

Meeting Date
Oct 20, 2015



AGENDA	
Section	New Business
Item No.	VIF 1

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Foreclosure and Vacant P roperty Registry
DEPT/OFFICE:	Citizen Request- Code Enforcement/ County Administration

Requested Action:

Develop and adopt an ordinance directing responsible parties to register, inspect, post and maintain properties that are in default, foreclosure, and/or are Vacant. Direct staff to determine whether to outsource and/or partner with a private company and carryout the necessary RFP, RFQ, Contract Piggy-back, and/or Sole Source steps necessary to quickly and most effectively administer the program.

Summary Explanation & Background:

Community Champions is a local company that specializes in educating best practices, and the administration of foreclosure and/or vacant property registration programs. With over six (6) years experience in ordinance development and program administration in eighty-two (82) government jurisdictions across six (6) states. Community Champions is a leader in driving compliance, reducing blight, and mitigating government resource drain. Our programs are guaranteed to be revenue neutral to our community partners!

Unincorporated Brevard County currently is stressed with over 3600 active foreclosures and the accompanied pressures of distressed and/or vacant properties. Staff and elected officials both are aware of the vacant property issues and the strain to government resources.

The program is a proven tool now being used in over a thousand government jurisdictions. Community Champions has and continues to be extremely successful with the program and its partners The City of Jacksonville/Duval, Bradford County, Citrus County, Manatee County, Palm Beach County, Clay County, Hillsborough County, Pasco County, and Seminole County. We partner locally with The City of Rockledge, Cocoa, Titusville, and Cape Canaveral and provide our services to counties and local governments across the country.

Community Champions partners with Non-Profits throughout our footprint reinvesting revenue into the revitalization of blighted properties and conveyance to first-time homebuyers while utilizing other strategies to assist our partners in economic development. Our registry platform is a research, compliance, and enforcement tool. The platform and our organization benefit Code Enforcement, Law Enforcement, Building/Permitting, Neighborhood Housing, and Economic Development. We connect citizens through our partners with all applicable stakeholders providing unprecedented corroboration.

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached): Reviewed by County Attorney Yes No PR

County Manager	Assistant County Manager, Frank Abbate	Department Director / Extension
Stockton Whitten	Assistant County Manager, Venetta Valdengo	



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

October 21, 2015

MEMORANDUM

TO: Robin Sobrino, Planning and Development Director

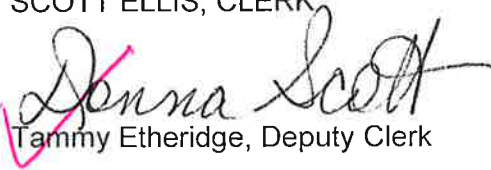
RE: Item VI.F.1., Citizen Request by Community Champions for Foreclosure and Vacant Property Registry

The Board of County Commissioners, in regular session on October 20, 2015, authorized you to develop an ordinance directing responsible parties to register, inspect, post and maintain properties that are in default, foreclosure, and/or vacant; and directed you to determine whether to outsource and/or partner with Community Champions, a private company and carryout the necessary Request for Proposals (RFP) or Request for Qualifications (RFQ), contract piggyback, and/or Sole Source steps necessary to quickly and most effectively administer the Foreclosure and Vacant Property Registry Program.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

for: 
Tammy Etheridge, Deputy Clerk

/ds

cc: County Manager
County Attorney
Finance
Budget

Whitten: Actually, Commissioners, this is more of a citizens' request, and so I think he should be the one providing you with the overview of this.

Fisher: Okay. Where's Scott, and Dom Blasie. Scott first. Who's the citizen request, is that you, Scott? I'd rather have the applicant do it first. Tom, are you? Okay. Okay. You hand them to me, I'll give them out. Thank you.

Blasie: Good morning Chair, Vice Chair, Honorable Members of the Commission. My name is Scott Blasie. My address is 6632 Rock Creek Drive in Lake Worth, Florida. My zip code is 33467. I'm an employee. I'm the National Employee Relationship Director for Community Champions; and I believe you have the Agenda document in front of you, and the submittal from Tom Blasie who is our CFO, and actually founded the company in 2009. I believe you all understand basically what's involved in the property registry. I understand pretty much it's been reviewed by all of you. I believe the cover Agenda memo pretty well sums it up. Obviously Community Champions is located right here in Melbourne, Florida, and in the folder I handed out to you on your left is a list of all of our communities that we partner with in Florida; and I've sorted it by county, and I think Brevard County is at the top, or maybe Bradford County. We currently have four communities that we work with and partner with here in Brevard County, including the City of Rockledge, which was our first community to partner with us in 2009. Foreclosure registration ordinances, as seen in your Agenda memorandum, are nationwide. They've been with us going on eight, 10, 12 years now as a result of the housing issues that have occurred over those eight, or 10, or 12 years. What Community Champions has done as we have basically created a registration administration program that takes the burden off staff trying to administer that and consequently saves a lot of staff resources and help stabilize property values in the neighborhoods and holds the banking community responsible for those properties that are in the foreclosure cycle, which as we all know in Florida pretty much is quite likely. We do that by mining public records, searching for all of the filings, foreclosure filings, etc. It's an intensive process, and then we provide a state-of-the-art registration platform that's interactive between county staff and the banking community and Community Champions. So, basically what we do is save the community a lot of money. We do all of the work, and we drive registration compliance. That's how we get our job done. We have nearly 90 community partners nationwide. We just picked up our 50th last night in Florida down in Palm Beach County; and we were selected this year to showcase our best practice model at the Florida Association of Code Enforcement Conference, at the Florida City and County Manager's Association Conference, and probably the biggest honor I feel we could have received is we were asked by the International City Manager's Association to showcase our program at their annual conference in Seattle. It was last month, and we're pretty proud of that. The program that we offer has basically sold itself. I mean it's a revenue neutral, if not a totally revenue positive program to the communities that we partner with. We've never had a community drop us. Okay, we've never lost a community since we started in 2009, and actually the one code officer with the City of Rockledge will serve

