

## Governor signs blight reclamation bill into law

**Christine Haines Herald-Standard | Posted: Monday, November 1, 2010 4:00 am**

Municipalities battling blight received a few more weapons for their arsenal this past week when Gov. Ed Rendell signed Senate Bill 900 into law. The Neighborhood Blight Reclamation and Revitalization act goes into effect in six months. State Sen. Richard A. Kasunic, D-Dunbar, was one of the co-sponsors of the bill. Kasunic said he has heard for years from township, borough and city officials about the difficulty they have dealing with the owners of blighted properties.

"The purpose of this is to give them a little more teeth in enforcing their maintenance codes," Kasunic said. "There are things in there that weren't in the law in the past, like asset attachment. With this bill, one of the main things is you can go after the property owner's personal assets."

The bill also calls for all municipal permits state-wide, except those needed to bring a property into compliance, to be denied to any property owner who has serious, unaddressed violations at any property in the state. Kasunic said that should be particularly effective against developers with multiple properties.

Jeri Stumpf, who once served as a consultant for Brownsville's targeted code enforcement program and was previously the executive director of the House Urban Affairs Committee, drafted the current legislation. Stumpf said his experience with Brownsville emphasized the need for blight legislation.

"In the 30 years I've been in this profession, the blighted conditions in Brownsville were the worst I had seen," Stumpf said.

"It's a real danger and it's very demoralizing to a community to have blighted conditions like Brownsville has."

Andrew French, executive director of the Fayette County Redevelopment Authority, said steps are being taken to revitalize downtown Brownsville, but the process has been slow and tedious.

After years of legal proceedings, the redevelopment authority in mid-October took possession of eight downtown Brownsville properties through eminent domain after paying \$114,400. Proceedings are continuing against 14 additional properties in Brownsville. According to French, that's just the tip of the iceberg.

"We have a tremendous amount of blight throughout Fayette County," French said. "We could use some pretty substantial and consistent resources.

"I look at this as an additional tool that obviously strengthens our work in that we can put pressure on the owners of blighted properties, French said.

The late Sen. James Rhoades of Schuylkill County, who died in a car accident, initially introduced the bill. Sen. David Argall, who took Rhoades' place, continued with the legislation.

"This is revolutionary, this legislation. In the past when you had a code violation, you could only go against the property that had the violations, not the other assets," Stumpf said.

Often the dilapidated property was worth less than the municipal liens placed against it, putting the burden of tearing down abandoned properties on municipalities using public funds. The ability to attach the property owner's other assets changes that, Stumpf said.

"It fundamentally changes the way blight is dealt with and takes the cost off of the taxpayers and puts it on the property owners," Stumpf said.

Stumpf said his one disappointment with the bill is that the Legislature took out provisions that would have held mortgage companies and banks responsible for the exterior condition of properties they take by foreclosure. Stumpf said that once the property owner in default is evicted from a house, the mortgage holders rarely complete the title transfer process, leaving the property in limbo when it comes to code enforcement.

"Once this starts into effect, people are going to realize that mortgage companies and lenders should be held responsible when they foreclose," Stumpf said.

Kasunic said he envisions the possibility of additional legislation being drafted to address blight problems as loopholes are found in the new legislation.