

Testimony of Omaha Together One Community (OTOC) July 31, 2018

Gloria Austerberry



2018 BUDGET HEARING

Omaha Together One Community

My name is Gloria Austerberry from Augustana Lutheran Church, organizational member of Omaha Together One Community, OTOC. I live at 5036 Pinkney Street in Omaha.

My team members and I of OTOC's "Housing and Neighborhood Revitalization Action Team" will state several positions related to the City Budget, and our slide show will illustrate our points.

We appreciate the time city leaders give to this process every year, and also appreciate the opportunity to provide community feedback in advance of the City Council budget decisions. So thank you!

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4205 MAPLE



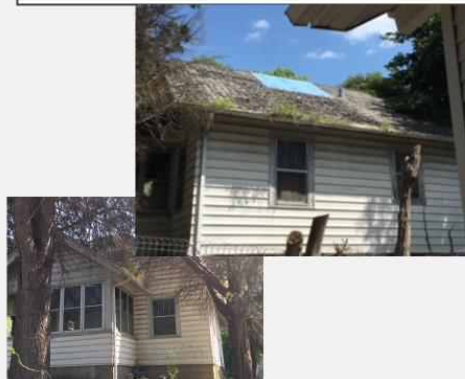
- Well maintained owner occupied home
- Highest property value on the block
- Surrounded by deteriorating property

This year we will focus our testimony about the budget around the housing issues that we saw on just one block—42nd and Maple St.

We focus on problems on this one block. But these problems illustrate common issues that face many neighborhoods across the city.

This is 4205 Maple, a home that is owner occupied and very well maintained despite the fact that it is surrounded by deteriorating property.

4201 MAPLE



- Vacant since small fire in 2016/17
- Has some interior fire damage and roof is compromised
- Demolition order since 2016
- Tax address is N. 90th

This house next door was a rental property that has been vacant for about 2 years after a minor fire. There has been a demolition order on the house since 2016. It looks like it could be saved with some investment.

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4201 MAPLE



Inside the Living Room—through the front window

Here is the living room, as seen through the front window

4201 MAPLE

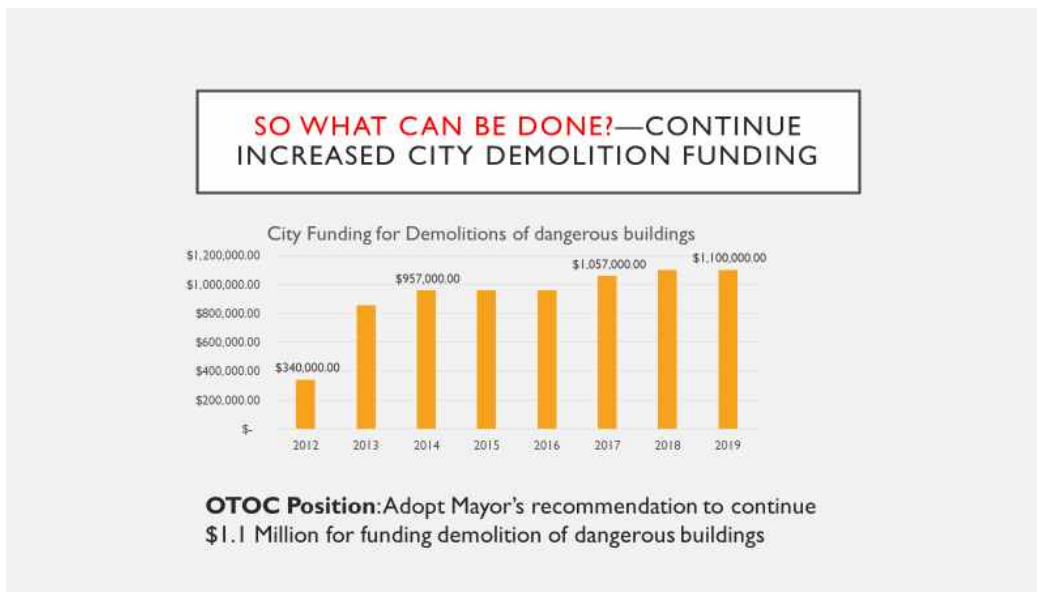


- Missing Windows



And there are at least two missing windows...this house could be saved, but not if it remains vacant and open for very much longer.

