
From: Judy Holwell [mailto:jholwell@lemoore.com]
Sent: Friday, December 05, 2008 3:57 PM
To: Holly Smyth
Subject: FW: Info requested by Planning Commission that I would like to provide an update at next Monday's meeting

Holly,

The information below addresses the issues brought up by the Planning Commissioners. If you need any further information or if the information is unclear, please let me know and I will clarify.

Thanks,
Judy

From: Brooke Austin [mailto:baustin@lemoore.com]
Sent: Wednesday, December 03, 2008 1:54 PM
To: Judy Holwell
Subject: RE: Info requested by Planning Commission that I would like to provide an update at next Monday's meeting

- 1) We get update alerts of new foreclosures from foreclosure.com and also check the site regularly. In addition, Chicago Title sends us a report of Notice of Defaults filed monthly.
- 2) We have only had one home registered. Letters were sent to mortgage companies informing them when the ordinance was passed and new letters are currently being sent for homes in foreclosure and preforeclosure letting the companies know that it appears that they have a home that requires registration and to please register within ten days.
- 3) There are currently 58 homes within City limits (21 in RDA project area – 36%) listed as being in foreclosure and 42 (9 in RDA project area – 21%) in preforeclosure. Less than 1% of Lemoore's total housing stock is currently affected by foreclosure. (I have also noticed that the number of foreclosures may not be completely accurate because some of the homes have been sold, but the County records have not been updated yet). We have not chosen to use RDA funds to directly address foreclosures; however, we have used RDA funds to assist FTHB who have purchased homes that were in the foreclosure process. Since 9/2007, we have assisted 12 families with \$352,180.28 to purchase bank owned homes and have 2 applicants in process who have made offers on foreclosed properties.
- 4) Of the 45 low-mod families that have been assisted since the inception of the FTHB program in 3/06, only one has been foreclosed upon (10/07). When we

receive copies of Notice of Defaults for restricted units, we send foreclosure counseling information to the homeowner.

Regarding federal funding to deal with foreclosures: The Neighborhood Stabilization Program (NSP) was developed to provide emergency assistance for the redevelopment of abandoned and foreclosed homes. Lemoore is eligible for \$232,844, which can be used for the following activities:

1. Purchase and rehabilitate homes to sell, rent or redevelop
2. Create land banks for homes that have been foreclosed upon
3. Demolish blighted structures
4. Redevelop demolished or vacant properties
5. Establish financing mechanisms for purchase and redevelopment of foreclosed upon homes and residential properties

Note: Homes that are purchased with the NSP funds must be sold or rented to low or moderate income families.

Lemoore did not receive a direct allocation. Therefore, we are only eligible for these funds if we apply jointly with Kings County and all of the other Kings County cities in order to meet the minimum threshold requirements. Kings County is eligible for a total of \$1,013,932. jh

The state had to submit their Action Plan for NPS funds to HUD by December 1st. Once the Action Plan is approved by HUD and funds are issued to HCD, they plan to put out a NOFA (in January or February of 2009). I have not heard anything from any other County jurisdictions or KCAG regarding applying for funds. There were some jurisdictions that had indicated that their Council is not in favor of owing/selling/renting houses.

Please let me know if you would like any further information. The Staff Report and Attachments are attached.

Brooke

From: Nancy Blum [mailto:nblum@lemoore.com]

Sent: Thursday, December 04, 2008 10:38 AM

To: Judy Holwell

Subject: RE: Info requested by Planning Commission that I would like to provide an update at next Monday's meeting

By going off the foreclosure.com listing and the Code Enforcement tracking system on foreclosed homes: 7 have complied, 4 no compliance, and 2 were transferred to the Fire Department. On

preforeclosure homes 1 complied(sign), 6 no compliance(2 for signs), and 2 were transferred to the Fire Department. Enforcement of these non-compliant homes continues.

Nancy

Regarding the Days Inn message board:

From: Judy Holwell [mailto:jholwell@lemoore.com]
Sent: Tuesday, December 02, 2008 4:01 PM
To: Brooke Austin; Nancy Blum
Subject: FW: Info requested by Planning Commission that I would like to provide an update at next Monday's meeting

Brooke, please provide me with an update to the questions listed below that refer to the foreclosures. I would like to be able to say we have X number of foreclosed homes in Lemoore, and X number on the list. Scan the staff report & documents from the meeting when Council approved the requirement. Also, list the progress regarding the NSP funding, timeline, etc.

Nancy, please let me know how many of the known foreclosed homes have actually abated their violations. Also, are you doing anything with the Day's Inn sign or is this now a Planning Department issue?

Thanks,
Judy

From: Holly Smyth [mailto:hsmyth@lemoore.com]
Sent: Tuesday, December 02, 2008 3:38 PM
To: Judy Holwell
Subject: Info requested by Planning Commission that I would like to provide an update at next Monday's meeting

Below are questions the Planning Commission had at their last meeting. Can you help provide some answers back via phone or email???

Thanks,
Holly

1) Commissioner Marvin asked how closely did the Planning Commission or City going to keep track of the homes going back to the banks. Smyth stated that Code Enforcement keeps track of some of these items when they become problematic.

2) Commissioner Elgin stated that a few months ago Council had put together something that had banks list the foreclosed homes and questioned if the Planning Director had heard how that was working. Planning Director Smyth stated that she had not heard, but would ask Judy Holwell the Redevelopment Project Manager.

3) Commissioner Meade stated that he and Commissioner Marvin had just attended the Land Use Conference and one of the sessions was regarding the use of RDA money in terms of foreclosures, and those funds are being applied to low income that was being explored by some communities. He stated that he did not know the percentage of foreclosures there were, but would be interested to know what percentage of foreclosures are in RDA areas. He also requested from the Planning Director a proposed subdivision map and the status of subdivisions and also a copy of Building Departments permit report.

4) Commissioner Marvin asked if the Planning Commission would be out of order to ask City Council to discuss the RDA monies to address foreclosure housing issues. Planning Director Smyth stated that she would talk to both Judy Holwell and Jeff Briltz to see if it could be put on a study session. Commissioner Elgin asked if there was a way to know if any of the foreclosures were low moderate income housing units. Planning Director Smyth stated that there would not be a way unless you were directly involved.

5) Commissioner Elgin stated that she was looking for a status on a date that the sign at Days Inn will be coming down. Planning Director Smyth stated that she will check with code enforcement.

*Holly Smyth, Planning Director
210 Fox Street, Lemoore CA 93245
(559) 924-6740, (559)924-6743 fax
hsmyth@lemoore.com*

...Problems can be submitted so long as solutions are attached....

Mayor
John Murray
Mayor Pro Tem
John Grego
Council Members
Mary Hornsby
Ed Martin
Willard Rodarmel



**Redevelopment
Division**

119 Fox Street
Lemoore • CA 93245
Phone • (559) 924-6704
FAX • (559) 924-9003

Staff Report

ITEM NO. 6

To: Lemoore City Council
From: Brooke Austin, Housing Specialist
Judy Holwell, Redevelopment Project Manager
Date: August 28, 2008
Subject: Ordinance No. 2008-07 Requiring the Registration
and Maintenance of Abandoned Residential Properties

Discussion:

A database used by staff currently lists forty-nine (49) foreclosed homes and fifty-five (55) additional homes in some stage of preforeclosure within City Limits. These homes are often owned by banks from out of the area and are not properly maintained. Many have dead and/or overgrown lawns, weeds, debris and green pools. This has resulted in increased code enforcement activity and referrals to Mosquito Abatement. In addition, these conditions are contributing to declining property values and reducing the peaceful enjoyment of their premises by others in the neighborhood.

Code Enforcement staff proactively scours the City and routinely monitors homes that appear to be abandoned or in foreclosure. Notices are mailed to the property owners for any violations; however, in the case of foreclosures, many are owned by banks, from out of the area, that do not respond or take the corrective action needed and staff does not have access to a local person to discuss the property maintenance violations. The registration process will provide staff with the actual locations and contact information for each abandoned/foreclosed home, which should aid the enforcement of code violations.

Due to the increase in foreclosures and abandoned properties that are owned by banks, staff has drafted an ordinance requiring the registration and maintenance of abandoned residential properties. This ordinance requires trustees to perform monthly inspections of homes whose owners are in default and to register any abandoned properties with the City's Housing Specialist. The registration includes providing a direct contact name and phone number for a local person who is responsible for maintaining and securing the property. The properties will be required to abide by the maintenance and security requirements as set out in the ordinance. These include maintaining the property and landscape appearance in such a manner that is consistent with the surrounding neighborhood, maintaining pools and spas in a manner that does not constitute a health danger to the surrounding vicinity, and securing all doors, windows, gates, etc. so that

they are not accessible to unauthorized persons. Violators will be subject to civil penalties as currently outlined in the Municipal Code.

Recently, new legislation, Section 2929.3 of the California Civil Code, became effective, which allows cities to levy a daily fine of \$1,000 if the owner of a home acquired through foreclosure fails to maintain the property. This Code provides the City an additional tool for property maintenance; however, it does not require registration. A copy of the Code and a letter from the City Attorney are attached for your review.

