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Attack on blight gets new tool

By Virginia Annable vannable@newstopicnews.com Sep 10, 2017



The house at 1408 Walt Arney Road before it was foreclosed upon and torn down by the city.

CONTRIBUTED BY ZACH CLARK

It took two years, but Lenoir recently wrapped up its first set of efforts using a new tool to not only tear down but take over some of the city's longest-neglected, most troublesome properties and find new owners for them.

One of the houses targeted, in the 1400 block of Walt Arney Road, not only violated the city's housing code, it was the source of multiple police complaints, Planning Director Jenny Wheelock said. But unlike many of the substandard housing cases the city deals with, the house was not abandoned.

"We couldn't get him out of the house long enough to tear it down. It was going to be a fight," Wheelock said. "Those poor neighbors."

But the property owner had not paid property taxes in years. Because of the unpaid taxes, city officials foreclosed on the property, and the city became the owner and had the house torn down. On Tuesday the Lenoir City Council agreed to sell the now vacant property to a neighbor.

The city began targeting abandoned and neglected housing in 2014, but the Walt Arney Road property and five others were the first for which the city used the tool of tax foreclosures. That process began in 2015. Five of the six properties have been sold or are in the process of being sold, with bids going through the city council. Any money made from the sale goes toward the unpaid taxes and the costs of foreclosure, Wheelock said.

Wheelock said that the city started the process of tax foreclosure after learning that the typical tactics of issuing fines and notices of housing violations wouldn't work for them.

"What we discovered was it's not just that they are choosing not to make a repair but

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they were unable to make it, they have totally abandoned the property," Wheelock said. "So we went to council and asked ... 'Can we use tax foreclosures on these properties?'"

Under a more typical case the city deals with, called a minimum housing foreclosure, the city may demolish the house, but the property still belongs to the owner. But in a case with an owner who has abandoned the property, that would leave neighbors with an unwanted empty lot that becomes overgrown.

Zoning and Housing Inspector Zach Clark spent years working with the Walt Arney Road neighbors to handle their complaints and sent multiple notices from the city until finally, with the new tool at the city's fingertips, the house was demolished.

"In this case, it wasn't safe for surrounding neighbors, it made for an environment that did a radius of harm," Clark said.

The city's goal in cleaning up vacant housing is neighborhood stabilization and beautification, Wheelock and Clark said. The process can take years.

"We're looking at the longer picture here of actually getting these back to where we can get families in them and get rental properties," Clark said.

The success of using tax foreclosures for this batch of vacant houses doesn't mean the city is foreclosing on everyone with a housing complaint and some late tax payments, Wheelock said. These property owners were 10 or more years behind on taxes and, other than the Walt Arney Road property, the houses were abandoned.

"This was a very rare instance that we would pursue foreclosure on an owner-occupied structure," Wheelock said. "Normally we would work with them to get them in touch with the right funding resources to get the fixes done."

Going forward, Wheelock said, the department will take on batches of 10 houses at a time for tax foreclosures while simultaneously dealing with complaints at other houses where owners seem likely to work to resolve the complaints. Ten properties are already selected for the next round of foreclosures and 10 for complaints, Wheelock said, chosen from a list of about 100 properties deemed "vacant or substandard."

Wheelock said she hopes the next round of tax foreclosures goes even smoother, especially in terms of advertising, with online lists of houses up for auction.

"This has been a learning experience for us," Wheelock said.

After over two years of work at Walt Arney Road, Clark and Wheelock said the neighbors are just happy to be able to look out their kitchen window and like what they see.

"We're doing it to help the neighbor," Wheelock said. "The neighbor who has no say in how that person is maintaining their property, that pays their taxes every year and has to put up with what they're living next door to. We work for the neighbors."

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