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In 2013, OTOC challenged the City Council to continue the progress raising demolition funding we began under Mayor Suttle and raise the funding for demolition to \$1 Million per year, on a yearly basis, until the City could significantly reduce the number of condemned buildings which was then about 750 structures.

You and the Mayor responded to that challenge and since 2014, the City has consistently invested about \$1 Million in City and federal funds in demolition. Since 2013, the city has invested almost \$6.0 Million and demolished hundreds of these dangerous structures. Some owners have gotten the message that the City is serious and themselves demolished their dangerous buildings.

There are now fewer than 150 condemned buildings waiting for demolition.

We celebrate this progress and ask you accept the Mayor's recommendation to invest \$1.1 Million in 2019.

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David McLeod

LET LANDBANK BE PART OF SOLUTION

- OTOC worked for creation of Omaha Land Bank
- To get tax delinquent, abandoned property
- back into productive use and back on the tax rolls



Text with slide

I am David McLeod, 5012 Miami Street and a member of the OTOC Housing Action Team.

OTOC worked with Habitat for Humanity, business leaders and legislators to get the Land Bank authorized in the Unicameral and then created unanimously **by you the City Council.**

The Land Bank is now bearing fruit by buying tax delinquent properties that could become abandoned buildings. With the help of generous donors, the Land Bank wants to be part of solving the problem of abandoned buildings.

**ANOTHER WAY TO INCREASE DEMOLITIONS:
—LET THE LAND BANK REIMBURSE THE CITY
FOR DEMO LIENS**

OTOC Position:

- **By the end of August**, City Council should adopt an Interlocal Agreement with the Omaha Land Bank that has been under discussion since last year.
- As a result, the Land Bank will reimburse the City up to \$500,000 annually to repay demolition liens.
- This will allow the City to reinvest those funds to demolish about 30 additional abandoned houses in 2018-19.

The Land Bank has offered to provide half a million dollars annually to pay off demolition liens that the City has placed on the property for the cost of demolishing these dangerous, abandoned buildings.

This will allow the City to reinvest those funds to demolish about 30 additional abandoned houses from the list in 2018-19.

An Inter local agreement for the Land Bank to provide this funding to the City has been in discussion **since last year**.

OTOC asks that City Council adopt the final Interlocal agreement by the end of August.

Susan Kuhlman

4209 MAPLE



So who maintains the lot after demolition?

- City demolished house on this site in Spring 2018.
- Vacant lot has not been mowed in months.
- Tax address is Las Vegas
- City has cited for overgrown weeds but no action to cut lot so far

I am Susan Kuhlman and I live at 9242 Raven Oaks Dr. I am a member of Holy Name Church the OTOC Housing Action Team.

So once a dangerous property has been demolished, who takes responsibility for cutting the grass and weeds that grow where the house once was? This is a lot at 4209 Maple, on the other side of the nicely maintained home. The City demolished the house sometime this year. It appears that the lot has not been mowed in months. The owner of the house has a tax address of Las Vegas...not likely they will come back to mow it.

4209 MAPLE



How tall do the grass and weeds have to grow before the owner or the City cuts them?

So how long does it usually take before the City will cut the grass and weeds on a lot where the house was demolished? How tall do the weeds and grass have to grow?

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ONCE THE LAND BANK HAS TITLE, IT IS RESPONSIBLE TO MAINTAIN THE PROPERTY



Lots 36th and 40th Hamilton Street

While weeds and grass can easily out grow our best efforts, the Land Bank hires contractors and they seem to more proactively cut the grass when it is needed.