Budget Impact:

None.

Recommendation:

That Council adopt Ordinance No. 2008-07, amending Title 4 of the Lemoore Municipal Code to include Chapter 6, requiring registration and maintenance of abandoned residential properties.

ORDINANCE NO. 2008-07

**AN ORDINANCE OF THE LEMOORE CITY COUNCIL ENACTING
CHAPTER 6 TO TITLE 4 OF THE LEMOORE MUNICIPAL
CODE REQUIRING THE REGISTRATION AND MAINTENANCE
OF ABANDONED RESIDENTIAL PROPERTIES**

WHEREAS, the City of Lemoore, pursuant to its charter and the police powers delegated to it by the California Constitution, has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City of Lemoore has determined that the presence of vacant, abandoned residences poses a health and safety risk to the citizens of Lemoore; and

WHEREAS, the City Council finds that the detrimental effects of vacant, abandoned properties include leading to neighborhood decline, creating an attractive public nuisance, contributing to lower property values, mosquito and vector control issues, increased crime, and reducing the marketability of homes in the surrounding neighborhood; and

WHEREAS, many vacant abandoned residences are the responsibility of lenders and trustees from out of the area who, in many instances, fail to adequately maintain and secure these vacant residences; and

WHEREAS, the City Council finds that the detrimental effects of vacant abandoned properties require the Council to take action to preserve the public health and safety of the citizens of Lemoore.

NOW, THEREFORE, the City Council of the City of Lemoore does hereby ordain as follows:

1. That Title 4 of the City of Lemoore Municipal Code is hereby amended by adding Chapter 6 to read as follows:

**“CHAPTER 6 – ABANDONED RESIDENTIAL PROPERTY REGISTRATION
AND MAINTENANCE**

4-6-1 TITLE

This Chapter shall be known as the “Abandoned Residential Property Registration and Maintenance Ordinance” and may be so cited.

4-6-2 PURPOSE AND INTENT

It is the purpose and intent of this Chapter to establish an abandoned residential property registration program as a mechanism to protect residential neighborhoods within city limits of the City of Lemoore from becoming blighted through the lack of adequate maintenance and security of abandoned properties.

4-6-3 DEFINITIONS

The terms as used in this Chapter or in any resolution or standard adopted by the City Council pursuant to this Chapter shall have the following meanings:

“Abandoned” means a property that is vacant and is under a current Notice of Default, Notice of Trustee’s Sale, pending Tax Assessor’s Lien Sale or that has been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure, or that is transferred under a deed in lieu of foreclosure or sale.

“Accessible Property” means a property that is accessible through a compromised or breached gate, fence, wall or other similar feature.

“Accessible Structure” means a structure or building that is unsecured or breached in such a way as to allow access to the interior space by unauthorized persons.

“Assignment of Rents” means an instrument that transfers the beneficial interest under a deed of trust from one lender or entity to another.

“Beneficiary” means a lender under a note secured by a deed of trust.

“Buyer” means any person, co-partnership, association, corporation, entity, or fiduciary who agrees to transfer anything of value in consideration for property described in an agreement of sale, as defined in this section.

“Dangerous Building” means any building or structure that would constitute a ‘dangerous building’ as defined in Section 302 of the Uniform Building Code for Abatement of Dangerous Buildings or as prepared by the International Conference of Building Officials and adopted in force within the City.

“Days” means consecutive calendar days.

“Deed of Trust” means an instrument by which title to real estate is transferred to a third-party trustee as security for a real estate loan. This definition applies to any and all subsequent deeds of trust, including second trust deed, third trust deed, etc.

“Deed in Lieu of Foreclosure or Sale” means a recorded document that transfers ownership of a property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the trust deed.

“Default” means the failure to fulfill a contractual obligation, monetary or conditional.

“Distressed” means a property that is under a current Notice of Default, Notice of Trustee’s Sale, pending Tax Assessor’s Lien Sale, has been foreclosed upon by the trustee or has been conveyed to the beneficiary or trustee via a deed in lieu of foreclosure or sale.

“Evidence of Vacancy” means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown or dead vegetation, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, the absence of window coverings such as curtains, blinds or shutters, the absence of furnishings or personal items consistent with residential habitation, and statements by neighbors, passerby, delivery agents, or government employees that the property is vacant.

“Foreclosure” means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the trustor defaults.

“Local” means within forty (40) road-driving miles distance from the subject property.