down a panel at our best practice presentation at the ICMA conference in Seattle. So, all of our communities are very supportive of our program. I believe the Agenda memorandum also touches on our revitalization component as well where we assist communities that are partnering with us in the registration program and doing community revitalization efforts. And I won't go, excuse me, into any great detail. I certainly welcome questions. I've been doing this for the company since 2011, and I worked in the public sector for 27 years and used Community Champions for two years before I retired in 2011. So, I've worked it from both sides, and attest on a personal basis that it's a great tool for government.

Fisher: You said revenue neutral, what do you mean by that, because there's a fee that's charged, right?

Blasie: There is. There's a fee that's charged. It's paid by the banks.

Fisher: Okay.

Blasie: Our recommended fee and one that's below the national average is \$200 per property, renewable annually. We retain \$100 of that fee. That's how we get paid, and remit the balance to the community. So, our motivation is in order for us to make money, we gotta make sure that banks register properties, that's how we get paid; and that motivation in turn makes sure our governmental partners get a very high degree of registration compliance, and that's one of the components that separates us from a self-managed program, because we're out there identifying the foreclosures basically on a daily basis and notifying the responsible parties and getting them to register.

Fisher: Okay, thank you. We may have some questions from other Commissioners. Commissioner Infantini.

Infantini: I'm sorry, why do foreclosures need registration compliance, because right now if there's a property in foreclosure, and if it is falling in disrepair, we have Code Enforcement and they take action. How is this going to save us money, because you said it saves the community money, and I don't understand?

Blasie: It does, by virtue, basically the banks now they're familiar with registration ordinances. They've been around a long time. They actually have departments set up to register properties with communities, which is kind of neat. On the other hand, they still haven't wrapped their arms around all the communities and all the properties that they have that are in foreclosure. The fact that you have a registration ordinance and they have to register makes them aware that when the properties become vacant they have to do the maintenance; and the best practice ordinance that you would adopt holds them accountable to do the maintenance. So, instead of Code Enforcement having to cite the property and then typically have the contractor and a typical nuisance abatement process go out and clean the property, which in Florida is a repetitive process given the growing season and the green pools, etc., Code Enforcement extends a lot of energy and time processing cases that

the banks should be out there taking care of out in front of the problem.

Infantini: But how are you doing that? So, you're going to go, you're going to be, for the \$100 that they will pay you every year, you're going to be going around to all these properties on a regular basis making sure the lawns are mowed, the pools aren't green, is that correct, is that . . . And so my Code Enforcement will no longer have to go out and do this?

Blasie: What happens is driving registration compliance also by the very nature of that process makes the banks aware that they have to do the property maintenance. So, the Code Enforcement, if they have a bucket of properties currently, which is probably about 2,200 by our estimate, if they have to keep an eye on regularly, all of the properties that register leaves you with a bucket of maybe 10 percent of properties that banks haven't registered and aren't maintaining. The banks proactively maintain the properties when they know they have to register and you have an ordinance in place that makes them accountable. That's what they do.

Infantini: I just, I tend to disagree. I think what we're, in my opinion, it seems like we're kicking somebody when they're down. The fact that the bank has to take it back, I don't think they're the big, bad bully. They may have more money than most of us, but they have to take back a piece of property that they have a mortgage on, they're going to eat half of that mortgage, or however much, because they lent money to someone who no longer has the ability to pay. This \$100 that they've paying is going to come out of the proceeds that would come from the sale of the future property, so thereby the property owner will get \$100 less. I just, I don't see the need for it. I haven't seen Code Enforcement inundated with cases of foreclosures. Am I wrong? Do we have a couple thousand of foreclosures that we're going to check on every day on an, you know, every year? I'm asking staff.

Sobrino: Currently, our, the properties that have an active Code Enforcement foreclosure issue, I would say are less than 100.

Infantini: Okay, so for less than 100 properties . . . Thank you, I appreciate that. So, for less than 100 properties, and it's not just banks that have foreclosures, and it also said that we would be going after vacant land. I thought I read that in one part. I don't think that this is a good idea. I think that this is kind of like a money generating thing for us, which is nice to have money, but I'd rather not do it on the backs of something like this.

Blasie: If I may, I would counter and just say that probably \$100 a year on a piece of property, I doubt the banks going to feel it in the bottom line when they sell the property; and another point of view are the banks actually embrace our program because they have to register properties all over the country, hundreds of thousands of properties, and we make it very simple for them to do that; and they've also discovered through these property registry ordinances that the people that they're paying to maintain the property are now being held accountable. Before they were writing checks for property

preservation companies because most of them weren't doing their jobs. So, our program, through its interaction with staff, ensures that they are hiring quality individuals to maintain the properties, and actually getting the bang for their buck. So I would argue probably that \$100 is more than recouped over the course of the year due to the fact that the property value is begin maintained and the property preservation company that's doing the work is doing the work they're getting paid for.