SO WHAT CAN BE DONE—
FORECLOSE ON DEMOLITION LIENS

After Demolition occurs:

City does not usually foreclose on Demolitions Liens

- ownership stays with owner who abandoned it

City eventually cuts grass and weeds

- Many more grass cutting liens are added to the property

We have been surprised to learn that the City does not routinely foreclose on the demolition liens that it puts on a house for the cost of demolition. That means that ownership stays with the same owner who abandoned the property in the first place. This also means the city will have to keep cutting the grass and weeds, adding even more liens on the property.

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FORECLOSE ON DEMO LIENS QUICKLY

OTOC Position:

City sign the Interlocal Agreement with the Land Bank and then **begin foreclosure process on all Demolition Liens as quickly as the law allows. When the Land Bank pays off the Demo Lien, transfer title to the Land Bank.**

This will allow:

- Land Bank to take responsibility to cut grass/weeds taking burden off tax payers
- Reduce the ongoing blight from overgrown grass and weeds
- Land Bank will work to get property back into productive use and on tax rolls again



So here is OTOC's Position

The City should sign the Interlocal Agreement with the Land Bank.

Then, as the Agreement states, **the City should begin the foreclosure process on all Demolition Liens as quickly as the law allows.**

Once the Land Bank pays off the Demolition Lien, the City should transfer the title of the property to the Land Bank.

This will allow:

- Land Bank to take responsibility to cut grass/weeds taking burden off tax payers
- Reduce the ongoing blight from overgrown grass and weeds
- And most importantly, the Land Bank will work to get property back into productive use and on tax rolls again.

Testimony of Omaha Together One Community (OTOC) July 31, 2018 Claire Johnson

4202 MAPLE

Sunday, July 29



Who makes sure grass is cut and yard is maintained if owner or tenant fails to?

- Trash had not been picked up by city garbage contractor for 5 weeks
- grass was not cut
- Owner out of county, and renters didn't maintain

This is 4202 Maple, a rent house across the street from the abandoned house.

Several neighbors told OTOC they were concerned about the trash that accumulated for a month after the City Garbage collector stopped picking up their trash.

This what the house looked like Saturday and Sunday.

SO WHAT CAN BE DONE?
--CITIZEN ACTION WITH CITY SUPPORT

After a neighbor calling the City for several weeks, and OTOC leaders taking pictures, this nice change occurred over the last three days:

Question: When can the garbage contractor refuse to pick up trash?

Sunday, July 29



Monday, July 30



Tuesday, July 31



But From Sunday night to this afternoon, this is the positive change that occurred. It was probably because one neighbor was calling the City and also the tenants could not help but see strangers walking around and taking pictures. But it does raise the question:

Under what situations can the City contractor refuse to pick up garbage? How does this get resolved so the rest of the neighborhood doesn't suffer?

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Tiffany LeColst

HOUSING CODE INSPECTORS PLAY A
VITAL ROLE



I am Tiffany LeColst and I live at 5027 Emmet St. I, too, am a member of OTOC Housing Action Team. I also work for a non-profit organization and currently do housing inspections for homeless individuals and/or families who are transitioning into housing.

I do weekly proactive inspections to make sure unit is up to code before tenant moves in. With doing inspections weekly on rental properties all throughout the Omaha metro area, as you can imagine, I see the good and the bad that goes along with it. A few code violations I personally have run into is as follows: converting bedrooms in basement without egress windows, missing smoke alarms, and no proper ventilation, just to name a few. When landlords know and understand the standards set forth that are to be met, the code violations are fixed and an improvement has then been made to the property.

