

IS ANYBODY HOME? NUISANCE AND VACANT PROPERTIES

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INTRODUCTIONS

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HOW DO YOU ADDRESS NUISANCE AND VACANT PROPERTIES?



TOOLS AVAILABLE TO MUNICIPALITIES & COUNTIES



VACANT BUILDING REGISTRATION ORDINANCE

- ◉ How to define vacant property.
- ◉ Who does it cover.
- ◉ How often to require registration.
- ◉ How much to charge.
- ◉ Success stories.

ABANDONED PROPERTY:

- ◉ Petition for Declaration of Abandonment
Pursuant to 65 ILCS 5/11-31-1(d)

3 CONDITIONS:

- ⦿ (1) the property has been tax delinquent for 2 or more years or bills for water service for the property have been outstanding for 2 or more years;
- ⦿ (2) the property is unoccupied by persons legally in possession; and
- ⦿ (3) the property contains a dangerous or unsafe building for reasons specified in the petition.

65 ILCS 5/11-31-1

- ◉ If the municipality proves that the conditions exist and the owner of record of the property does not enter an appearance in the action or specifically waives his or her rights under this subsection (d), the court shall declare the property abandoned

JUDICIAL DEED

- ◉ If the court determines the property abandoned, a notice must be sent to all persons with a recorded interest in the property stating that:
- ◉ title to the property will be transferred to the municipality unless within 30 days of the notice, the owner or a person with a recorded interest files a request to demolish the structure OR
- ◉ Owner enters an appearance & proves that he/she did not intend to abandon the property.

CONVEYANCE BY JUDICIAL DEED

- ◉ If nothing is done within 30 days of the notice, the court issues the judicial deed to the municipality and such conveyance extinguishes all existing ownership interests in, liens on, and other interests in the property, including tax liens, and extinguishes rights and interests of tax purchasers.

DEMOLITION

- ◉ Court authorization to demolish, repair, enclose, or remove garbage, debris, and other hazardous or unhealthy material from buildings that are “dangerous and unsafe” or “uncompleted and abandoned.” 65 ILCS 5/11-31-1(a).
- ◉ Instead of demolishing, the municipality can repair a building, secure it, or remove garbage or debris.
- ◉ The costs of doing the work, including court costs, attorneys’ fees, and other related enforcement costs can become a lien on the property.
- ◉ If city perfects the demolition lien, it takes priority over all other liens, except for tax liens.

LAND BANKING

- ◉ Danville
- ◉ Chicago & Cook County

RESOURCE

- ◉ Federal grants.
- ◉ State grants.

Q&A: ASK THE PANELIST

CONTACT INFORMATION

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