“Neighborhood Standard” means those conditions that are present on a simple majority of properties within a three hundred (300) foot radius of an individual property. A property that is the subject of a neighborhood standard comparison, or any other abandoned property within the three hundred (300) foot radius, shall not be counted toward the simple majority.

“Notice of Default” means a recorded notice that a default has occurred under a deed of trust and that the beneficiary intends to proceed with a trustee’s sale.

“Out-of-area” means in excess of forty (40) road-driving miles distance of the subject property.

“Owner” means any person, co-partnership, association, corporation, entity, or fiduciary having a legal or equitable title or any interest in any real property.

“Owner of Record” means the person having recorded title to the property at any given point in time the record is provided by the Kings County Recorder’s Office.

“Property” means any unimproved or improved real property, or portion thereof, situated in the City and includes the buildings or structures located on the property regardless of condition.

“Residential Building” means any improved real property, or portion thereof, situated in the City, designed or permitted to be used for dwelling purposes, and shall include the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as “residential” whether or not it is legally permitted or zoned for such use.

“Securing” means such measures as may be directed by the Chief of Police or his or her designee that assist in rendering the property inaccessible to unauthorized persons including, but not limited to, the repairing of fences and walls, chaining or pad locking of gates, the repair of doors, windows or other openings and locks.

“Trustee” means the person, firm, corporation, or entity holding a Deed of Trust on a property.

“Trustor” means a borrower under a deed of trust, who deeds property to a trustee as a security for the payment of debt.

“Vacant” means a building or structure that is not legally occupied.

4-6-4 RECORDATION OF TRANSFER OF LOAN, DEED OF TRUST, ASSIGNMENT OF RENTS

Within ten (10) days of the purchase or transfer of a loan or deed of trust secured by residential property, the beneficiary/trustee shall record with the Kings County Recorder's Office an Assignment of Rents or similar document that lists the name of the corporation, entity, or individual and the mailing address and contact phone number of the new beneficiary or trustee responsible for receiving payments associated with the loan or deed of trust.

4-6-5 REGISTRATION

- (A) Any beneficiary/trustee who holds a deed of trust on a property located within the City of Lemoore shall perform an inspection of the property that is the security for the deed of trust upon default by the Trustor and prior to recording a Notice of Default with the Kings County Recorder's Office. If the property is found to be vacant or shows evidence of vacancy, it is, by this Chapter, deemed abandoned and the beneficiary/trustee shall, within ten (10) days of the inspection, register the property with the City Housing Specialist, or his or her designee, on forms provided by the City.
- (B) If the property is occupied but remains in default, it shall be inspected by the beneficiary/trustee or his or her designee monthly until:
1. The trustor or other party remedies the default, or
 2. It is found to be vacant or shows evidence of vacancy, at which time is deemed abandoned and the trustee shall, within ten (10) days of that inspection, register the property with the City Housing Specialist, or his or her designee, on forms provided by the City.
- (C) The registration required by either A or B above shall contain the name of the beneficiary/trustee (corporation, entity, or individual), the direct street mailing address of the beneficiary/trustee (no P.O. Boxes), a direct contact

name and phone number for the beneficiary/trustee, and, in the case of a corporation, entity, or out-of-area beneficiary/trustee, the local property management company responsible for the security, maintenance, and marketing of the property.

- (D) An annual registration fee shall accompany the registration form. The fee and registration shall be valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations and fees are due January 1 of each year and must be received no later than January 31 of the year due.
- (E) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a deed of trust involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure or sale.
- (F) Properties subject to this Chapter shall remain under the annual registration requirement and the security and maintenance standards of this Chapter as long as they remain vacant.
- (G) Any person, firm, corporation, or entity that has registered a property under this Chapter must report any change of information contained in the registration within ten (10) days of the change.
- (H) Any individual or entity who fails to comply with any of the requirements of this section shall also be subject to the penalties contained in Section 1-4-1 of this Code.

4-6-6 MAINTENANCE REQUIREMENTS

In addition to the requirements of Chapter 4 of Title 4 of this Code, properties subject to registration under section 4-6-5 shall comply with the following:

- (A) In comparison to the neighborhood standard, the property shall be kept free of weeds, dry brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those

required by federal, state or local law, discarded personal items, including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(B) The property shall be maintained free of graffiti, tagging, or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior of the structure.

(C) All yards visible from the public right-of-way shall be landscaped and maintained to the neighborhood standard at the time registration was required.

1. Landscape includes, but it not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark, or artificial turf or sod designed specifically for residential installation.