Fisher: Another problem that you have is that we get the calls in our office, and I can see there's 1,100 foreclosures if this report is right in the City of Titusville, but the problem we have is people, neighbors they call and say, you know, the pool is green or the pool is black, I've got mosquitoes all over the place coming from there, the yard hasn't been mowed, Code Enforcement doesn't go out there until it gets to a certain level or something before you can even say it's a real Code violation, but your neighbors in the neighborhood who calls us and are complaining that I can't, you know, I'm trying to sell my house or I'm trying to do this, or I'm trying to do that, and this property next door to me looks like crap. Can't you do something? And the banks ignored it up to this point, and so, I think it's a good idea.

Infantini: I would like to ask which financial institutions are in support of it, because I did reach out before coming to today's meeting to talk to a couple of local financial institutions, and neither one of them, it was only two, neither one of them showed any support for this. So could you tell me which, specifically, financial institutions locally are in support of your program?

Blasie: I can tell you financial institutions that are supportive. I'm not sure I can speak to local financial institutions, but Wells Fargo and Bank of America are supportive to the extent that we have former registration employees of those banks working for our company in Melbourne currently, and they're right there driving registration compliance with the people they used to work for.

Infantini: Well, that doesn't mean that the bank is in favor of them. That means the people saw that they could make more money working for your company than they could working for the bank. So I don't actually see where the financial institutions are in favor of this program. I've never seen a financial institution say please insert more regulation on us and have us pay an extra \$200 for it. So I again don't see where that's accurate.

Fisher: Yeah, Tom, want to come up? Sir, while you're coming up, what cities do you have under agreement now in the County?

Darnell: Cocoa, Rockledge, Titusville, Cape Canaveral.

Fisher: Okay, so you do have a contract with them right now?

Darnell: Sure.

Fisher: Okay. Go ahead, sir.

Darnell: Sure, actually the registration program is actually just part of, just one part of the tool within the ordinance. It's registration, it's also inspection, posting, maintenance, and all is part. Registration is a proactive way of knowing who to contact in case of all of those other things not being done correctly or also when it becomes an issue. So, basically the registration saves resources in you know who to contact. You can't just call your local branch up. You can't, for example, you can't contact the two local banks. Those two local banks probably maybe have, if they're not a national bank, probably one-tenth of one percent of properties in this County that could even be a problem if they are a problem. It comes down to who is servicing the paper to get compliance, and that could switch hands and become a quagmire of issues for staff when they're trying to find out who do we contact. That's what we specialize in. You can't just go into foreclosures, the foreclosure data base, and look up who's suing who and determine who to contact. That just isn't . . . if it was that easy, that would be fantastic, but that's why there is a problem. As far as who does support this, Wells Fargo, Bank of America, do actually support nationally in some way shape or form registrations. They do, they go around Code Enforcement. They talked to you how to structure a good one. We've set on boards with them, panels with them actually, and HUD specifically uses, has stated in many of their circulars, and with servicers, that a registration tool is a great tool as part of compliance. So, HUD themselves, they put that out there with partners with banking partners of the community out there.

Infantini: I would like to ask Robin in the last year how many times have we had a difficult time figuring out who owns the property? Just in the last year I mean?

Sobrino: I can't answer that question.

Infantini: Well maybe, five times, a hundred. You only have a hundred active cases. So, if we only have 100 active cases, did you have trouble figuring out who owned all of those or some of those?

Sobrino: Well, usually it does take time to find out where the title is. Very often it appears that it's still in the owner's name only to find out that there is some pending action against the person that's listed in the Property Appraiser's data base.

Fisher: Hey, I think what really happens in the reality world is that someone moves out of the house. Foreclosure is being set in the attorney's office waiting to be foreclosed on. Meanwhile the person moves so the yards growing and getting bigger and uglier; and the bank is sitting there saying well, we don't have total control of it yet and the residents have already left and the neighbors are sitting there sitting at an ugly yard and an ugly situation and we can't do much about it because it's in limbo. That's the reality of the deal.

Darnell: I think safety issues are also something that should be a huge concern. We

partner with law enforcement. Our application is a mobile application. It's free. Law enforcement can roll upon a property and immediately know whether or not that property has been registered and is subject to whether it's lawfully occupied or vacant. Clay County, we had two deputies roll upon a property prior to our contract, prior to our program. They use our application now, but one of them was killed in the line of duty because it was a meth house going through foreclosure. There was no way for anyone to know that it was not legally occupied. I think just one case if we can help, just one case like that, the program doesn't cost anything.

Fisher: Commissioner Barfield.

Barfield: Mr. Knox, have you looked at their model ordinance here?

Knox: Yes, I have.

Barfield: Okay. I'd like to see us go forward with an ordinance to do this because the registration . . . I think it's more of a safety, public safety issue, I really do.

Fisher: I think we've had, I think we've had, I think in the last year twice we've, because of ownership of property and issue that it wasn't registered, the homeless starting going in there, I think we've actually filed suit to take control over one of them I think we've demolished or something. You know, it's just a nightmare for neighbors with drug activity and people, and that's the other issues, that people force, they move into these homes and it becomes a meth lab or other type of lab.

