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TOPEKA
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 REPRESENTATIVES

COMMITTEE ASSIGNMENTS

RANKING MINORITY:

COMMERCE, LABOR AND ECONOMIC DEVELOPMENT

FINANCIAL INSTITUTIONS

MEMBER: UTILITIES & TELECOMMUNICATIONS

TESTIMONY IN FAVOR OF SENATE BILL 84

Thank you Chairman Lynn and Members of the committee for allowing me to testify on this most important matter. SB 84 would amend KSA 12-1750 and 12-1756a related to unsafe or dangerous structures, abandoned property, and commercial real estate. If passed, it would give local governments the powers necessary to make their neighborhoods safer and communities stronger, while still protecting the rights of property owners.

For years, it has been thought that abandoned properties and dilapidated buildings were just an urban problem, **but the reality is it's a Kansas problem.** The Kansas City Star accurately summarized the issue plaguing communities across the state:

*"Vacant, nuisance properties have become [local government's] Later Day Plague, a kind of community gangrene that can create a chronic downdraft in property values. In areas where the problem is severe, vacant houses draw rats, squatters, drug dealers, vandals, and midnight dumpers."*ⁱ

This epidemic has no boundaries. It affects city blocks in Kansas City, Main Street in Ashland, and is taking its toll on cities in between. It is estimated that roughly 10% - 20% of the average city's housing stock has been abandoned, causing lower property valuation and a weaker housing market.

Vacated property could have long-lasting effects on more than just real estate. Researchers at John Hopkins University have recently concluded there is a link between a child's cognitive ability and the neighborhood they live inⁱⁱ. The study outlines that living in bad neighborhoods has a "spillover effect on children's development"ⁱⁱⁱ citing hampered reading and math abilities as evidence. While the current law aims to improve neighborhoods, it is simply not enough.

Present law allows an organization to file a district court petition for an order of temporary possession of abandoned property only if the organization intends to rehabilitate the property for housing. SB 84 would amend the statute to allow a petition if the organization intends to use it for community or economic development purposes. In doing so, cities can begin making positive progress in areas that have been ignored for far too long. I have no doubt that SB 84 would help secure neighborhoods and strengthen local economies by granting city governments more authority over qualifying properties.

The process established in SB 84 would also ensure property owners' rights are protected. At any time during the process the owner is eligible to petition the court to regain possession of the property. A hearing would be set, and if the property is returned to the property owner they would be responsible for reimbursing all expenses accrued by a not-for-profit organization (KSA 12-1756c).

We have an obligation to our children, neighbors, communities, and local governments to keep our streets safe. I firmly believe SB 84 creates a process through which local governments, both urban and rural, can rehabilitate blighted and dilapidated properties. This legislation cleans up our neighborhoods, increases affordable housing stock, and helps communities attract business development.

Thank you for your consideration of this legislation. I would be happy to answer any questions.

ⁱ *Banking on the Land Bank to Curb Blight*, December 28, 2012, Kansas City Star.

ⁱⁱ *Affordable Housing Leads to Smart Kids*, July 15, 2014, Jonathan Walters.

ⁱⁱⁱ *Affordable Housing Leads to Smart Kids*, July 15, 2014, Jonathan Walters.

Article 17. - BUILDINGS, STRUCTURES AND GROUNDS

indicates provisions of 2015-16 SB 84 as introduced

Unsafe or Dangerous Structures and Abandoned Property

12-1750. Unsafe or dangerous structures; abandoned property; commercial real estate; definitions. As used in this act:

- (a) "Structure" means any building, wall or other structure.
- (b) "Enforcing officer" means the building inspector or other officer designated by ordinance and charged with the administration of the provisions of this act.
- (c) "Abandoned property" means:
 - (1) Any residential real estate for which taxes are delinquent for the preceding two years and which has been unoccupied continuously by persons legally in possession for the preceding 90 days; ~~or~~
 - (2) any residential real estate which has been unoccupied continuously by persons legally in possession for the preceding 180 days and which has a blighting influence on surrounding properties; or*
 - ~~(2)~~ (3) commercial real estate for which the taxes are delinquent for the preceding two years and which has a blighting influence on surrounding properties. "Commercial real estate" means any real estate for which the present *approved* use is other than one to four residential units or for agricultural purposes.
- (d) "Blighting influence" means conditions in such structure which are dangerous or injurious to the health, safety, ~~or~~ morals *or welfare, including, but not limited to, economic welfare*, of the occupants of such buildings or other residents of the municipality or which have an adverse impact on properties in the area. Such conditions may include, but are not limited to, the following: Defects increasing the hazards of fire, accident, or other calamities; air pollution; light or sanitary facilities; dilapidation; disrepair; structural defects; uncleanness; dead and dying trees, limbs or other unsightly natural growth or unsightly appearances that constitute a blight to adjoining property, the neighborhood or the city; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any violation of health, fire, building or zoning regulations.
- (e) "Organization" means any nonprofit corporation organized under the laws of this state and which has among its purposes the improvement of housing.
- (f) "Rehabilitation" means the process of improving the property into compliance with applicable fire, housing and building codes.
- (g) "Parties in interest" means any owner or owners of record, judgment creditor, tax purchaser or other party having any legal or equitable title or interest in the property.

(h) "Last known address" includes the address where the property is located, or the address as listed in the tax records.

History: L. 1961, ch. 74, § 1; L. 1994, ch. 242, § 1; L. 2003, ch. 90, § 1; L. 2010, ch. 116, § 26; L. 2012, ch. 126, § 4; July 1.

12-1751. Same; powers of governing body. (a) The governing body of any city shall have the power to cause the repair or removal of, or to remove any structure located within the city, which may have become unsafe or dangerous.

(b) The governing body of any city shall have the power to cause the rehabilitation of or to rehabilitate any abandoned property located within the city.

History: L. 1961, ch. 74, § 2; L. 1994, ch. 242, § 2; July 1.

12-1752. Same; notice and hearing. Whenever the enforcing officer files with the governing body of the city a statement in writing that any structure, describing the same and where located, is unsafe or dangerous or is abandoned property, the governing body, by resolution, shall fix a time and place at which the owner, the owner's agent, any lienholders of record and any occupant of such structure may appear and show cause why such structure should not be condemned and ordered repaired or demolished in the case of unsafe or dangerous structures or rehabilitated in the case of abandoned property. Such resolution shall be published once each week for two consecutive weeks on the same day of each week. At least 30 days shall elapse between the last publication and the date set for the hearing. A copy of the resolution shall be mailed by certified mail within three days after its first publication to each such owner, agent, lienholder and occupant, at the last known address and shall be marked "deliver to addressee only."