2. Landscape does not include weeds, broken concrete, asphalt, decomposed granite, plastic sheeting, mulch, indoor-outdoor carpet, or any similar material.

3. Maintenance includes, but is not limited to, regular watering, irrigation, cutting, pruning and mowing of required landscape, and removal of all trimmings.

(D) All yards not visible from the public right-of way shall be kept free from the accumulation of dry, overgrown grass, weeds, brush, debris or similar items that would constitute a fire hazard.

(E) Pools and spas shall either be kept in working order, treated so the water remains clear and free of pollutants, debris, and any kind of larvae that would cause a health danger to the surrounding vicinity, or drained and kept dry. In either case, properties with pools or spas must comply with the minimum security fencing requirements of the State of California.

(F) Adherence to this section does not relieve the beneficiary/trustee or property owner of any obligations set forth in any Covenants, Conditions, and

Restrictions or Home Owners' Association Rules and Regulations, which may apply to the property.

4-6-7 SECURITY REQUIREMENTS

In addition to the requirements of Chapter 4 of Title 4 of this Code, properties subject to registration under section 4-6-5 shall comply with the following:

- (A) The property shall be maintained in a secure manner so as not to be accessible to unauthorized persons. Secure manner includes, but is not limited to, the closure and locking of windows, doors (walk-through, sliding and garage), gates, and any other opening of such size that may allow a child to access the interior of the property and or structure(s). In the case of broken windows, securing means the reglazing of the window.
- (B) If the property is owned by a corporation, other entity, or out-of-area beneficiary/trustee/owner:
 - 1. A local property management company shall be contracted to perform, at a minimum, monthly inspections to verify that the requirements of this section, and any other applicable laws, are being met.
 - 2. The property shall be posted with the name and 24-hour contact phone number of the local property management company. The posting shall be no less than 18 inches by 24 inches and shall be of a font that is legible from a distance of forty-five (45) feet and shall contain, along with the name and 24-hour contact phone number, the words "THIS PROPERTY MANAGED BY" and "TO REPORT PROBLEMS OR CONCERNS CALL." The posting shall be placed on the interior of a window facing the street to the front of the property so it is visible to the street; if no such area exists, on a stake of sufficient size to support the posting location that is visible from the street to the front of the property but not readily accessible to

vandals. The exterior posting must be construed of and printed with weather resistant materials.

3. The local property management company shall inspect the property no less than on a monthly basis to determine if the property is in compliance with the requirements of this Chapter.

4-6-8 ADDITIONAL AUTHORITY

In addition to the enforcement remedies established by other provisions of this Code, the Chief of Police, or his or her designee, the Fire Chief, or his or her designee, or Code Enforcement Officers, shall have the authority to require the beneficiary/trustee/owner and or owner of record of any property affected by this section to implement additional maintenance and/or security measures including, but not limited to, securing any and all door, window or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard, or other measures as may be reasonably required to arrest the decline of the property.

4-6-9 MAINTENANCE AND SECURITY BY CITY

- (A) If any individual or entity covered by this Chapter fails to maintain and secure their property as required by this Chapter within a reasonable time of issuance of a notice of violation of any of the provisions of the Chapter, then the City Manager shall cause the property to be maintained or secured by City personnel or private contract, and entry upon the property is expressly authorized for such purposes. Upon completion of the maintenance or securing by the direction of the City Manager, the City Manager shall cause a statement of the costs thereof to be prepared for submission to the City Council. The City Manager shall set a time and place for the City Council to receive and consider the statement of costs, and shall serve on the owner or owners of the property a copy of the statement of costs

and a notice of the time and place at which the City Council will receive and consider the statement of costs. The statement of costs and the notice of hearing shall be served in the same manner as provided in Section 4-4-4 of this Title.

(B) In addition to maintenance and securing of properties, any individual or entity covered by this Chapter who fails to maintain and secure the property as required by this Chapter within a reasonable time of issuance of a notice of violation of any of the provisions of this Chapter shall be deemed to have authorized the City to remove trespassers from the property.

(C) In addition to the City remedies described in this Chapter and this Title, the City reserves the right to impose fines and penalties under the provisions of Section 2929.3 of the California Civil Code.

4-6-10 FEES

The fee for registering an abandoned residential property shall be set by resolution of the City Council.

4-6-11 ENFORCEMENT

Every violation of this Chapter is declared a nuisance and may be enforced in any combination allowed in Chapter 4 of this Title.

4-6-12 VIOLATIONS AND PENALTIES

(A) Violations of this Chapter shall be treated as a strict liability offense regardless of intent.

