



Code Enforcement Community Fights Back Against Abandoned Property Neglect

The City of Cape Coral in Southwest Florida is often cited as one of the nation's "epicenters" of foreclosures. Thousands of platted lots were built during the recent housing boom only to fall into abandonment and foreclosure when buyers failed to materialize or when investors fell under the onerous financial burden of teaser mortgages and resetting interest rates. The City Code Compliance Bureau faced an enormous challenge as these homes were quickly deteriorating both on the grounds and structurally. Taking a proactive measure, a multi-pronged approach has been implemented that sets an excellent example for other communities facing the blighting influences upon their neighborhoods from vacant and uncared for homes.



The City adopted an Abandoned Properties Ordinance which requires banks to maintain properties once a lis pendens has been filed. This is an early intervention measure that recognizes that the initial filing of a foreclosure suit can begin the period of vacancy and deferred maintenance. Since it can take 9 to 12 months for a foreclosure suit to make its way through the courts, the City is not waiting for a new owner to take possession but is holding the mortgage holder responsible for maintaining the property.

Banks are also required to make regular inspections of properties they are foreclosing upon and must continue to maintain the premises after they take title to the property. If liens are present, either during foreclosure action or after the bank takes title, and a new owner

wishes to purchase the property and commits to correcting violations, the City will forgive these liens for a nominal fee of only \$150. This encourages buyers to take possession of foreclosed properties and bring them up to code. If the violations are not corrected within a given time frame, the liens are re-established.

The City desires to work with the community to keep properties from deteriorating and destabilizing neighborhoods. Therefore, they work closely with the real estate community by asking Realtors to notify them of any properties that appear to be in violation, including unsafe structures. This way the City can take action to improve the properties and Realtors can be successful in finding buyers who may not otherwise find the neighborhood desirable.

To assist Realtors, lenders, appraisers, and residents, the City has an easy to use area on their website to search for Code Enforcement liens on any given property. This way a potential buyer can find out what problems they need to resolve. The City utility services also work closely to help with any utility connection issues.

The City of Cape Coral has taken positive steps in recognizing that the vitality and recovery of its local real estate economy begins with successful and easy sales of properties to willing purchasers who will occupy and improve its neighborhoods.

Sources: *Abandoned Property 139-08*

Search Code liens <http://escape.capecoral.net/codeenf/>