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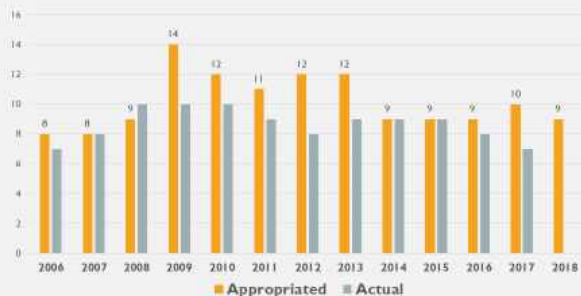
PROBLEM: THERE ARE MORE RENTAL PROPERTIES IN OMAHA AND FEWER HOUSING CODE INSPECTORS

- Since 2008 there are 9,000 more rental units in Omaha—a 14% INCREASE.
- Since 2008 the number of housing code inspectors has DECREASE from 10 actual inspectors to 7 in 2017—a 30% decrease.

The amount of rental properties in Omaha are continuing to increase and with that there is a great need for more Housing Code Inspectors. Since 2008, there are 9,000 more rental units in Omaha – that is a 14% increase. The number of Housing Code Inspectors has decreased from 10 to 7 in 2017 – at a 30% decrease.

SO WHAT CAN BE DONE?
INCREASE NUMBER OF HOUSING CODE INSPECTORS

Appropriated Vs. Actual Housing Code Inspectors



- City Planning has a history of budgeting for housing code inspectors who never get hired
- In only two years since 2009 did the City actually hire the number of inspectors in the annual city budget.

OTOC Position: Hire and train all the Housing Code Inspectors needed to assure proper enforcement of housing codes

In doing this research, we see a pattern that the city has planned a budget for a number of Housing Code Inspectors to be hired. However, not all positions are being filled.

With all due respect, OTOC asks that all positions be filled so the City can establish a minimum health and safety standard necessary to protect and promote the welfare of tenants and the general public.

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Dennis Walsh

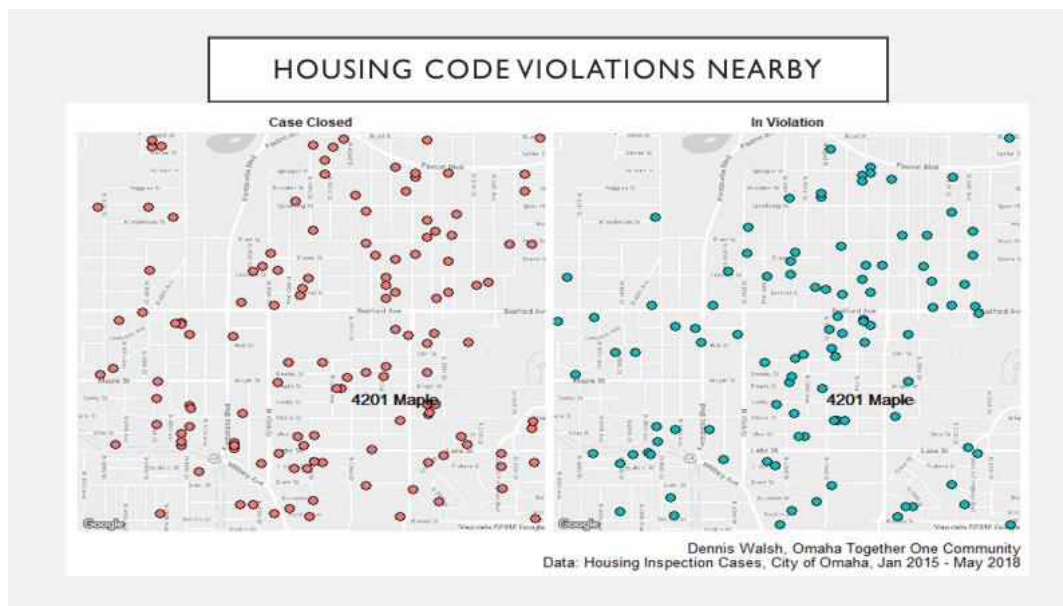
SUMMARY OF 42ND AND MAPLE

- 1 well maintained owner occupied house.
- 1 abandoned house that was a rental.
- 3 overgrown lots after demolitions
- 6 rental houses owned by out of state or West Omaha owners



Dennis Walsh, W-A-L-S-H. 2120 Spencer St. Member of Sacred Heart Catholic Church.