(B) Any individual or entity that violates any portion of this section shall be subject to civil penalties as provided in Section 1-4-1 of this Code.”

2. The City Clerk is authorized and directed to cause this ordinance or a summary of this ordinance to be published in a newspaper of general circulation published and circulated by the City of Lemoore, within 15 days after its adoption. If a summary of this ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five days prior to the September 16, 2008 meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The ordinance shall become effective 30 days after its adoption.

* * * * *

The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 2nd day of September, 2008, and was passed and adopted at a regular meeting of the City Council held on the 16th day of September, 2008, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

John Murray, Mayor

ATTEST:

Nanci C.O. Lima, City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Nanci C. O. Lima, City Clerk of the City of Lemoore do hereby certify the foregoing Ordinance of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting of the City Council held on September 16, 2008.

DATED: September 17, 2008

Nanci C. O. Lima, City Clerk

**REDEVELOPMENT DIVISION
CITY OF LEMOORE
119 FOX STREET, LEMOORE, CA 93245
PHONE NO • (559) 924-6702 / FAX NO • (559) 924-9003**

REGISTRATION FORM FOR ABANDONED RESIDENTIAL PROPERTY

Complete ONE Registration Form per Property - RETURN THIS PAGE

Please fill out the information requested below and deliver this form to our reception desk or mail to:
City of Lemoore, Attention: Housing Specialist, 119 Fox Street, Lemoore, CA 93245

Property to be registered:

Address _____

Lemoore, CA 93245

Assessor Parcel Number: _____

Notice of Default Recordation # _____

(Please attach copy to this form, if available)

Lender/Lien Holder:

Contact: _____ Contact Phone: (____) _____

Lender/Lien Holder Mailing Address:

Property Manager:

_____ Business License # _____

Contact Person: _____ 24 Hour Phone #: (____) _____

Property Management Company Local Mailing Address:

Standard Annual

(Please check one): **New** registration **Renewal** registration (There is no fee at this time)

Initiated By: _____

Print Name _____ Signature _____ Date _____

Company Name and Address _____

Municipal Code Reference Guide: KEEP THIS PAGE FOR YOUR FILE

Purpose and Intent

It is the intent of this chapter to establish an abandoned residential property registration program as a mechanism to protect residential neighborhoods within the city limits of the City of Lemoore from becoming blighted through the lack of adequate maintenance and security of abandoned properties. LMC 4-6-2

Registration

Any beneficiary/trustee who holds a deed of trust on a property located within the City of Lemoore shall perform an inspection of the property that is the security for the deed of trust upon default by the trustor and prior to recording a Notice of Default with the Kings County Recorders Office. If the property is found to be vacant or shows evidence of vacancy, it is, by this chapter, deemed abandoned and the beneficiary/trustee shall, within ten days of the inspection, register the property with the Housing Specialist or his or her designee on forms provided by the City. LMC 4-6-5(A)

City of Lemoore Municipal Code, Title 4, Chapter 6,
ABANDONED RESIDENTIAL PROPERTY REGISTRATION

Owner Responsibility under Title 4, Chapter 6 of the Lemoore Municipal Code:

- Within ten (10) days of the purchase and/or transfer of a loan/deed of trust secured by residential property the new beneficiary/trustee shall record, with the Kings County Recorders Office, an Assignment of Rents. LMC 4-6-4
- If the property is vacant or abandoned, the beneficiary/trustee shall register the property with the City using this form within ten days of transfer, vacancy or subsequent vacancy. LMC 4-6-5(A)
- Report to the City any change of address and change of contact information within ten days of said change. LMC 4-6-5(G)
- Maintain the property. LMC 4-6-6
- Secure the property. LMC 4-6-7(A)
- Post the property with the property manager's name, address and 24-hour contact phone number. LMC 4-6-7(B-2)
- Inspect the property on a monthly basis. LMC 4-6-7(B-3)

A copy of these code references and the Municipal Code of the City of Lemoore may be viewed at:
www.lemoore.com under Lemoore Municipal Code

California Civil Code

2929.3. (a) (1) A legal owner shall maintain vacant residential property purchased by that owner at a foreclosure sale, or acquired by that owner through foreclosure under a mortgage or deed of trust. A governmental entity may impose a civil fine of up to one thousand dollars (\$1,000) per day for a violation. If the governmental entity chooses to impose a fine pursuant to this section, it shall give notice of the alleged violation, including a description of the conditions that gave rise to the allegation, and notice of the entity's intent to assess a civil fine if action to correct the violation is not commenced within a period of not less than 14 days and completed within a period of not less than 30 days. The notice shall be mailed to the address provided in the deed or other instrument as specified in subdivision (a) of Section 27321.5 of the Government Code, or, if none, to the return address provided on the deed or other instrument.