Barfield: To me it looks like, way into this ordinance when you start looking at the different, I mean at the enforcement and penalties, it puts some teeth into what we want to do. Actually, that's what really has my attention.

Fisher: Is that a motion, sir?

Barfield: Yeah, I'll make a motion that we . . .

Smith: I'll second that.

Barfield: . . . pursue implementing this ordinance.

Fisher: Okay, and we've got a second by Commissioner Smith. Any further discussion? All in favor say Aye.

Fisher, Barfield, Smith, Anderson: Aye.

Fisher: All opposed?

Infantini: Nay.

Fisher: Okay, it approves 4:1. Thank you, sir.

PLANNING & DEVELOPMENT DEPARTMENT

STAFF REPORT RE: FORECLOSURE AND VACANT PROPERTY REGISTRY

Background:

In April, 2012, the Board directed staff to prepare an agenda item for Legislative Intent and Permission to Advertise an amendment to the Code to establish a foreclosure registry program for the County, including residential and commercial properties. The Board recognized that the foreclosure upsurge had caused numerous residential properties to fall into a state of disrepair or overgrowth, much to the detriment of the surrounding neighborhood. Code enforcement efforts are hampered due to the inability to ascertain clear title, making it difficult to identify responsible parties for property maintenance proceedings.

Prior to completing Legislative Intent and Permission to Advertise, the Board opted to postpone action and discuss other solutions with local banks.

Overview of the Proposed 2012 Program:

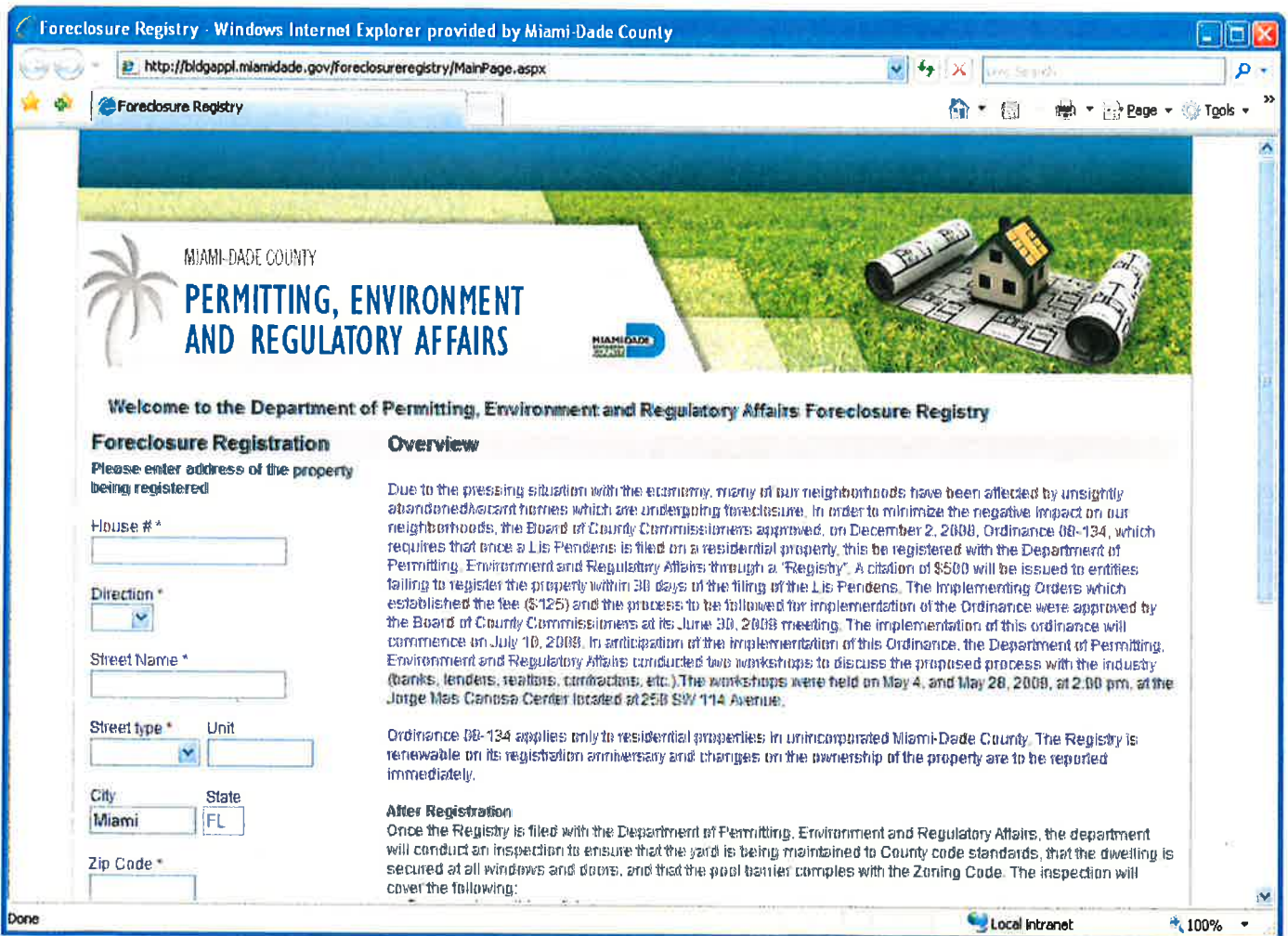
Staff proposed a program similar to that implemented by Miami Dade County (MDC) in 2008, which had earned a NACo 2010 Achievement Award. The MDC program requires that, upon the filing of a Lis Pendens or an action to foreclose upon a mortgaged single family residential dwelling (including condominium, duplex and townhouse units where the individual unit is the subject of a foreclosure action), registration of the property must be made with the County within 30 days. Through the registry, foreclosed residences that are at risk of or have become vacant, overgrown, dilapidated or in poor repair can be tracked and remediated to prevent blight or unsightly conditions.

