREAM Initiative
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Paul Martin
Paul Martin, P.C.
9322 Manchester Road
St. Louis, Missouri 63119
(314) 961-0097 x. 12
paul@paulmartinpc.com

I. PROPERTY CODE ENFORCEMENT

- Codes up to date?
- Trained, competent, and dedicated building inspector?
- Willing and able prosecutor?
- Code provide for daily violations?
- Political will?

If owner has money, threat of multiple prosecutions can lead to results.

II. MUNICIPAL SELF-HELP (NUISANCE ABATEMENT)

- Nuisance ordinances in place?
 - Weeds, debris, dead trees, dangerous buildings, derelict autos
 - Liens, liens, liens
- Competent personnel

Can abate nuisances, even up to demolition, and lien property for later recovery

Again comes down to your personnel, available resources, and political will.

BEWARE SECTION 1983!

Entry on private property w/out permission or warrant!
(Ordinance authorizing admin. warrants—talk to city attorney)

Notices to property owners!
Can't rely on public records when you know address is bad;
Law requires more effort.

III. NUISANCE PROPERTY LITIGATION

- Section 441.500 RSMo.—Authorizes cities to petition a court to place residential income properties into receivership—receiver uses rent to correct code violations
- No statute?

Ask court for injunction to force code compliance; threat of contempt citation if failure to comply with court order.

Ask for damages—money spent on nuisance abatement, emergency measures, even possibility of excessive street damage or other extreme costs to municipality.

If property has value, and owner is faced with mounting legal bills and the threat of financial penalty, you may see results. Most would rather spend money on property improvement rather than lawyers.

IV. OTHER IDEAS

- Property owner ID—get a copy of the driver's license for the person seeking an occupancy or building permit.

Pedigree allows for issuance of warrant—actual arrest—if faced with code problems down the road.

- “No value” property?

If cost of demolition exceed value of land, ask for a donation.

City can demo property and then offer it for redevelopment (at FMV or cost if you can get it, free if not, but can tie it to development markers)

V. CONCLUSION

Addressing problem properties comes down to what we all wish we had more of—time, money, and commitment!