History: L. 1961, ch. 74, § 3; L. 1968, ch. 185, § 1; L. 1981, ch. 173, § 24; L. 1994, ch. 242, § 3; July 1.

12-1753. Same; findings; resolution; contents; notice. On the date fixed for hearing or any adjournment thereof, the governing body shall hear all evidence submitted by the owner, the owner's agent, lienholders of record and occupants having an interest in such structure as well as evidence submitted by the enforcing officer filing the statement and shall make findings by resolution. If the governing body of the city finds that such structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure. If the governing body of the city finds that such structure is abandoned property, the governing body may authorize the rehabilitation of such property as provided by K.S.A. 12-1756a. Such resolution shall be published once in the official city paper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to

be repaired or razed and removed in the case of unsafe or dangerous structures or rehabilitated in the case of abandoned property.

History: L. 1961, ch. 74, § 4; L. 1994, ch. 242, § 4; July 1.

12-1754. Same; duties of owner after removal of structure. The owner of any structure, upon removing the same, shall fill any basement or other excavation located upon the premises and take any other action necessary to leave such premises in a safe condition.

History: L. 1961, ch. 74, § 5; June 30.

12-1755. Same; salvage, sale; assessment and collection of costs; procedure. (a) If the owner of any structure has failed to commence the repair or removal of such structure within the time stated in the resolution or has failed to diligently prosecute the same thereafter, the city may proceed to raze and remove such structure, make the premises safe and secure, or let the same to contract. The city shall keep an account of the cost of such work and may sell the salvage from such structure and apply the proceeds or any necessary portion thereof to pay the cost of removing such structure and making the premises safe and secure. All moneys in excess of that necessary to pay such costs and the cost of publications of notice and any postage for mailing of notice, after the payment of all costs, shall be paid to the owner of the premises upon which the structure was located.

(b) The city shall give notice to the owner of such structure by restricted mail of the total cost incurred by the city in removing such structure and making the premises safe and secure and the cost of providing notice. Such notice also shall state that payment of such cost is due and payable within 30 days following receipt of such notice. If the cost is not paid within the thirty-day period and if there is no salvageable material or if moneys received from the sale of salvage or from the proceeds of any insurance policy in which the city has created a lien pursuant to K.S.A. 40-3901 et seq., and amendments thereto, are insufficient to pay the cost of such work, the balance shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located and the city clerk at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and any applicable interest has been paid in full.

Whenever any structure is removed from any premises under the provisions of this act, the city clerk shall certify to the county appraiser that such structure, describing the same, has been removed.

(c) If there is no salvageable material, or if the moneys received from the sale of salvage or from the proceeds of any insurance policy in which the city has created a lien pursuant to K.S.A. 40-3901 et seq., and amendments thereto, are insufficient to pay the costs of the work and the cost of providing notice, such costs or any portion thereof in excess of that received from the sale of salvage or any insurance proceeds may be financed, until the costs are paid, out of the general fund or by the issuance of no-fund warrants. Whenever no-fund warrants are issued under the authority of this act the governing body of such city shall make a

tax levy at the first tax levying period for the purpose of paying such warrants and the interest thereon. All such tax levies shall be in addition to all other levies authorized or limited by law and shall not be subject to the aggregate tax levy prescribed in article 19 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. Such warrants shall be issued, registered, redeemed and bear interest in the manner and in the form prescribed by K.S.A. 79-2940, and amendments thereto, except they shall not bear the notation required by that section and may be issued without the approval of the state court of tax appeals. All moneys received from special assessments levied under the provisions of this section or from an action under K.S.A. 12-1,115, and amendments thereto, when and if paid, shall be placed in the general fund of the city.

History: L. 1961, ch. 74, § 6; L. 1968, ch. 185, §2; L. 1985, ch. 73, § 3; L. 1986, ch. 74, § 3; L. 2008, ch. 109, § 33; July 1.

12-1756. Same; immediate hazard; action to protect public; notice not required; cost. When in the opinion of the enforcing officer, any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, such officer may erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay and such action may, under such circumstances, be taken without prior notice to or hearing of the owners, agents, lienholders and occupants. The cost of any such action shall be assessed against the property and paid in the manner provided by K.S.A. 12-1755.

History: L. 1961, ch. 74, § 7; June 30.

12-1756a. Rehabilitation of abandoned property; petition for possession; service of process; affirmative defense; rehabilitation plan; lease of property. (a) (1) An organization may file a petition with the district court for an order for temporary possession of property if:

~~(1)~~ (A) The property meets the definition of abandoned as set forth in K.S.A. 12-1750, and amendments thereto;

~~(2)~~ (B) the organization intends to rehabilitate the property and use the property as housing *or for community development or economic development purposes*; and

~~(3)~~ (C) the organization has sent notice to the enforcing officer and the parties in interest of the property, by certified or registered mail, mailed to their last known address and posted on the property at least 20 days but not more than 60 days before the date the petition is filed, of the organization's intent to file a petition for possession under K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(2) The governing body of any city may file a petition with the district court for an order for temporary possession of property if:

(A) The property meets the definition of abandoned as set forth in K.S.A. 12-1750, and amendments thereto;

(B) the governing body of the city filing a petition under this section has designated an organization to rehabilitate the property;

(C) the organization designated under subsection (a)(2)(B) intends to rehabilitate the property and use the property as housing or for community development or economic development purposes; and

(D) the governing body of the city filing the petition under this section has sent notice to the enforcing officer and the parties in interest of the property, by certified or registered mail, mailed to their last known address and posted on the property at least 20 days but not more than 60 days before the date the petition is filed, of the governing body's intent to file a petition for possession under K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(b) The proceeding shall be commenced by filing a verified petition in the district court in the county in which the property is located. The petition shall state that the conditions specified in subsection (a) exist. All parties in interest of the property shall be named as defendants in the petition. Summons shall be issued and service shall be made pursuant to K.S.A. 60-303, and amendments thereto. Service may be made by publication if the organization *or the governing body of a city* with due diligence is unable to make service of summons upon a defendant pursuant to ~~subsection (a)(3) of~~ K.S.A. 60-307(a)(3), and amendments thereto.

(c) Any defendant may file as part of such defendant's answer, as an affirmative defense, a plan for the rehabilitation of the property and evidence of capacity and resources necessary to complete rehabilitation of the property. The court shall grant the defendant 90 days to bring the property into compliance with applicable fire, housing and building codes and to pay all delinquent ad valorem property tax. For good cause shown, the court may extend the ninety-day compliance period for an additional 90 days. If the property is brought into such compliance within the ninety-day period or extension of time thereof, the petition shall be dismissed. If the defendant fails to bring the property into such compliance within the ninety-day period or extension of time thereof, or if the defendant's plan is otherwise insufficient, the defendant's affirmative defense shall be stricken.

