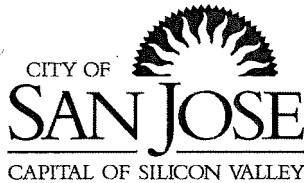


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Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Joseph Horwedel

SUBJECT: NEGLECTED VACANT HOUSE
MONITORING PROGRAM

DATE: December 16, 2008

Approved

Christine J. Shipper

Date

12/22/08

INFORMATION

This is to provide an update of the Code Enforcement Division's Neglected Vacant House Monitoring Program.

The recent down turn in the economy has resulted in a significant increase in the number of vacant houses. Unfortunately, vacant houses that are neglected can further deteriorate the quality of our neighborhoods. In the early 1990s, the City of San Jose adopted the *Neglected Vacant House Ordinance* in an effort to establish minimum security and property maintenance standards for vacant residential properties. Property owners, and this can include financial/mortgage lenders in the case of a foreclosed property, are required to ensure that vacant houses and the adjoining yard areas do not create a public nuisance. Therefore, the following security and maintenance standards were established:

- Vacant houses are to be maintained in a way that secures the structure from unauthorized entry. This can generally be accomplished by locking the doors and windows.
- Property owners are responsible for promptly removing graffiti, ensuring that landscaping is maintained, cutting weeds, and maintaining all yard areas free of refuse and debris. In other words, the City Council intended that vacant residential properties be maintained in such a manner as to "minimize" the appearance of vacancy.

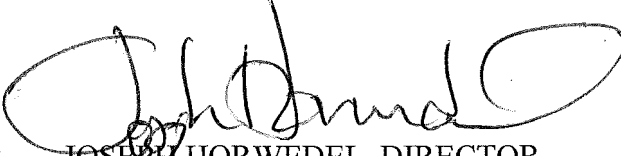
Property owners of vacant houses, with vacant being defined as a "residential building which has remained unoccupied for a period of more than thirty days", who fail to maintain their property in a secure manner, free of graffiti, refuse and weeds, will be ordered to register the property as a *neglected vacant house*. Exceptions to the designation of vacant include the following: any unit or portion of the house is occupied, any other house on the same lot is occupied, or construction/alterations are in progress with a valid building permit.

A neglected vacant house (a house which is not maintained, as described above) is placed in the Neglected Vacant House Monitoring Program. Placement in the Neglected Vacant House Monitoring Program requires the property owner, or their designee, to inspect the property not less than once every two weeks and keep logs summarizing the condition of the property. If problems are observed during these self-inspections, the property owner or designee must note what steps were undertaken to address the problem identified, for example, boarding up broken windows or painting over graffiti. In an effort to ensure compliance, Code Enforcement will also inspect the house on a monthly basis and the property owner will be billed for these inspection services.

Once designated as a neglected vacant house, the house will remain in the monitoring program for a minimum of nine months or until sold. The City of San Jose's Code Enforcement Division will bill the property owner of a neglected vacant house for the cost of these inspection services, currently \$414.30 per quarter.

As mentioned, the Code Enforcement Division manages the Neglected Vacant House Monitoring Program. Residents are encouraged to contact Code Enforcement at (408) 277-4528 to report a vacant house that is unsecured or blighting the neighborhood.

For additional questions regarding this memorandum, please contact Code Enforcement Official Michael Hannon at (408) 277-4703.

A handwritten signature in black ink, appearing to read "Joseph Horwedel", written in a cursive style.

JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement