

Bill would require contact info for empty buildings

Property owners could be held accountable, according to state reps.



This apartment building on Lofty Oaks Lane in Harrison Twp. was damaged and abandoned after the 2019 Memorial Day tornadoes.

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It could be easier to contact the owners of abandoned and dilapidated properties if a bill sponsored by two Dayton-area lawmakers passes.

State Reps. Willis Blackshear, D-Dayton, and Andrea White, R-Kettering, introduced the Neighborhood Protection Act on Feb. 9.

It would require owners of vacant properties to file full contact information with their county auditor's office. It would apply to residential and commercial properties, he said.

"My motivation behind this bill was to hold property owners accountable for just leaving properties sitting around in neighborhoods, dilapidated and abandoned, and not doing anything with it," Blackshear said. White said she's jointly sponsoring the bill so communities like Dayton will have tools to hold accountable the owners of neglected properties and to identify vacancies for neighborhood revitalization purposes.

"This legislation is key for the economic vitality of Ohio as we continue to rebuild our communities," she said. "Vacant housing and distressed properties are continuously linked to declining property values, increased crime rates and increased costs for our communities. This legislation will help give communities new tools help give communities new tools to address these compounding issues and promote revitalization of neighborhoods and local business development."

White said she and Blackshear have talked to the Ohio Auditors Association, real estate agents, property investors and the Ohio Municipal League to define the need and refine the bill. She's not aware of any opposition.

Auditors could add a charge of \$500 or 1% of the property's tax value, whichever is greater, to the tax bill if an owner failed to provide full contact information.

Auditors would determine a property to be vacant, and could contact other government offices or community organizations to establish that, the bill says. Auditors would then notify the property owner of that determination.

Properties would not be considered vacant if they're used "seasonally," meaning at least four weeks but no more than 40 weeks out of the year, according to the bill text.

Demand in Dayton

It's clear that there is a community need for an easily accessible database of property owners, Montgomery County Auditor Karl Keith said. He said the bill won't be a panacea, but it's a step in the right direction.

The registry would be a public record, probably as part of the real estate database, Keith said. People could access it online or call the auditor's office for specific information. It would take some initial effort to publicize and inform property owners, but probably wouldn't require an additional employee to maintain.

Currently the best contact information for many owners of empty properties is their tax

mailing address, which often isn't helpful, he said.

When someone seeks to complain to the owner about conditions on a property, or is interested in buying and repairing it, the auditor's office wants to help them make contact, Keith said.

For that matter, law enforcement has sometimes sought property owners' contact information, he said.

"There's health issues in some of these properties that are vacant," Keith said. "Some of these properties are a magnet for crime. Being able to contact the owners would be a big step forward, I think."

Montgomery County has about 23,000 vacant housing units, close to one in 10, according to Keith's office.

More than 11,000 of those are within Dayton city limits, meaning about one unit in six is vacant inside the city.

For comparison, about one housing unit in 12 is vacant in Ohio as a whole.

Those numbers include apartments, not just individual houses, Keith said. But the number of vacancies is a "moving target," and so is hard to nail down at any given time, he said.

He estimates 2,600 structures in the county are in poor condition, with about 800 "unsound."

"We assume a large percentage of those are vacant," Keith said.

The 2008 foreclosure crisis drove some of that, but the main reason is Dayton's overall loss of population: from 260,000 people in 1960 to about 140,000 now.

And after the Memorial Day tornadoes in 2019, some people abandoned their properties and left no means of contacting them, Keith said.

"There are a number of those structures still in major disrepair that people just walked away from," he said.

Fewer people, less pressure

Auditor's offices in counties with more than 200,000 people would be required to collect contact information.

That would affect 15 Ohio counties, including Montgomery, Butler and Warren.

Counties with 200,000 people or fewer could opt into the registry.

Warren County Auditor Matt Nolan suggested the cutoff population for requiring participation should be doubled to 400,000.

“It’s not necessary for Warren County,” Nolan said.

Warren has a population of 235,000 compared to Montgomery’s 532,000.

“The problem with a bill like this is it creates work for the staff,” Nolan said. While it’s useful for a county like Montgomery County with lots of vacant buildings, he said it’s just extra work for places like Warren County with very low tax delinquency and vacancy rates.

Currently Warren County relies on the tax mailing address associated with every property, Nolan said. That has the advantage of “very quickly” putting properties on the foreclosure list if they’re not maintained and property taxes aren’t paid, he said.

Butler County Deputy Auditor David Brown said his office hasn’t taken a position on the bill. The auditor’s office has no role in dealing with abandoned or dilapidated properties, and so doesn’t track them itself, he said.

“If an owner fails to pay taxes over a period of time, there is a process between the treasurer, county prosecutor, and the county sheriff, to foreclose on and auction those properties,” Brown said. “The county building and zoning department, as well as cities, villages and townships, deal with zoning issues and properties that are not being maintained to code.”

If a local government imposes an assessment on a property for cleanup work, that’s added to the overall tax bill, he said.

Longstanding issues

Blackshear worked for the Montgomery County auditor’s office for a year and a half, and often fielded calls from people looking for contact information, he said.

“We had people who would call, people who were investors, trying to buy properties in neighborhoods, but they couldn’t figure out how to get hold of the property owner,” Blackshear said.

Residents who lived next to abandoned houses often didn’t know who to call to get properties cleaned up, he said. But there was no real process to find those property owners.

“When I worked at the auditor’s office, we had some people who just filed a post office box,” Blackshear said.

Communities looking to increase their population and grow jobs need to have safe places for people to live, Blackshear said. Abandoned buildings can become hazardous, and potential investors and renovators need an easier way to reach current property owners, he said.

“This is something that should’ve been addressed years ago, decades ago,” Blackshear said.

The bill has been referred to the House State & Local Government Committee. Jessica Gasset, Blackshear's legislative aide, said there's no word on when it will come up for a hearing.