(d) At the hearing on ~~the organization's~~ a petition *filed in accordance with subsection (a)*, the organization *or the governing body of a city* shall submit to the court a plan for the rehabilitation of the property and present evidence that the organization has adequate resources to rehabilitate and thereafter manage the property. For the purpose of developing such a plan, representatives of the organization *or the governing body of a city* may be permitted entry onto the property by the court at such times and on such terms as the court may deem appropriate.

(e) The court shall make its own determination as to whether the property is in fact abandoned consistent with the terms of K.S.A. 12-1750 through 12-1756e, and amendments thereto.

(f) If the court approves the petition, the court shall enter an order approving the rehabilitation plan and granting temporary possession of the property to the organization *or the governing body of a city*. The organization, subject to court approval, may enter into leases or other agreements in relation to the property. Whether the court approves or denies the petition, the organization shall provide the governing body of a city a copy of the order within 30 days of the organization's receipt or knowledge of such order.

History: L. 1994, ch. 242, § 5; L. 1996, ch. 231, § 1; L. 2003, ch. 90, § 2; L. 2010, ch. 116, § 27; July 1.

12-1756b. Same; annual report, contents. An organization which has possession of property pursuant to K.S.A. 12-1756a, and amendments thereto, shall file an annual report with the court concerning the rehabilitation and use of the property. The court shall require reports and status dates to be filed as it deems appropriate under the circumstances but no less frequently than once a year. The report shall include statements of all expenditures made by the organization including, but not limited to, payments for the rehabilitation, operation and maintenance of and repairs to the property, and for real estate taxes, and payments to mortgagees and lienholders during the preceding year and shall include statements of all income and receipts from the property for the preceding year.

History: L. 1994, ch. 242, § 6; L. 1996, ch. 231, § 2; L. 2003, ch. 90, § 3; July 1.

12-1756c. Same; procedure to obtain possession by owner; hearing. The owner of property of which temporary possession has been transferred to an organization pursuant to K.S.A. 12-1756a, and amendments thereto, shall be entitled to regain possession of the property by petitioning to the district court of the county in which such property is located for restoration of possession and, upon notice to the organization for a hearing on such petition. At the hearing, the court shall determine proper compensation to the organization for its expenditures, including management fees, based on the organization's reports to the court. The court, in determining the proper compensation to the organization, may consider income or receipts received from the property by the organization. After the owner pays the compensation to the organization as determined by the court, the owner shall resume possession of the property, subject to all existing rental agreements whether written or verbal, entered into by the organization.

History: L. 1994, ch. 242, § 7; L. 1996, ch. 231, § 3; July 1.

12-1756d. Same; organization's right to redeem. If property of which temporary possession has been transferred to an organization pursuant to K.S.A. 12-1756a, and amendments thereto, is sold for unpaid taxes, an organization with temporary possession may redeem the property in the same manner as the owner and amounts paid to redeem the property shall be included as expenditures in the organization's report to the court.

History: L. 1994, ch. 242, § 8; L. 1996, ch. 231, § 4; July 1.

12-1756e. Same; petition for judicial deed; conditions. If an owner of property of which temporary possession has been transferred to an organization pursuant to K.S.A. 12-1756a, and amendments thereto, takes no action to regain possession of the property prior to the organization completing rehabilitation of the property, the organization may file a petition for judicial deed to the property. Upon due notice to the named defendants, an order may be

entered granting a quit-claim judicial deed to the organization. A conveyance by judicial deed shall operate to extinguish all existing ownership interests in, liens on, and other interest in the property, except tax liens or mechanics' liens.

History: L. 1994, ch. 242, § 9; L. 1996, ch. 231, § 5; L. 2003, ch. 90, § 4; July 1.

12-1756f. Organizations interested in rehabilitating abandoned property. The enforcing officer shall maintain a list of all organizations who are interested in rehabilitating abandoned property and who have requested to be included on such list. The organizations on such list shall be given written notice of abandoned property which may be available for rehabilitation by any such organization. The enforcing officer may require that requests to be included on such list be submitted annually to the enforcing officer.

History: L. 1996, ch. 231, § 6; July 1.

12-1756g. Occupation of rehabilitated house by purchaser. Any person who purchases a house from an organization which has rehabilitated such house pursuant to K.S.A. 12-1750 et seq., and amendments thereto, shall agree to occupy such house for at least two years following the date of taking title to such property.

History: L. 2003, ch. 90, § 5; L. 2010, ch. 116, § 28; July 1.

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Article 39. - CITIES AND COUNTIES, PAYMENT OF PROCEEDS OF FIRE INSURANCE POLICIES

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40-3901. Cities; payment of proceeds of fire insurance policies; procedure; release of proceeds. (a) The governing body of any city is hereby authorized to establish, by ordinance, a procedure for the payment of not to exceed 15% of the proceeds of any insurance policy based upon a covered claim payment made for damage or loss to a building or other structure, caused by or arising out of any fire, explosion or windstorm. The ordinance shall apply only to a covered claim payment which is in excess of 75% of the face value of the policy covering a building or other insured structure.

(b) The insurer first shall pay all amounts due the holder of a first real estate mortgage against the building or other structure pursuant to the terms of the policy and endorsements thereto and then shall withhold from the covered claim payment a sum not to exceed the amount authorized pursuant to subsection (a) and shall pay such moneys to the city to deposit into an interest-bearing account, unless the city has issued a certificate pursuant to K.S.A. 40-3906, and amendments thereto.

(c) The city shall release the insured's proceeds and any interest which has accrued on such proceeds received under subsection (b) within 30 days after receipt of such moneys, unless the city has instituted legal proceedings under the provisions of K.S.A. 12-1752, and amendments thereto. If the city has proceeded under the provisions of K.S.A. 12-1752, and amendments thereto, all moneys in excess of that necessary to comply with the provisions of K.S.A. 12-1750 *et seq.*, and amendments thereto, for the removal of the building or structure, less salvage value, shall be paid to the insured.

History: L. 1982, ch. 192, § 2; L. 1997, ch. 102, § 2; July 1.

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60-303. Methods of service of process. (a) *In general.* Methods of service of process within this state, except service by publication as provided in K.S.A. 60-307, and amendments thereto, are described in this section. Methods of out-of-state service of process are described in K.S.A. 60-308, and amendments thereto.

(b) *Who serves process.* The sheriff of the county in which the action is filed must serve any process by any method authorized by this section, or as otherwise provided by law, unless a party, either personally or through an attorney, notifies the clerk that the party elects to undertake responsibility for service.

