



ABOVE AND BEYOND. BY DESIGN.

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**Senate Ethics, Elections and Local Government Committee
Written Only Testimony in Support of SB 31
by the City of Overland Park
Dick Carter, Jr.
January 25, 2017**

Honorable Chairperson Bowers and Members of the Committee:

The City of Overland Park supports SB 31, an Act relating to the rehabilitation of abandoned property in cities. SB 31 revises provisions of current Kansas law and grants both cities and nonprofit organizations the ability to file a petition with the district court for an order for temporary possession of abandoned property for rehabilitation purposes. SB 31 further revises the definition of “abandoned property” to include residential real estate that has been unoccupied for 15 months and which has a blighting influence on surrounding properties (with exceptions for property subject to a probate action, quiet title action or when subject to a mortgage).

SB 31 will create an additional tool and provides more flexibility for cities to address unmaintained and abandoned housing that is causing a detrimental impact on surrounding properties and neighborhoods in the city. It will allow cities to initiate action against these abandoned properties; and, after sufficient due process to the absentee owner, engage a nonprofit organization to commence rehabilitation of the blighted structure. It is the City’s position that SB 31 will supplement local governments’ ability to do basic property code enforcement on abandoned structures.

One issue that the City suggests the Committee investigate before approving this legislation is whether an action for “quiet title” in Section 1(g) is the correct type of legal action to occur in order to transfer title of the property to the nonprofit organization. Notwithstanding, the City is not opposed to concept of the transfer of title.

For the reasons expressed above, the City of Overland Park supports SB 31.

Thank you for the opportunity to comment on this legislation.