



5 March 2018

Foreclosure Registry Program

City of Temple Foreclosure Registry

All PROPERTIES VACANT / FORECLOSED AFTER JANUARY 3, 2011 ARE REQUIRED TO BE REGISTERED

The City of Temple Vacant / Foreclosure registry was established as a means to protect neighborhoods from becoming blighted through the lack of adequate maintenance and security as a result of properties that are foreclosed or where ownership has been transferred after foreclosure.

On January 3, 2011, owners, creditors or mortgagees who foreclose on or vacate a property were required by law to register the property with the City of Temple and pay a fee of \$100 or face fines in the amount of \$300 per day, per real property. Creditors and mortgagees located outside the geographical boundaries are to ensure security and maintenance of the property per City Code.

Concurrently, a local property agent must be designated and listed on the registration form. Failure to do so will be a violation of the ordinance and will be subject to a penalty of \$300 per day, per real property.

The property agent must have the authority to ensure security and maintenance of the property; comply with code enforcement orders issued by the City; provide trespass authorization upon request of an enforcement officer; conduct inspections of the property; accept rental payments from tenants, if no management company is otherwise employed; and serve as an agent authorized to receive the code enforcement citations and notice pertaining to any court proceedings or administrative enforcement.

For additional information, call George Skala @ 770-562-3369 ext 102 or templecodes@templega.us.

Sincerely,

George Skala
Code Enforcement Officer

Encl: Temple City Ordinance 20-91, Registration of Vacant and/or Foreclosing Properties

Enclosure (1)

DIVISION 2. - REGISTRATION OF VACANT AND/OR FORECLOSING PROPERTIES

Sec. 20-91. - Registration of vacant and/or foreclosing residential properties, duty to provide written notice of vacant, residential property and/or mortgage foreclosure.

All owners must register vacant and/or foreclosing properties within the city on forms provided by the city. All registrations must state individual owner's or agent's phone number and mailing address. If the mailing address is a P.O. Box, a street address is also required. This registration must also certify that the property was inspected and identify whether the property is vacant at the time of filing. If the property is vacant, the owner and/or registrant must designate and retain a local individual or local property management company responsible for the security and maintenance of the property. This designation must state the individual or company's name, phone number, and local mailing address, if the mailing address is a P.O. Box. If the property is in the process of foreclosure, then the registration must be received within seven days of the initiation of the foreclosure process as defined in section 20-72. If the city determines that the property is vacant and that foreclosure proceedings have not yet been initiated, the registration must be received within 14 days of the city's first citation for improper maintenance.

All property registrations are valid for one calendar year. An annual registration fee of \$100.00 must accompany the registration form. Subsequent annual registrations and fees are due within 30 days of the expiration of the previous registration and must certify whether the foreclosing and/or foreclosed property remains vacant or not.

Once the property is no longer vacant or is sold, the owner must provide proof of sale or written notice and proof of occupancy to the city.

(Ord. of 1-3-2011, § III)

Sec. 20-92. - Maintenance requirements.

Properties subject to this section must be maintained in accordance with the relevant sanitary codes, building codes, and local regulations concerning external and/or visible maintenance. The owner, local individual or local property management company must inspect and maintain the property on a monthly basis for the duration of the vacancy.

The property must contain a posting with the name and 24-hour contact phone number of the local individual or property management company responsible for the maintenance. This sign must be posted on the front of the property so it is clearly visible from the street.

Adherence to this section does not relieve the owner of any applicable obligations set forth in code regulations, covenant conditions and restrictions and/or home owners association rules and regulations.

(Ord. of 1-3-2011, § III(d))

Sec. 20-93. - Inspections.

The codes department and building official shall have the authority and the duty to inspect properties subject to this section for compliance and to issue citations for any violations. The codes department and building official shall have the discretion to determine when and how such inspections are to be made, provided that their policies are reasonably calculated to ensure that this section is enforced.

(Ord. of 1-3-2011, § III(e))

Sec. 20-94. - Enforcement and penalties.

Failure to initially register with the city is punishable by a fine of \$300.00.

If applicable, failure to properly identify the name of the local individual or local property management company is punishable by a fine of \$300.00.

Failure to maintain the property is punishable by a fine up to \$300.00 for each week the property is not maintained.

(Ord. of 1-3-2011, § III(f))

Sec. 20-95. - Appeal.

Any person aggrieved by the requirements of this section may seek administrative appeal to the city. Any person aggrieved by a final decision issued under this section by the city, may seek relief in any court of competent jurisdiction as provided by the law.

(Ord. of 1-3-2011, § III(g))

Sec. 20-96. - Applicability.

If any provision of this section imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, by-law, order, or policy, then the provisions of this section control.

(Ord. of 1-3-2011, § III(h))

Sec. 20-97. - Regulatory authority.

The city has the authority to promulgate rules and regulations necessary to implement and enforce this section.

(Ord. of 1-3-2011, § III(i))

Sec. 20-98. - Severability.

If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

(Ord. of 1-3-2011, § III(j))

Sec. 20-99. - Implementation.

The provisions of this article are effective immediately upon passage and all provisions shall be enforced immediately but no monetary fine shall be imposed pursuant hereto until 90 days after passage.

(Ord. of 1-3-2011, § III(k))

Sec. 20-100. - Notice.

A copy of this ordinance is to be mailed to all owners of residential property located in the city. In addition to advertising on the city website and placing a notice in the local legal organ, a copy of this ordinance is to be mailed to all loan institutions, banks, real estate offices and management companies in and/or having legal or equitable interest in residential property located in the city.

(Ord. of 1-3-2011, § III(l))