

From: John Taylor
To: House members
Date: 9/24/2012 12:56 PM
Subject: Proposed Legislation amending Abandoned and Blighted Property Conservatorship Act

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Tomorrow (before the start of session), I plan to introduce legislation that amends the Abandoned and Blighted Property Conservatorship Act to improve the conservatorship process. My changes are based on the requests of practitioners of the law, which became effective in 2008 and is being used successfully as a blight remediation tool in municipalities throughout the state.

The Act authorizes a process for court-appointed conservators to bring blighted and abandoned properties into municipal code compliance when owners fail to comply. The law also sets forth notification provisions, duties of a conservator, and sale of property in conservatorship. Again, it is being used successfully in large and small communities in our state.

My legislation:

- Adds the purpose of blight remediation to the definition of “nonprofit corporation.”
- Provides that a court-appointed non-profit corporation in Philadelphia must be located within a five-mile radius of the location of the property.
- Requires that the petitioner’s legal fees and costs and the developer’s fee shall be paid upon the court’s determination that conditional relief requirements of conservatorship have been met by the property owner.
- Includes costs of rehabilitation, attorney fees and court costs in a lien that the conservator may file against the property.
- Defines “developer’s fee” as a fee more than \$2,500 of costs and expenses or 20 percent of market value.
- Provides that when a conservator has been in control of the property for three months and the owner has not petitioned for termination of conservatorship, the court may order the sale of the property.
- Adds as second lien priority on distribution of sales the principal of all state and municipal liens recorded before the petition for conservatorship was filed.
- Increases the prioritization of the costs for petition for conservatorship in the distribution of proceeds of sale.

If you would like to cosponsor this legislation, please email Bonnie Glatfelter at bglatfel@pahousegop.com or call 787-3179 before the start of session tomorrow. Thanks.