(c) *Service by return receipt delivery.* (1) Service of process may be made by return receipt delivery, which is effected by certified mail, priority mail, commercial courier service, overnight delivery service or other reliable personal delivery service to the party addressed, in each instance evidenced by a written or electronic receipt showing to whom delivered, the date of delivery, the address where delivered and the person or entity effecting delivery.

(2) The sheriff, party or party's attorney must give to the person or entity effecting delivery a copy of the process and petition or other document in a sealed envelope, with postage or other delivery fees prepaid, addressed to the person to be served in accordance with K.S.A. 60-304, and amendments thereto.

(3) Service of process is obtained under K.S.A. 60-203, and amendments thereto, upon the delivery of the sealed envelope.

(4) After service and return of the return receipt, the sheriff, party or party's attorney must execute and file a return of service. The return of service must state the nature of the process, to whom delivered, the date of delivery, the address where delivered and the person or entity effecting delivery. It must include a copy of the return receipt evidencing delivery.

(5) If the sealed envelope is returned with an endorsement showing refusal to accept delivery, the sheriff, party or the party's attorney may send a copy of the process and petition or other document by first-class mail, postage prepaid, addressed to the party to be served, or may elect other methods of service. If mailed, service is considered to be obtained three days after the mailing. Mailing must be evidenced by a certificate filed with the clerk. If the unopened envelope sent by first-class mail is returned as undelivered for any reason, service is not obtained and the sheriff, party or party's attorney must file an amended certificate with the clerk indicating nondelivery. Mere failure to claim the sealed envelope sent by return receipt delivery is not refusal of service within the meaning of this subsection.

(d) *Personal and residence service.* (1) A party may file with the clerk a written request for personal service or, in the case of service on an individual, for residence service.

(A) Personal service is effected by delivering or offering to deliver a copy of the process and petition or other document to the person to be served.

(B) Residence service on an individual is effected by leaving a copy of the process and petition or other document at the individual's dwelling or usual place of abode with someone of suitable age and discretion who resides there.

(C) If personal or residence service cannot be made on an individual, other than a minor or a disabled person, service is effected by leaving a copy of the process and petition or other document at the individual's dwelling or usual place of abode and mailing to the individual by first-class mail, postage prepaid, a notice that the copy has been left at the individual's dwelling or usual place of abode.

(2) When process is to be served under this subsection, the clerk must deliver sufficient copies of the process and petition or other document to the sheriff or the county where the process is to be served or, if requested, to a person appointed to serve process or to the requesting party's attorney.

(3) Service, levy and execution of all process under this subsection, including, but not limited to, writs of execution, orders of attachment, replevin orders, orders for delivery, writs of restitution and writs of assistance, must be made by a sheriff within the sheriff's county, by the sheriff's deputy, by an attorney admitted to the practice of law in Kansas, by a person licensed as a private detective pursuant to K.S.A. 75-7b01 et seq., and amendments thereto, or by a person appointed as a process server by a judge or clerk of the district court. A subpoena may also be served by any other person who is not a party and is at least 18 years of age. Process servers should be appointed freely and may be authorized either to serve process in a single case or in cases generally during a fixed period of time. An appointed process server, an authorized attorney or a licensed private detective may make the service anywhere in or outside this state and must be allowed the fees prescribed for the sheriff in K.S.A. 28-110, and amendments thereto. The court may allow other fees and costs. A person authorized under this subsection to serve, levy or execute process is considered an "officer" as that term is used in K.S.A. 60-706 and 60-2401, and amendments thereto.

(4) In all cases when the person to be served, or an agent authorized by the person to accept service of process, refuses to receive the process, the offer of the duly authorized process server to deliver the process, and the refusal, is sufficient service of process.

(e) *Acknowledgment or appearance.* An acknowledgment of service on the summons is equivalent to service. The voluntary appearance by a party is equivalent to service on the date of appearance.

(f) *Other service methods for garnishments.* In addition to other methods listed in this section, a person serving a garnishment process may serve the process by any of the following methods:

(1) *First-class mail.* Process may be sent to a person by first-class mail by placing a copy of the process and petition or other document to be served in an envelope addressed to the person to be served in accordance with K.S.A. 60-304, and amendments thereto, at the

person's last known address. The envelope used for service must be addressed to the person in accordance with K.S.A. 60-304, and amendments thereto, and must contain adequate postage. The envelope must be sealed and placed in the United States mail. Service by first-class mail is complete when the envelope is placed in the mail unless it is returned undelivered.

(2) *Telefacsimile communication*. Process may be sent to a garnishee by telefacsimile communication at a telefacsimile number designated by the garnishee. Service is complete upon receipt of a confirmation generated by the transmitting machine.

(3) *Internet electronic mail*. Process may be sent to a garnishee by internet electronic mail at an internet electronic mail address designated by the garnishee and as provided by supreme court rules. Service is complete upon receipt of an electronic confirmation of delivery.

History: L. 1963, ch. 303, 60-303; L. 1976, ch. 251, § 14; L. 1982, ch. 244, § 1; L. 1986, ch. 215, § 14; L. 1990, ch. 202, § 4; L. 1992, ch. 290, § 1; L. 1994, ch. 273, § 12; L. 2000, ch. 175, § 3; L. 2009, ch. 43, § 1; L. 2010, ch. 135, § 147; July 1.

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12-1,115. Collection of certain unpaid special assessments; action in district court for debt. If any special assessments levied by the city in accordance with K.S.A. 12-1617e, 12-1617f or 12-1755, and amendments thereto, remain unpaid for a period of one year or more after their initial levy, the city may collect the amount due in the same manner as a personal debt of the property owner to the city by bringing an action in the district court of the county in which the city is located. Such actions may be maintained, prosecuted, and all proceedings taken, including any award of postjudgment interest in accordance with K.S.A. 16-204, and amendments thereto, to the same effect and extent as for the enforcement of an action for debt. All provisional remedies available in such actions shall be and are hereby made available to the city in the enforcement of the payment of such obligations. In such actions, the city also shall be entitled to recover interest at the rate provided in K.S.A. 79-2004, and amendments thereto, from and after the date a delinquency occurs in the payment of special assessments levied in accordance with K.S.A. 12-1617e, 12-1617f or 12-1755, and amendments thereto. The city may pursue collection both by levying a special assessment and in the manner provided by this section, but only until the full cost and any applicable interest has been paid in full.

History: L. 1985, ch. 73, § 4; L. 1992, ch. 319, § 12; July 1.