Once registered, the County conducts an inspection to ensure the yard is being maintained to County code standards, the swale area is maintained, the dwelling is secured at all windows and doors, and the pool barrier complies with Code requirements.

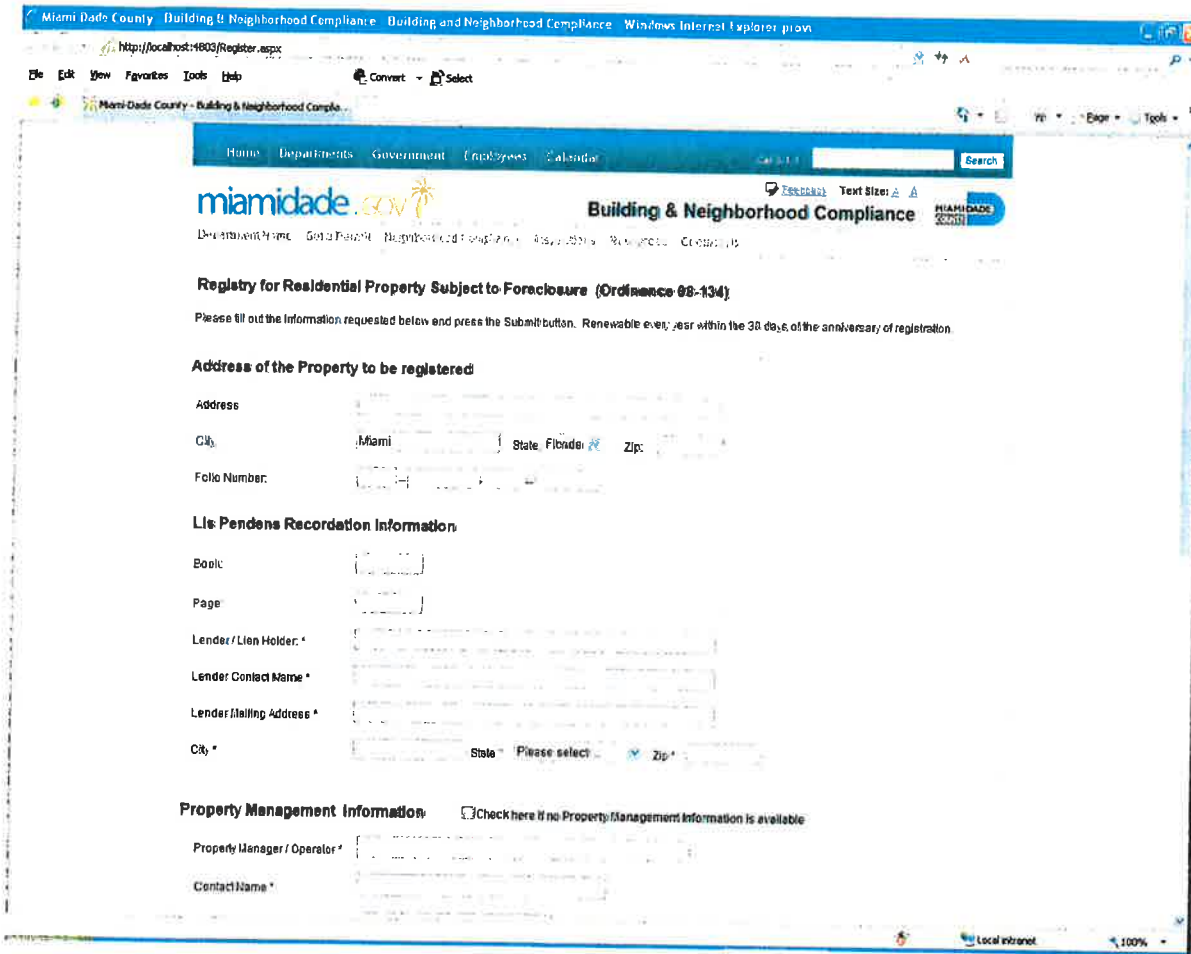
The one time registry fee charged by MDC is \$125. Failure to register will result in a \$500 citation to the entity that failed to register the property. Annual renewal of the registration (at no additional charge) is required until the property is sold. Changes in ownership must be reported immediately. The registration terminates when a Certificate of Title is issued to a new owner or the foreclosure action is withdrawn. Inter-agency agreements with other County departments provide for board up services for doors and windows as well as pool barrier protection. The revenues from registry fees offset the operating costs of inspections, case management and processing. The registry also provides a convenient property ownership resource for various County departments.

The following instructions serve as a guide on how to submit electronic Foreclosure Registry Applications through the Department of Permitting, Environment and Regulatory Affairs web site.