To conclude OTOC's presentations, the 42nd and Maple block has one owner-occupied property, one vacant rental, three overgrown lots, and six rental properties.

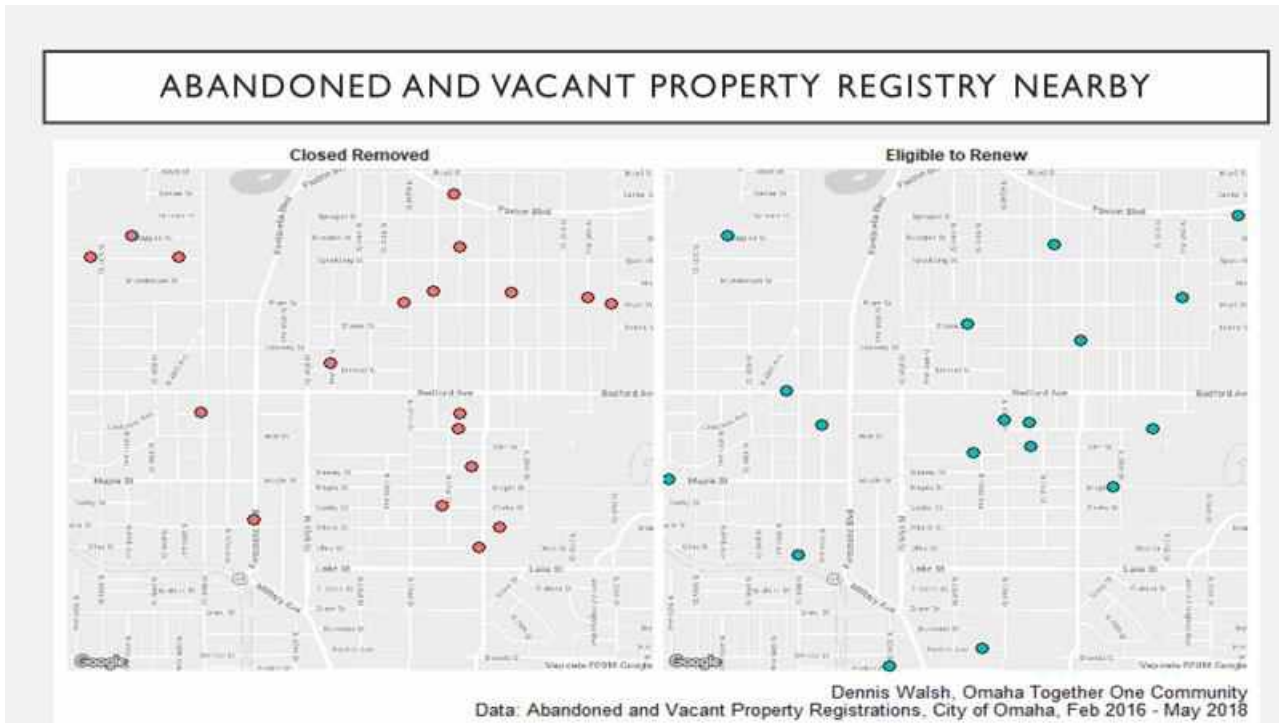


This block is not unique. Here are housing code violations within about one mile of that block, from January 2015 to May 2018. Red is for cases solved, turquoise for open cases. A lot of complaints are unsolved. If all these complaints had been called in by council members, 3 of your 7 complaints would remain open.