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2014. Powered by KLISS. Rendered: 2014-10-17T10:05:19. Head Rev No: 521895

House Status: Adjourned until Monday, January 12, 2015 at 02:00 p.m.
Senate Status: Adjourned until Monday, January 12, 2015 at 02:00 p.m.

2013 Statute

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60-307. Service by publication. (a) *When permissible.* Service may be made by publication in any of the following cases:

(1) In an action to obtain a divorce, maintenance or an annulment of a marriage if the defendant resides outside this state or if the party with due diligence is unable to serve summons on the defendant within this state;

(2) in an action brought against a person who is a nonresident of this state or a foreign corporation having in this state property or debts owing to the person or foreign corporation sought to be taken by a provisional remedy or to be appropriated in any way;

(3) in an action in which the defendant is a nonresident of this state or a foreign corporation or if the party with due diligence is unable to serve summons on the defendant in this state;

(A) Which relates to or the subject of which is real or personal property in this state, if any defendant has or claims a lien or interest, vested or contingent, in the property;

(B) in which the relief demanded consists wholly or partly in excluding the defendant from any interest in the property;

(C) for partition; or

(D) for foreclosure of a lien;

(4) in an action in which the defendant, being a resident of this state, has departed from this state or from the county of the defendant's residence with the intent to delay or defraud creditors or to avoid the service of a summons, or hides in the state or county with that intent, or in an action against a domestic corporation that has not been legally dissolved, if the officers of the corporation have departed from this state or cannot be found; and

(5) in an action specified in this subsection, on any of the following who are made defendants:

(A) Unknown heirs, executors, administrators, devisees, trustees, creditors and assigns of a person alleged to be deceased;

(B) unknown spouse of a defendant;

(C) unknown officers, successors, trustees, creditor [creditors] and assigns of a defendant that is an existing, dissolved or dormant corporation;

(D) unknown executors, administrators, devisees, trustees, creditors, successors and assigns of a defendant that is or was in partnership; and

(E) unknown guardians, conservators and trustees of a defendant that is a minor or is under any legal disability.

(b) *Construction and effect.* The provisions of this section are separate and permissive methods of obtaining service. If a defendant served under this section does not appear, judgment may be rendered affecting the property, res or status within the jurisdiction of the court as to the defendant, but judgment may not be rendered against the defendant personally.

(c) *Affidavit or declaration for service by publication.* Before service by publication under this section can be made, a party or the party's attorney must file an affidavit or a declaration pursuant to K.S.A. 53-601, and amendments thereto, stating all of the following facts that apply:

(1) The residences of all named defendants sought to be served, if known, and the names of all defendants whose residences are unknown after reasonable effort to ascertain them and the specific efforts made to ascertain the residence;

(2) the affiant or declarant has made a reasonable but unsuccessful effort to ascertain the names and residence of any defendants sought to be served as unknown parties under subsection (a)(5) and the specific efforts made to ascertain the names and residences;

(3) the party seeking service by publication is unable to obtain service of summons on the defendants in this state; and

(4) the case is one of those mentioned in subsections (a)(1) through (a)(4).

The form of the affidavit or declaration is sufficient if in substantial compliance with the form set forth by the judicial council. When the affidavit or declaration is filed, service may proceed by publication.

(d) *Publication; contents and form of notice; actions involving property.* (1) *Where to publish notice.* The notice must be published once a week for three consecutive weeks in a newspaper published in the county where the petition is filed and that is authorized by law to publish legal notices. If there is no newspaper published in the county, the notice may be published in a newspaper having general circulation in the county.

(2) *Contents of notice.* The notice must name any defendant to be served and notify the defendant and all other persons who are or may be concerned that:

(A) The defendant has been sued in a named court;

(B) the defendant must answer the petition or other pleading or otherwise defend, on or before a specified date not less than 41 days after the date the notice is first published; and

(C) if the defendant does not answer or otherwise defend, the petition or other pleading will be taken as true, and judgment, the nature of which must be stated, will be rendered accordingly.

(3) *Form of notice.* The notice is sufficient if in substantial compliance with the form set forth by the judicial council.

(4) *Property description.* When the action affects property, the notice need not expressly describe the property unless the description is otherwise required by law, but the property may be identified by reference to the pleading.

(e) *Mailing copy of notice.* The party seeking service by publication must, within seven days after the first publication, mail a copy of

the publication notice to each defendant whose address is stated in the affidavit or declaration for service by publication.

(f) *When service complete.* Service by publication is complete when it has been made in the manner and for the time prescribed in subsections (d) and (e). The service must be proved under subsection (c) of K.S.A. 60-312, and amendments thereto. No judgment by default may be entered on the service until proof of service is made, approved by the court and filed.

History: L. 1963, ch. 303, 60-307; L. 1965, ch. 355, § 1; L. 1970, ch. 232, § 2; L. 1982, ch. 152, § 22; L. 1990, ch. 202, § 8; L. 1994, ch. 68, § 3; L. 2005, ch. 101, § 11; L. 2010, ch. 135, § 152; July 1.

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2014. Powered by KLISS. Rendered: 2014-10-17T10:06:43. Head Rev No: 521897

State editorial: Rural homes: Shortage of housing a hurdle to growing jobs, population.

Dec 18, 2014



For many years, the belief has been that to reverse the depopulation of rural Kansas, we needed new jobs and diversification of the agricultural-based economy. But ever more, it looks like the bigger issue is housing.

Consider that in October, just four of 46 western Kansas counties had an unemployment rate of 3 percent or more, and those four barely were more than 3 percent. Even if a new industry were attracted to any place in the region, the question would be where to find the people for the jobs.

And as a story Sunday in The Hutchinson News explains, if people came looking for a new job, they would have a hard time finding a place to live. Ironically, even though population across rural western Kansas has declined steadily since 1950, small towns face an acute housing shortage.

A Wichita State University rural housing study found that 91 percent of economic development directors who responded said rural housing issues hindered the local labor market. Also, 74 percent of respondents said the availability of housing was affecting the hiring decisions of local employers, while 71 percent said fewer workers were being hired because of the housing shortage. ...

For three years, the Kansas Legislature has approved \$2 million a year for administering and supporting housing programs. However, that's not making a big impact, and with the state facing a gaping budget shortfall, the resources aren't there to do much more, if even that.

Meanwhile, for Gov. Sam Brownback, who has been a champion of finding solutions to the rural population drain, stories like that of a cabinet manufacturer in Quinter have to be deflating. The company needed to expand; however, the town of 955 people didn't have adequate housing. So the company left and went to Colorado.

Stories like that illustrate that the problem isn't jobs but housing. ...