(2) The governmental entity shall provide a period of not less than 30 days for the legal owner to remedy the violation prior to imposing a civil fine and shall allow for a hearing and opportunity to contest any fine imposed. In determining the amount of the fine, the governmental entity shall take into consideration any timely and good faith efforts by the legal owner to remedy the violation. The maximum civil fine authorized by this section is one thousand dollars (\$1,000) for each day that the owner fails to maintain the property, commencing on the day following the expiration of the period to remedy the violation established by the governmental entity.

(3) Subject to the provisions of this section, a governmental entity may establish different compliance periods for different conditions on the same property in the notice of alleged violation mailed to the legal owner.

(b) For purposes of this section, "failure to maintain" means failure to care for the exterior of the property, including, but not limited to, permitting excessive foliage growth that diminishes the value of surrounding properties, failing to take action to prevent trespassers or squatters from remaining on the property, or failing to take action to prevent mosquito larvae from growing in standing water or other conditions that create a public nuisance.

(c) Notwithstanding subdivisions (a) and (b), a governmental entity may provide less than 30 days' notice to remedy a condition before imposing a civil fine if the entity determines that a specific condition of the property threatens public health or safety and provided that notice of that determination and time for compliance is given.

(d) Fines and penalties collected pursuant to this section shall be directed to local nuisance abatement programs.

(e) A governmental entity may not impose fines on a legal owner under both this section and a local ordinance.

(f) These provisions shall not preempt any local ordinance.

(g) This section shall only apply to residential real property.

(h) The rights and remedies provided in this section are cumulative and in addition to any other rights and remedies provided by law.

(i) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.

CITY OF LEMOORE
BUILDING INSPECTION PERMITS REPORT

Planning

PERMITS ISSUED

VALUATION

Description	Current Month	Current Year to Date	Current Month	Year to Date
Res. Single Family - New	6	21	\$ 628,774.20	\$ 3,063,169.02
Res. Condo./PUD - New	0	0	\$ -	\$ -
Res. Multi-Family - New	0	0	\$ -	\$ -
Apartment - New	1	2	\$ 3,952,221.50	\$ 8,580,180.70
Commercial - New	1	3	\$ 432,000.00	\$ 1,276,998.00
Alterations - Residential	14	106	\$ 74,875.00	\$ 512,866.50
Alterations - Commercial	4	30	\$ 906,470.00	\$ 2,750,530.00
Swimming Pool	2	4	\$ 19,282.00	\$ 45,291.00
Bldg. Moved or Demolished	2	5	\$ -	\$ -
TOTALS	30	171	\$ 6,013,622.70	\$ 16,229,035.22

DWELLING UNITS

Description	Current Month	Current Year to Date	Location of Multi-Fam. Units	Last Year to Date
Single Family	6	21		29
Condo/PUD	0	0		0
Multi-Family	0	0		0
Apartments	1	73	1165 EAST HANFORD-ARMONA RD	73 Units OCT. 08
		57	1150 TAMMY LANE	57 Units NOV. 08
TOTALS	7	151		29