1. Click on the Foreclosure Registry Link, which is: <http://bldgappl.miamidade.gov/foreclosureregistry>
2. On the left hand side of the screen, please enter the address as well as the recorded book and page of the Lis Pendens and click on the "Submit" button. This information will be validated and will display a **RED** error message on the bottom of the page if either the address or the book and page are invalid.



If the address is found to be invalid, you will have the opportunity to enter the folio of the property that is being foreclosed. When all information is filled in, please click on the submit button. A “reset” button is also available in case that you need to clear out the information that has been entered. When the address and book and page are validated you will be taken to the “Register” page



On the Register page, the address, folio number, and book/page will automatically be populated on the screen. Please enter the remaining information including the Lis Pendens Recordation Information, the Property Management Information (if there is no Property Management information, please place a check mark on the check box located on top of the Property Management section) and the Registration information. Please be advised that all the information requested on this page is required. If any information is not filled in, you will see an error message in **RED**. When all the information is entered, click on the submit button.

When the Registration is submitted you will be taken to a screen which will provide you with a unique process number (beginning with a J). Please print this page for your records and click on one of the links provided in order to pay the fee of \$125.

Foreclosure Registry - Windows Internet Explorer provided by Miami-Dade County

http://bldgappl.miamidade.gov/foreclosureregistry/generateinvoice.aspx?inv=J2012015200

Foreclosure Registry

MIAMI-DADE COUNTY
PERMITTING, ENVIRONMENT
AND REGULATORY AFFAIRS

MIAMI-DADE COUNTY

Your process number is: J2012015200.

Thank you for completing the Foreclosure Registration Form. Please print this page for your records. Note that this registration will not be processed until the amount of \$125 is paid. Once payment is received, an inspection of the property will be scheduled. To submit your payment online, please have the process number(s) ready and select one of the following options:

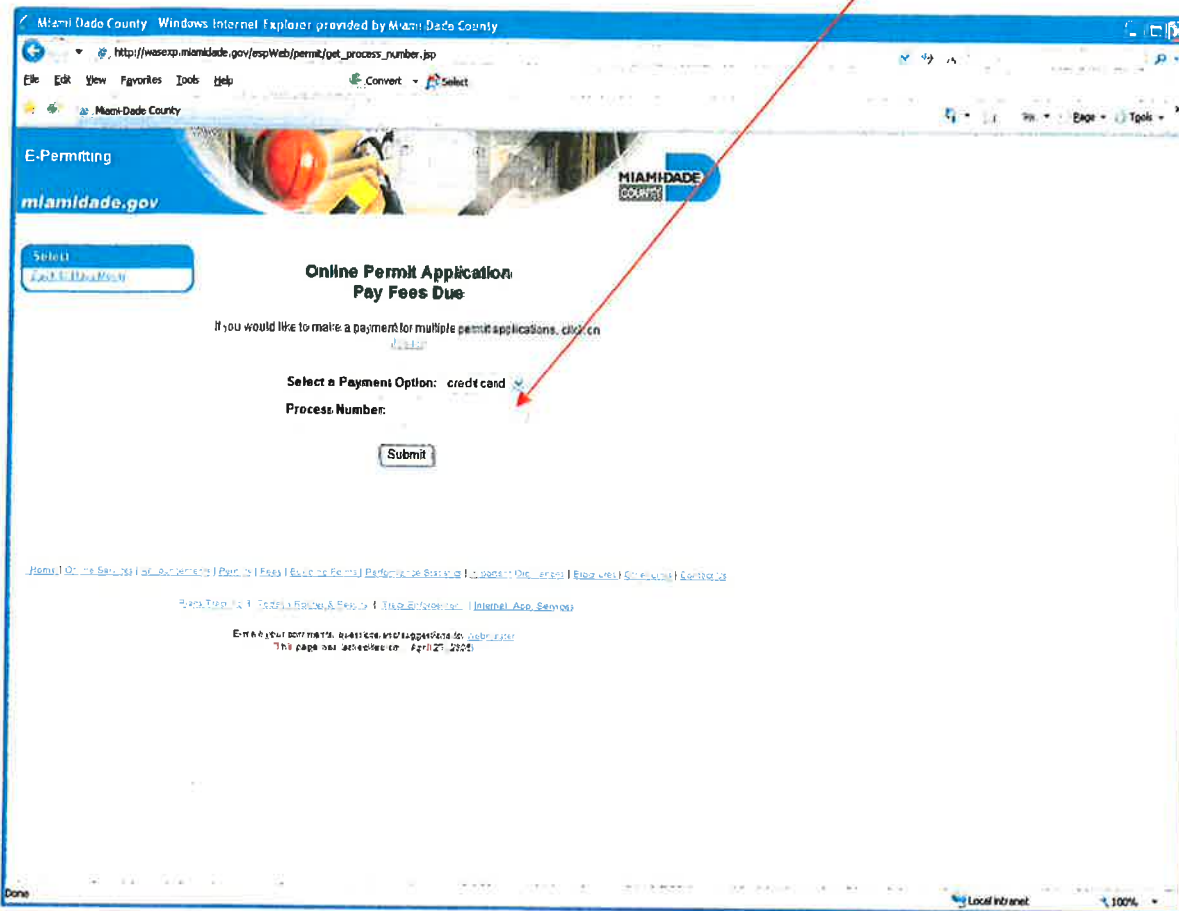
- For payment of a single Foreclosure Registration form, click on this link: http://wasexp.miamidade.gov/espWeb/permit/get_process_number.jsp
- For payment of multiple Foreclosure Registration forms (up to four). If you have all the process numbers ready, click on this link: http://wasexp.miamidade.gov/espWeb/permit/get_multiple_processes.jsp or
- To continue registering foreclosure properties, please click on this link: <http://bldgappl.miamidade.gov/foreclosureregistry/>
- To mail your payment, please record each process number and submit with your check(s) to:

Miami-Dade County
Department of Permitting, Environment and Regulatory Affairs
11605 S.W. 26 ST. (Coral Way)
Cashier's Section
Miami, FL 33175

Please make check payable to: Miami-Dade County

Local Intranet 100%

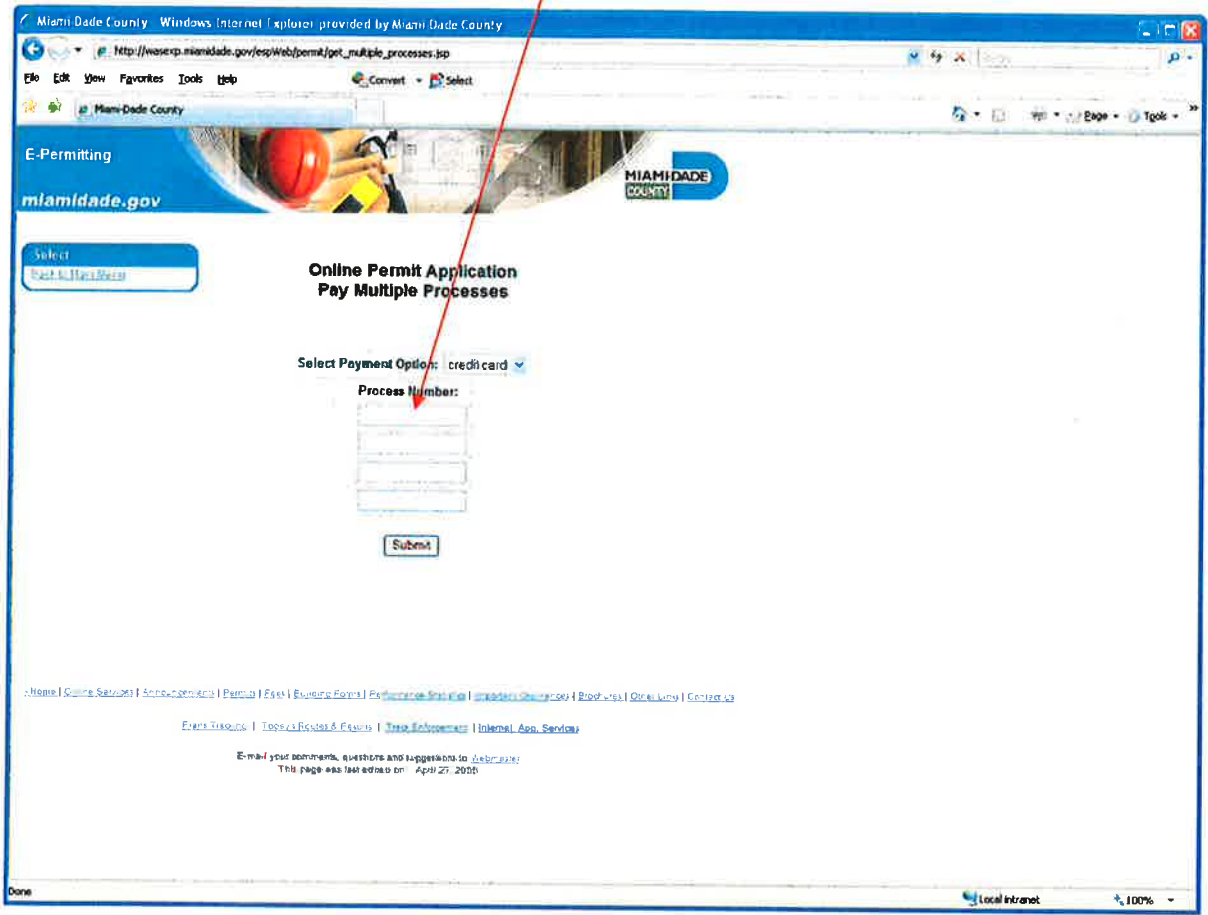
If you are paying for a single foreclosure registry application, please click the first link which will takes you to Miami-Dade County's Online Permit Application – Pay Fees Due page. Please enter the process number (J number) that was provided on the previous page in the Process Number box.



The link to this page is:

http://wasexp.miamidade.gov/espWeb/permit/get_process_number.jsp

You can pay multiple Foreclosure Applications up to a limit of 4. You must have all of the Process numbers (up to a limit of 4) available to enter on this page. Please enter all the process numbers as well as the payment option and click on the submit button.