Brownback and lawmakers should review current programs such as Rural Opportunity Zones, which apply to a limited target population. More widely available tax incentives are needed to encourage people to build new homes and residential developers to take a risk in rural Kansas communities.

— The Hutchinson News

Tags

Sam Brownback (/search?k=sam%20brownback)

We Recommend

- City approves STAR Bond district, hears more about proposed soccer project
(http://www.gctelegram.com/news/local/city-approves-star-bond-district-hears-more-about-proposed-soccer/article_c220caf1-c2b7-5626-8ba7-2a7996303311.html)
- Teen killed in car accident lives on in hearts of her classmates at GCHS
(http://www.gctelegram.com/news/local/teen-killed-in-car-accident-lives-on-in-hearts-of/article_1bb24994-18c2-56bb-9ce1-9aa0fa88b7e8.html)
- What These Death Row Prisoners Said Before They Died Will Surprise You
(http://www.boredlion.com/what-these-death-row-prisoners-said-before-they-died-will-surprise-you/?utm_source=OB&utm_medium=BoredLion-Desktop-US-DeathRow2&utm_campaign=What%20These%20Death%20Row%20Prisoners%20Said%20Before%20They%20Died%20Will%20Surprise%20You) (BoredLion)
- What Does Your Last Name Say About You
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Affordable Housing Linked to Children's Intellectual Ability

Spend too much or too little on housing and a child's cognitive performance suffers

FOR IMMEDIATE RELEASE

June 9, 2014

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jrosen@jhu.edu

It's long been accepted – with little science to back it up – that people should spend roughly a third of their income on housing. It turns out, that's about how much a low-income family should spend to optimize their children's brainpower.

Johns Hopkins University researchers explored the effects of affordable housing on the cognitive development, physical health, and emotional wellbeing of children living in poverty. Though how much a family spent on housing had no affect on a child's physical or social health, when it came to cognitive ability, it was a game changer.

When a family spent more than half of their income on housing, their children's reading and math ability tended to suffer, found Sandra J. Newman, a Johns Hopkins professor of policy studies, working with researcher C. Scott Holupka. Children's cognitive abilities also took a hit a hit when families spent less than 20 percent of their income on housing.

"Families spending about 30 percent of their income on housing had children with the best cognitive outcomes," said Newman, who is also director of the university's Center on Housing, Neighborhoods and Communities. "It's worse when you pay too little and worse when you pay too much."

The researchers relied on data from the Panel Study of Income Dynamics and its Child Development Supplements as well as data from the 2004-2009 Consumer Expenditure Surveys. They focused on families with incomes at or below 200 percent of the federal poverty guideline.

The findings are highlighted in two new journal articles, *Housing affordability and investments in children*, published in the Journal of Housing Economics, and *Housing affordability and child well-being*, published in Housing Policy Debate.

More than 88 percent of renters with the lowest incomes spent more than 30 percent of their income on rent, according to the 2009 American Community Survey. And the U.S. Department of Housing and Urban Development's latest report on affordable housing states household incomes must be at least 105 percent of the area median for a family to find decent, affordable housing units.

Families that spent most of their money on housing spent less on things like books, computers and educational outings needed for healthy child development, Newman and Holupka found. Families that didn't invest enough in housing likely ended up in the sort of distressed neighborhoods and inadequate dwellings that can also take a toll on children.

"The markedly poorer performance of children in families with extremely low housing cost burdens undercuts the housing policy assumption that a lower housing cost burden is always best," Newman said. "Rather than finding a bargain in a good neighborhood, they're living in low-quality housing with spillover effects on their children's development."

Newman and Holupka found families who had obtained truly affordable housing, spending roughly 30 percent of their income on it, did indeed spend more money on enrichment for their kids.

When a family moved from spending more than half of its income on housing to the 30 percent ideal, they invested an average of

\$98 more on their children, the researchers found. Not a lot of money, but enough to make a difference. Even when families increased the amount spent on housing — from spending 10 percent of their income to 30 percent — they spent about \$170 more on child enrichment.

“People are making trade-offs,” Holupka said, “and those trade-offs have implications for their children.”

The MacArthur Foundation supported this research.

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Johns Hopkins University news releases are available online, as is information for reporters. Find more Johns Hopkins stories on the Hub.

June 9, 2014 Tags: affordable housing, Johns Hopkins University, Sandra J. Newman, sociology
Posted in Social Sciences

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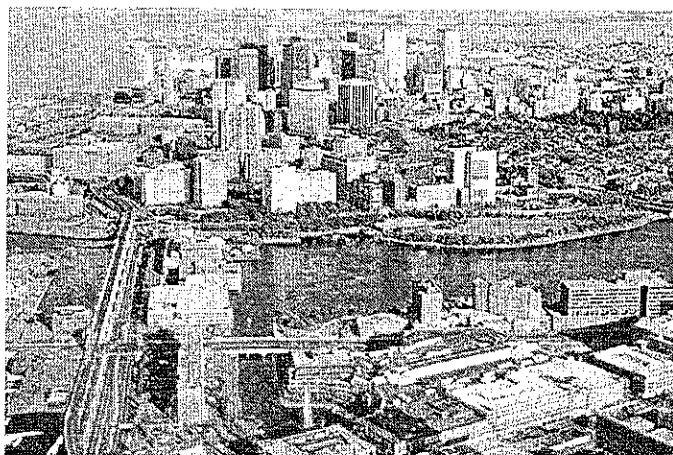
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Meet The Boston Housing Innovation Lab

In Grants, Innovation, Latest Posts | January 21, 2015

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What Happened?

Boston recently received a \$1.35 million grant from the Bloomberg Philanthropies' Innovation Teams program to develop a Housing Innovation Lab. The project will focus on implementing new ways for Boston to develop and sustain additional housing.

Goal

The Bloomberg Philanthropies' Innovation Teams program recently expanded its efforts by providing an additional \$45 million to 12 cities across the country. Boston was selected to receive a \$1.35 million grant over the next three years through the program to develop a Housing Innovation Lab. The lab will research strategies for creating 53,000 new housing units as outlined in the Boston 2030 housing plan.

Boston wants to harness local resources in the innovation sector to partner with the city in creating long-term housing solutions. The innovation teams will provide consult agency leaders on how to apply a data-driven process to tackling housing challenges. The process includes:

- Assessing weaknesses
- Generating responsive interventions
- Developing partnerships in the private sector
- Delivering measurable results

The innovation team will work with the city's Office of New Urban Mechanics and the Department of Neighborhood Development to create a consortium of public and private experts in housing efficiency.

