



Councilwoman Diller's Community Corner

5th District, New Castle County Council

August 2018

Recent Housing Legislation sponsored by Councilwoman Diller

I have served as the Co-Chair of the NCC Community Services Committee for a number of years. This committee is responsible for the housing, parks and library programs of New Castle County. We know that vacant houses facilitate crime and are obstacles to turning around neighborhoods. We are fortunate that the New Castle County departments that deal with housing issues have joined forces with state and nonprofit partners to form the Vacant Housing Working Group. I have been fortunate enough to be part of this group of hardworking and creative people who care about the state of our communities.

Based on the ideas pioneered by the Vacant Housing Working Group, New Castle County Council recently passed legislation that refines the tools that New Castle County can use in these efforts. I am proud to say that I was the principal sponsor of these bills. Here is how this legislation will help deal with the vacant housing issue:

Prequalification of Bidders at Sheriff's Sale

A key strategy to address blight is to enforce taxes and assessments on abandoned properties, and recover these amounts through tax lien sales if necessary. Yet blight will only be addressed if the new owner transforms the vacant house to a productive use.

If a bidder at a tax lien sale has failed to pay taxes when due or has failed to maintain the condition of other property in the same jurisdiction, it is not likely that the bidder intends to invest and improve the condition of additional property. Instead, the bidder is speculating on a turnaround in the neighborhood based upon the investment and efforts of others.

County **Ordinance 18-049** addresses the risk that a speculator will take advantage of the anticipated increase in Sheriff's Sales. If a speculator buys a parcel that might otherwise have gone to a land bank or to a party interested in immediately improving the property, and then continues to allow the property to remain vacant and deteriorate, it will be much more difficult to reduce blight in our hardest-hit neighborhoods. The legislation allows the "prequalification" of bidders to encourage occupancy and use of the property in the near term. *Continued on page 2* →

Councilwoman Diller's Committee Assign- ments:

Co-chair: Boards & Com-
missions

Co-chair: Community
Services

Chair: Subcommittee on
Aging

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Application of Liens for Political Subdivisions

If an absentee property owner fails to perform even routine maintenance, the property turns into a dumping ground, a fire hazard and a magnet for criminal activity. Local governments are left to maintain the vacant property to mitigate the deleterious effects of vacancy. The cost to maintain these vacant properties are a significant expense to local government and are passed on to taxpayers. Enforcement and abatement costs should be borne by the absentee property owners – not the property owners who comply with property maintenance standards.

County **Ordinance 18-029** assigns the true cost of vacant and abandoned properties on the absentee property owner by allowing the local government to place a lien on the property for the costs incurred by local governments for enforcement and abatement of violations of building, zoning, drainage, sewer, property maintenance, housing, sanitation codes. This legislation also provides all local governments the same powers as Wilmington to collect unpaid court imposed fines as well as administrative penalties through the tax lien process. The ordinance also has a fiscal impact and will bring in over \$450,000 to the County through the tax lien process.

Collection of Fees and Costs in the Legal Action of Sheriff's Sale

An absentee owner who fails to pay taxes, sewer charges or code enforcement fees on their property should be responsible for all costs and fees, including reasonable attorney's fees incurred by the County, rather than having those costs and fees imposed on the tax payer.

County **Ordinance 18-062** permits the Office of Finance to collect certain fees and costs in a legal action it initiates to collect delinquent taxes and sewer charges. This insures that the costs are borne by the offending property owner, rather than by other taxpayers.

Please stay tuned for more updates about housing legislation that will help your community.

Mark Your Calendar

- **First Friday With Councilwoman Lisa Diller** - 9:00 a.m. - 10:00 a.m. - Newark Senior Center. Please join Councilwoman Diller on the First Friday of each month to discuss topics that are important to you and your community.
- **Newark's Community Day** - Sunday, September 16th, 11:00 a.m. - 4:00 p.m., at the University of Delaware Green from Memorial Hall to Main Street. This exciting event features fun for the entire family. For more information, please visit: <https://newarkde.gov/700/Community-Day>.