The link to pay multiple process numbers is:

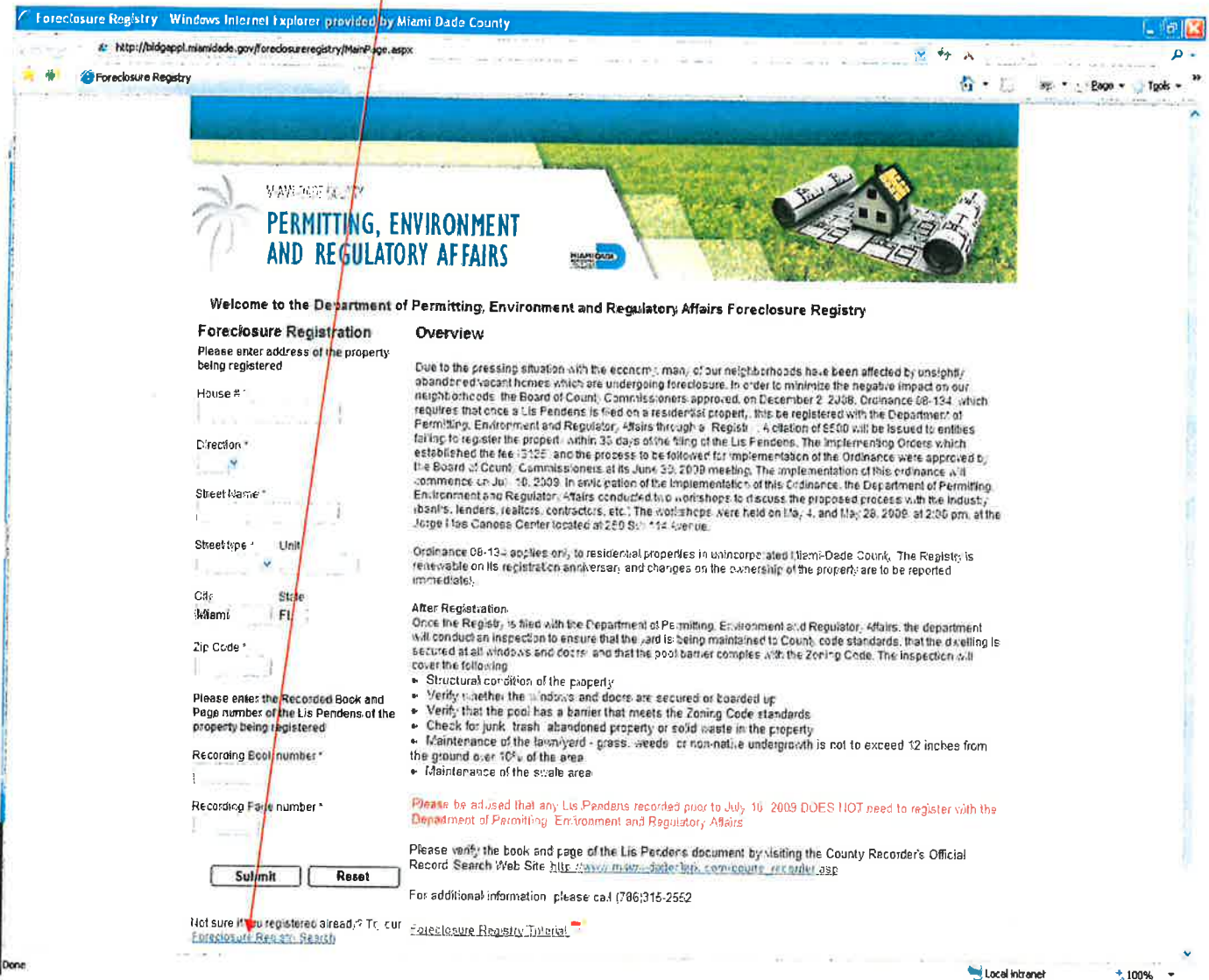
http://wasexp.miamidade.gov/espWeb/permit/get_multiple_processes.jsp

The third link on the page will allow you to register another Foreclosure application by taking you back to the first page. If you need to register another Foreclosure Application, please click on the third link which is:

<http://bldgappl.miamidade.gov/foreclosureregistry/>

Once payment is received, the system will automatically schedule an inspection of the property to ensure that the yard is being maintained to County code standards and that the dwelling is secured.

The system also allows you the capability to search for Foreclosure Applications that have been filed in the past by clicking on the Foreclosure Registry Search link that is located on the bottom left side of the main screen.



When this link is clicked, the system will take you to the Search screen which looks like this:

Foreclosure Registry - Windows Internet Explorer provided by Miami-Dade County

http://bidgappl.miamidade.gov/foreclosureregistry/Search.aspx

MIAMI-DADE COUNTY
**PERMITTING, ENVIRONMENT
 AND REGULATORY AFFAIRS**

MIAMI-DADE COUNTY

Department of Permitting, Environment and Regulatory Affairs Foreclosure Registry Search

Please search for a Registration Application by using only one of the 4 search criteria's below.
 Note: The property to be searched must reside in Unincorporated Miami-Dade County only
 Search results only contain Foreclosure Registry Applications that occurred after 9/13/2010.

1) House number: Direction: Street Name: Street type: Unit:

2) Folio number (no dashes):

3) Invoice Number:

4) Lis Pendens Book: Page:

Find Registry Case **Reset**

[Click here to register a foreclosure](#)

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Local Intranet 100%

You may search by address, folio number, invoice number or Lis Pendens Book and Page. **Please only enter one of these search criteria.** When the search criteria is entered, click on “Find Registry Case” button.

If the system finds the Foreclosure Registry, it will be displayed on the bottom of the screen. You may click on the J number (located on the first column) in order to see the PDF file which contains all the information pertaining to the given Foreclosure Registry Application, including the case number of the inspection that was assigned to it.

This concludes the process that is required to electronically submit a Foreclosure Registry Application.