Boston 2030

The Boston 2030 strategy is an aggressive housing plan with a goal of providing residential options to more than 700,000 people throughout Boston by 2030. The project hopes to create enough housing to support growing demographics and neighborhoods to sustain economic gains. It is estimated that 53,000 additional housing units will need to be constructed:

- 44,000 units of housing for the workforce
- 5,000 units of housing for senior citizens
- 1,700 units of affordable housing for low-income households
- 4,000 units to stabilize rent and housing prices

These figures are based on a projected 20 percent jump in Boston households that will fuel \$21 billion in new development and create 51,000 construction jobs. The innovation team will work with city agencies to develop cost-efficient and high-quality development strategies to ensure the needs of all demographics are met. Boston will work with state and federal agencies to acquiring grant support for the ongoing development project.

Bloomberg Philanthropies

The Bloomberg Philanthropies' Innovation Teams program announced 12 U.S. cities and two non-U.S. cities will have access to \$45 million in grants to improve the quality of life of residents and efficiency of government through innovative strategies. The cities selected have proposed plans to boost the capacity of



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the local government while enhancing community development through:

- Data analytics
- Open innovation
- Strong project and performance management

The mayors of the winning cities will use the money to launch innovation teams to formulate groundbreaking approaches to everyday urban challenges such as housing, safety and economic growth. The grants will support the innovation teams for up to three years to consult public agencies on how best to develop solutions, partner with the private sector and measure results.

In the first round of innovation grants through the Bloomberg Philanthropies' Government Innovation project several larger cities – such as Memphis, Chicago and Louisville - adopted innovation teams and reported measurable success in reducing redundancy, cutting costs and spurring sustainable economic growth.

Thinking Outside The Box

EfficientGov has covered a wide variety of innovation strategies to meet sustainability goals with the latest technology.

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IN CASE YOU HAVEN'T READ...



Kalamazoo Taps Grant For Infrastructure Improvements

January 27, 2015



What Grants Target Pedestrian Fatalities, Injuries

January 27, 2015



New EPA Framework Simplifies Water Mandates

January 26, 2015

Towns fight housing shortage catch-22

By Amy Bickel The Hutchinson News abickel@hutchnews.com Dec 13, 2014



Amy Bickel/The Hutchinson News

Stafford County is working to address the rural housing problem. Stafford County Economic Development recently completed Macksville. Each unit is 2,080 square feet and includes three bedrooms and two-and-a-half baths. The upstairs features an

MACKSVILLE – Wanted: People.

The theme is the same across much of the rural Midwest. While the Great Plains has more than doubled in population since 1950, outside the metro areas in rural counties, population is waning.

Young people leave. Groceries close. Schools and hospitals shutter, as well.

But there is resilience in rural Kansas as creative efforts emerge to tackle depopulation and vitality. Yet, as many county officials across western Kansas look for ways to grow and survive, even if they would attract people, they are having a hard time finding a place to put them.

It's been a struggle in Stafford County, where Economic Development Director Carolyn Dunn is fighting the uphill battle to grow population. The U.S. census estimates that Stafford County, with a current population of 4,350, has lost 430 people since 2000. Meanwhile, only 3 percent of the county's housing inventory was built in the past 25 years, and most of it is occupied.

Often times, the school district is one of the largest employers for rural counties. Stafford County has three school districts, including Macksville. Just a few years ago, the Macksville superintendent told Dunn that he hired five new employees but none of them could live in the county because they couldn't find a place to buy or rent. Meanwhile, she added, a new Stafford principal a few years ago struck out in finding a rental and ended up renting an apartment in the assisted living section of a local nursing home.

"You need more enrollment in schools, but housing is an impediment to creating those families," she said.

Dunn, however, whose family farms in the county, is working to move Stafford County forward. She and community leaders are trying to solve the county's housing issues, one home at a time.

On this fall day she stood on the dirt lawn of a new duplex in Macksville – the first of a handful of projects Stafford County Economic Development has potentially planned. For the modern family searching for an affordable, up-to-date rental property, it couldn't be more perfect.

This duplex, with an open floor plan upstairs, includes 2,080 square-feet of finished living space per unit. There are three bedrooms, two-and-a-half baths and a full, finished basement. It also has energy-efficient features, such as high efficiency windows and a on-demand water heater.

Right after completion this fall, there already was one taker and now Dunn is searching for one more family willing to pay \$700 a month.

"Some of my parameters I look at to see if we are achieving in terms of economic development include stopping decline, making sure we are maintaining our schools, the grocery store and the hospitals," she said. "Your purpose here is to build a community where people can live and have the amenities they need, along with their job."

Rural housing in Kansas

Stafford County's situation isn't unique, as counties across Kansas look for ways to

address rural housing issues.

According to a recent Wichita State University rural housing study, 91 percent of economic development directors who responded said rural housing issues hindered the local labor market. Also, 74 percent of respondents indicated the availability of housing was affecting the hiring decisions of local employers while 71 percent indicated the result was fewer workers being hired due to the local housing situation.

There are some funding solutions, albeit limited. Kansas Housing Resources Corporation's moderate-income program was designed to fill a need identified by communities by pay to build housing and infrastructure, said Fred Bentley, KHRC's director of rental development.

In 2012, the Kansas Legislature approved \$2 million to be earmarked for the purpose of administering and supporting housing programs. Lawmaker allocated \$2 million, as well, for both 2013 and 2014.

"Housing is a huge economic development engine," Bentley said. "It creates jobs, supports jobs. We wish we could do more."

In fact, the need is greater than the dollars they have, he said, adding, "we could be doing this all over the state."

Much of the housing in rural Kansas is aged, small and outdated and would take extensive work to modernize.

"I think the need is significant," he said. "In most communities like in Stafford County, the needs are for a lot more units. I think all the rural counties are in the same situation."

For example, he said, a cabinet manufacturer in Quinter was looking to expand. However, the town of 955 people didn't have adequate housing.

"There was no housing for more employees, and they just left," Bentley said of the company. They went to Colorado. We've heard that in a few other communities, too. We believe the state should make a greater investment in housing."

He said they have been able to help several communities with the dollars they have. KHRC awarded Lyons a \$200,000 grant. The city is using it by giving prospective homebuyers a \$25,000 down payment to purchase one of the city's new three-bedroom, two-bathroom homes.

Pittsburg has a similar program, Bentley said. The program has also helped build homes in Dodge City, Coffeyville and Hutchinson.

In Ness County, officials recently implemented a neighborhood revitalization program, which gives property tax incentives for homeowners who make significant upgrades to their home, said Chris Palmburg, the county's new economic development director. He also is currently forming a community housing council.

"A majority of the housing stock was built before World War II," Palmburg said. "The average age of construction is pre-1939."

