



To: House Local Government Committee

From: Mayor Jeff Longwell, City of Wichita  
Brandon Johnson, Wichita City Council, District 1

Subject: Testimony in Support of Abandoned Property Legislation

Esteemed members of the House Local Government Committee:

Good day, thank you for your work on behalf of the citizens of the state of Kansas, and thank you for the opportunity to provide testimony in support of cleaning up abandoned housing in our communities. This matter affects cities and towns, large and small, across the state. It also affects individual property owners, so we appreciate the care with which you are doing your work.

The City of Wichita strongly supports common sense legislation to streamline the process to deal with abandoned housing. We have also supported previous legislation. We do so because our constituents whose property values suffer from abandoned structures in their neighborhoods want us to do more. For them, the status quo is not working. They are suffering now. We hope this testimony will underscore the need to equip cities with tools to address their concerns and maintain safe, healthy, and vibrant communities.

These bills are the result of a multiyear collaborative process reflecting the feedback of many public, private, and nonprofit interests.

- Due process is protected; this remains a court process.
- There is a sunset clause to ensure accountability.
- Proponents have listened closely to opponents' concerns and made numerous changes, including strengthening notice provided to interested parties.
- This is not a cure-all but a valuable tool to help address what has become a very large problem in cities of all sizes.

Improvements already made to the bill this year include two years of unpaid taxes in arrears, 15 months abandoned, and tightened language to define a blighting influence.

As Wichita and other cities do everything possible to work with owners and many others to abate blight, foremost in our minds are always property rights. However, if we are going to truly respect property rights, shouldn't we also value the rights of property owners who live in close proximity to abandoned housing? We respectfully ask: what more can be done to protect *their* property rights?

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It is not our intent to take any property from any owner; this is emphatically *not* eminent domain. Far from it, this bill would only address cases in which the owner of a house has *abandoned* it, is *not paying taxes*, and is *unresponsive*.

In Wichita, the City Council and staff continue doing all we can to address blight in our neighborhoods, and have done so for more than a decade. We work hard to create a high quality of life for all of our residents. Blight negatively impacts the property values and living conditions of all of our citizens. Even though we are using the tools at our disposal including code enforcement, we have seen blighted house after blighted house go through years of neglect, attracting crime and unsafe conditions, only to be demolished years and sometimes decades later.

When code enforcement efforts don't work, condemnation cases and demolition are a last resort. Here are condemnation case numbers in Wichita for the last five years:

Condemnation Cases	2012	2013	2014	2015	2016	2017
Initiated	13	20	26	24	16	6*
Closed	30	17	18	34	20	7*

\* MABCD reports the lower 2017 numbers were due to budget not a lack of dilapidated housing. Wichita currently has 10 carryover properties out for asbestos removal and demolition bids. Five of those took a year to work through City Council due to multiple deferments.

Too often, this blight is caused by a property owner who has abandoned it, and either cannot be reached or is unresponsive. The longer an abandoned structure is left to the elements, the less likely anyone will be able to save it. We are racing the clock, and in too many cases we are losing.

We strongly believe that progress can be realized when we work together to protect our communities. Residents do their part by notifying City Hall when blight develops in their neighborhoods. Some even go above and beyond by trying to directly address these concerns for the sake of their own quality of life. Local organizations use their expertise and resources to rehabilitate and construct high-quality, affordable housing units that have helped to transform entire neighborhoods.

However, currently one unresponsive owner can short-circuit this process to the detriment of an entire neighborhood. This bill will give us an opportunity to significantly reduce the number of houses that finally end up in condemnation and are torn down. A fair number of properties that we end up tearing down could be saved if they were in the hands of someone who could rehabilitate them.

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We understand we cannot reach all of the properties that need attention. Even so, by assisting our community partners to more fully carry out their missions and rehabilitate abandoned properties causing a detrimental effect on the surrounding area, we can decrease the impact of blight and revive distressed communities more quickly. We can and will do so while still respecting and protecting individual property rights.

We believe in the free market. Every time a devalued property is sold to someone who rehabs it and gets it back on the tax rolls, we cheer. Unfortunately, too many loopholes in the current law continue to be exploited, keeping properties from being sold to someone who will take care of them.

Cities aren't asking for a lot, we just need just a little more authority to intervene between the time a property exhibits multiple code violations and when, in the worst cases, it is finally demolished. In most cases today, demolition occurs months or years after initial contact, and even demolition does not solve the problem of the vicious cycle (illegal dumping, etc.) Had the legal mechanisms existed to intervene sooner, many of these demolished structures could have been salvaged, rehabilitated, and returned to the tax rolls.

*Bottom line: the status quo is not working for Kansas neighborhoods.* On behalf of our residents who have pleaded with us to do something more, we plead with you to support this common sense legislation. Each of us has a responsibility to maintain and improve the wellbeing and quality life in our cities, our neighborhoods and our state. We know you take that responsibility seriously as we do, and we thank you. As fellow elected officials, we assure you that the expertise and capacity exists in our cities to accomplish this. Please help us take this one step to make all of our communities more safe, healthy, and vibrant.

Thank you for your time and consideration, and we ask for your support.

Respectfully yours,

Jeff Longwell  
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