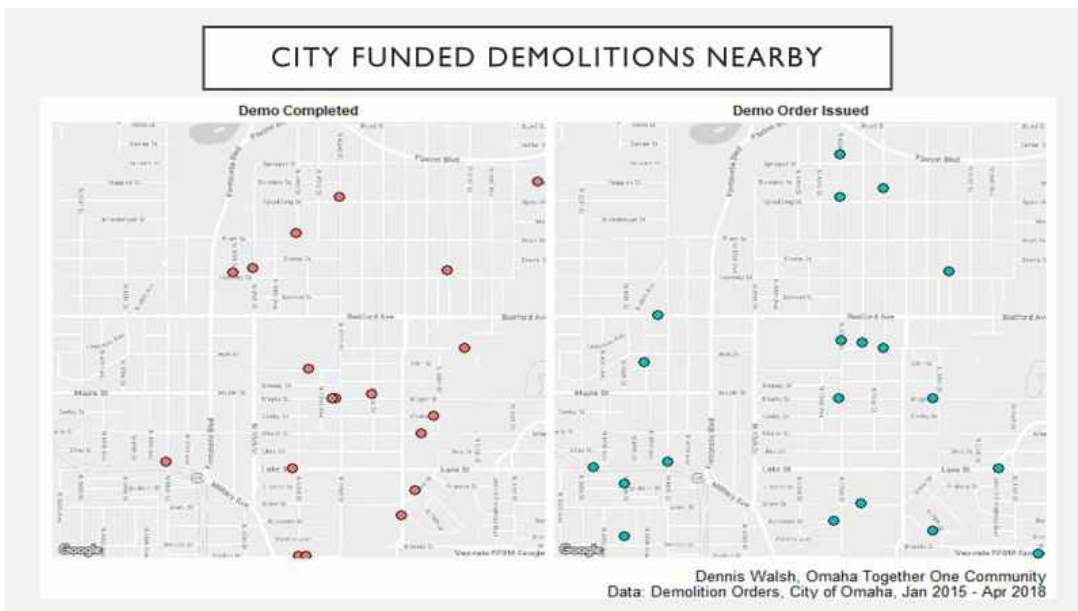
We have a big time lag problem. For 2015 complaints, 2 of 7 remain open three years later. For 2016 complaints, 3 of 7 remain open. For 2017 complaints, over 4 of 7 violations remain open. Citywide 23% of 2015 complaints remained open as of May. We

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find this slow response unacceptable – as really, anyone would. Our complaint-based code enforcement system is broken.



The result of unsolved problems is often abandonment. Here are the last two years of neighborhood activity on the abandoned and vacant property registry. Fines of \$500 per quarter create an incentive for progress. Red dots represent progress off the list. Turquoise dots remain on the list. In the last decade too many properties have been abandoned.



The result is demolition. The last three years of neighborhood demolitions are in red. Turquoise shows the list of future demolitions. Some may call this a map of failures, but

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that is not really true. Our complaint-based enforcement system is designed to create situations where it is too late to truly solve the problem. The system is designed to end in demolition. **This is the Demolition Pipeline.**

STOP THE DEMOLITION PIPELINE

- Open Code Violations → Vacant and Abandoned → Demolition by City
- 2/3ds of the Open Code Violations are in rental properties
- 75% of the properties East of 72nd Street are 70 years or older

OTOC position:

- Work with OTOC and Housing experts in Omaha to investigate solutions to the growing problem of deteriorating, substandard Rental Housing.
- Investigate the benefits and challenges of adopting a pro-active Rental Property Registration and Inspection Ordinance.

We call on the city to stop the demolition pipeline. As 2/3 of code violations involve rental properties, we call on the city to work with landlords, OTOC, and housing experts to investigate solutions to the growing problem of deteriorating, substandard rental housing.

Specifically, investigate adopting a proactive rental inspection ordinance. La Vista went to a proactive system in 2010. Council Bluffs in 2015. Carter Lake in 2018. It's not just 42nd and Maple that is being left behind. The city of Omaha is being left behind. You have acted on the back end. Now, please act on the front end. Thank you.