City of Lemoore

City of Lemoore Building Division

New Permits Issued

Report for the Month of NOVEMBER 2008

Permit #	APN	Issued To	Job Location	Valuation	Building	Plumbing	Electrical	Mechanical	Seismic
0703-048	023-290-013	PACIFIC WEST COMMUNITIES	1150 TAMMY LN	3,952,221.50	13,075.75	4,575.00	1,990.92	1,537.20	395.22
0804-050	020-014-009	COTTA, JOHN 50%	326B G ST	90,832.72	836.25	123.00	56.86	25.00	9.08
0804-066	020-192-006	DOLLINGER, MICHAEL	205 S LEMOORE AVE	76,100.00	748.75	220.00	52.80	37.25	7.61
0806-021	021-780-023	LENNAR-FRESNO, INC	1011 TRANQUILITY CT	114,979.16	970.00	134.00	68.10	30.00	11.50
0806-022	021-780-024	LENNAR-FRESNO, INC	1025 TRANQUILITY CT	160,687.16	1,200.00	155.00	90.36	30.00	16.07
0806-073	023-020-078	KINGS COUNTY BOARD OF EDUCATION	876 E D ST	882,000.00	4,478.50	426.00	745.25	121.50	185.22
0807-028	020-111-065	SKAGGS, GEORGE N	385 MAGNOLIA AVE	25,488.00	361.00	35.00	33.50	0.00	2.55
0809-051	023-580-025	SOLAR CITY	1647 STINSON DR	0.00	0.00	0.00	0.00	0.00	0.00
0809-055	020-192-025	YOUNT, SANDRA	130 LARISH ST	1,100.00	38.50	0.00	0.00	0.00	0.50
0810-002	020-082-006	OLDHAM & SILVIERA PROPERTIES LLC	405 W D ST	12,000.00	188.00	41.00	17.25	0.00	2.52
0810-017	023-020-078	KINGS COUNTY BOARD OF EDUCATION	876 E D ST	432,000.00	2,555.00	370.00	356.70	151.75	90.72
0810-067	021-780-012	LENNAR-FRESNO, INC	998 TRANQUILITY CT	160,687.16	1,200.00	155.00	90.36	30.00	16.07
0811-003	020-181-029	GRAVANCE, JOHN & JOY H/W	325 W BUSH ST	0.00	0.00	0.00	0.00	0.00	0.00
0811-009	023-240-004	LOFWALL, DONALD W & BETTY J H/W	75 LINDA LN	50,000.00	577.00	69.00	33.50	0.00	5.00
0811-010	021-340-001	CENTRAL VALLEY GENERAL HOSPITAL	784 N LEMOORE AVE	12,470.00	0.00	0.00	0.00	0.00	2.62
0811-012	023-370-024	TAYLOR, ERIC L & JENNIFER K H/W	650 CONTENTA CT	5,700.00	0.00	0.00	0.00	0.00	0.57

City of Lemoore

City of Lemoore Building Division

New Permits Issued

Report for the Month of NOVEMBER 2008

Permit #	APN	Issued To	Job Location	Valuation	Building	Plumbing	Electrical	Mechanical	Seismic
0811-013	020-172-054	HARDEN, RICHARD & CAROLYNN	438 ASH ST	0.00	0.00	0.00	0.00	0.00	0.50
0811-016	023-220-011	MACHADO, LINDA	736 OAKDALE LN	0.00	0.00	0.00	0.00	0.00	0.00
0811-024	021-440-045	PEIXOTO, FRANK V & ODETE E H/W	447 W HAZELWOOD DR	0.00	0.00	0.00	0.00	0.00	0.00
0811-025	021-740-036	LOVELACE, JOED & CHRISTINA N H/W	1572 BUTTERNUT ST	9,765.00	0.00	0.00	0.00	0.00	0.98
0811-027	021-360-020	RHYNE, STEVEN & CAROLE H/W	766 PEPPER AVE	0.00	0.00	0.00	0.00	0.00	0.00
0811-028	020-133-018	COSTA., EDWARD T SR & DEBRA M H/W 50%	78 GRAND AVE	0.00	0.00	0.00	0.00	0.00	0.50
0811-029	021-100-019	BEASLEY, BRIGITTE	968 CINNAMON DR	9,517.00	0.00	0.00	0.00	0.00	0.95
0811-030	021-330-012	MICHAEL WILLETT	150 E CINNAMON DR	0.00	0.00	0.00	30.00	0.00	0.00
0811-032	021-320-045	CALDERON, PATRICK L & TONITA H/W	945 MURPHY DR	0.00	0.00	27.00	0.00	0.00	0.00
0811-033	021-790-029	NASTRO, KRISTOPHER	1060 FREEDOM DR	6,275.00	0.00	0.00	0.00	0.00	0.63
0811-039	021-180-080	TURNER, GEORGE W & SANDRA D H/W	884 ELDERWOOD LN	7,000.00	0.00	0.00	0.00	0.00	0.70
0811-040	021-180-080	TURNER, GEORGE W & SANDRA D H/W	884 ELDERWOOD LN	0.00	0.00	0.00	0.00	0.00	0.00
0811-043	021-540-001	EVANS, GREG FAMILY LTD PTP III 83.65%	414 HANFORD-ARMONA RD	0.00	0.00	35.00	0.00	0.00	0.50
0811-047	020-183-011	BORANIAN, DICK 50%	105 S LEMOORE AVE	4,800.00	0.00	0.00	0.00	0.00	0.50

City of Lemoore

City of Lemoore Building Division

New Permits Issued

Report for the Month of NOVEMBER 2008

Permit #	APN	Issued To	Job Location	Valuation	Building	Plumbing	Electrical	Mechanical	Seismic	
Total Number of Permits Listed				30	6,013,622.70	26,228.75	6,365.00	3,565.60	1,962.70	750.51

04-Dec-08