



ABOVE AND BEYOND. BY DESIGN.

Overland Park, Kansas 66212

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**House Local Government Committee
Testimony in Support of HB 2404
by the City of Overland Park
Dick Carter, Jr.
March 23, 2017**

Honorable Chairperson Williams and Members of the Committee:

The City of Overland Park supports HB 2404, an Act relating to the rehabilitation of abandoned property in cities. HB 2404 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. HB 2404 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).

HB 2404 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 HB 2404 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 HB 2404.

Thank you for the opportunity to comment on this legislation.