"We have very big need for moderate-income housing," he said. "We need for housing that simultaneously is available, appropriate and affordable, and that is always going to be the biggest thing out here in the sticks." He said one study showed that 20 percent more people were coming into Ness County to work than leave the county to work. And, he said, it is a "vicious catch-22." Companies need people to employ if they want to grow. People need decent housing if they want to relocate to a community. "We have a serious problem," he said.

Making strides

Since Stafford County created the economic development position in 2011, Dunn and her board have been working to address growth restraints.

Early on, they identified the need for affordable modern housing, she said. Most of the county's homes are nearing an average of 80 years old.

"If we don't have enough housing for people, then it is hard to develop more business," she said. "It goes hand in hand."

Goals include increasing rental inventory, increasing general housing inventory and creating a better investment environment for housing.

The first step was to purchase the lot in Macksville for \$10.

State funding has helped the county move forward with solutions. Last year, Stafford County Economic Development received a \$168,000 Kansas Moderate Income Housing Program grant administered through the Kansas Housing Resources Corporation. Meanwhile, Dunn also was successful in garnishing \$175,000 in Community Service Tax Credits through the Kansas Department of Commerce that generated \$250,000 in funding. For every \$1,000 a donor contributed, he or she was able to reduce Kansas income taxes by \$700 dollars.

Leftover funds, along with corporate pledges and a \$7,500 grant, will help spur the next project, which will take place in Stafford, Dunn said. The city of Stafford donated two lots for housing.

The board is still exploring how that home would be constructed, she said.

"Between it all, we are trying to keep this going," she said of future homes. "We don't know beyond (the Stafford home) what funding we will have, but we are going to keep working on it."

Kansas Agland Editor Amy Bickel's agriculture roots started in Gypsum. She has been covering Kansas agriculture for more than 15 years. Email her with news, photos and other information at abickel@hutchnews.com or by calling (800) 766-3311 Ext. 320.

Stan Frownfelter

From: Morning Consult <finance@morningconsult.com>
Sent: Wednesday, January 28, 2015 6:45 AM
To: Stan Frownfelter
Subject: Morning Consult Finance: FHFA Director Defends Actions to Congress; Oppenheimer Faces \$20 Million Penalty

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By Will Dobbs-Allsopp

Today's Washington Brief:

- Mel Watt, director of the Federal Housing Finance Agency, defended his oversight of Fannie Mae and Freddie Mac during testimony before the House Financial Services Committee, [Joe Light reports for the Wall Street Journal](#).
- The SEC is facing questions over the constitutionality of its effort to bring more cases in front of administrative law judges, as opposed to federal district courts, [Peter J. Henning writes in a column for the New York Times](#).
- The White House dropped its pursuit of ending tax benefits for college savings accounts as criticism from outside the administration mounted. [Danielle Douglas-Gabriel has the report for the Washington Post](#).

Today's Business Brief:

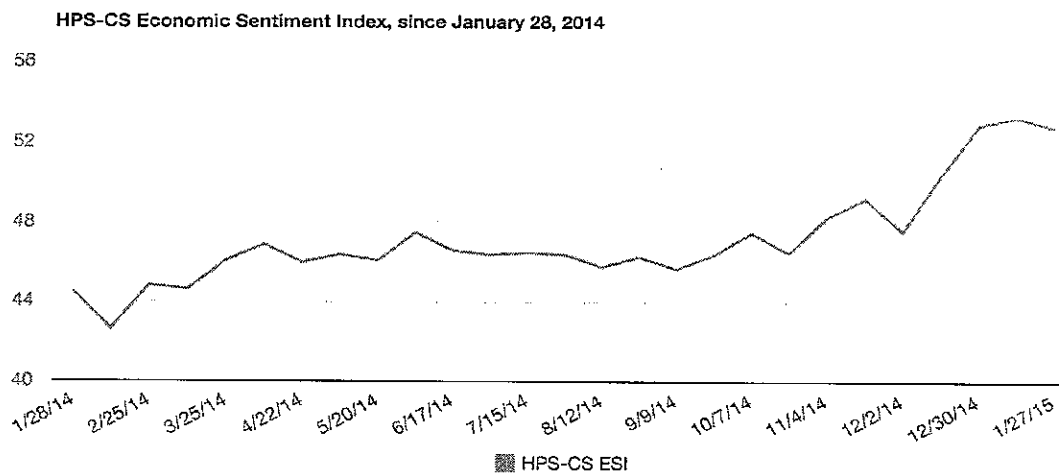
- Oppenheimer & Co. faces a \$20 million penalty from federal authorities amid charges that the firm failed to put adequate procedures in place to identify money-laundering operations, [Rachel Louise Ensign writes for the Wall Street Journal](#).
- Bank of New York Mellon Corp. revealed that federal regulators might charge the bank with violating U.S. bribery laws through its internship program, [Nate Raymond and Aruna Viswanatha report for Reuters](#).
- Citigroup Inc. has reached an agreement with the New York attorney general to change how it screens checking and savings accounts, [writes Daniel Huang for the Wall Street Journal](#).

Markets Update as of 7 a.m. ET:

Index	Current	Previous	+/-
S&P Futures	2,032.60	2,036.00	-0.16%
DJIA Futures	17,357.00	17,370.00	-0.07%
EUR-USD	1.1356	1.1381	-0.22%
10-Year Treasury Yield	1.81	1.80	+1 bp

Today's Chart Review:

Consumer Confidence Dips Slightly
from Hamilton Place Strategies & CivicScience



Mark Your Calendar (All Times Eastern):

Wednesday: Senate Committee on Small Business & Entrepreneurship organizational meeting

Wednesday: SEC officials Anne Small and Andrew Ceresney will provide enforcement updates @ 11 am

Wednesday: Heritage hosts Peter J. Wallison for a talk about his book on the 2008 financial crisis @ 12 pm

Thursday: The Federal Reserve hosts a webcast about its vision for the U.S. payment system @ 1 pm

Thursday: SEC Regional Director Paul Levenson gives the keynote at finance and accounting summit @ 6 pm

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26: Bloomberg View

RESEARCH REPORTS, ISSUE BRIEFS, CASE STUDIES

27: Independent Community Bankers of America

NEWS ARTICLES

General

1) Obama administration readies new rules for investment advice

from Politico Pro by Patrick Temple-West

The Obama administration this week is expected to advance a highly anticipated rule that would restrict the fees certain brokerage firms can earn for advising customers about financial investments, according to people familiar with the decision.

2) Retailers and Card Issuers Divided Over Data Security Protection

from Morning Consult by Will Dobbs-Allsopp

The potential for congressional legislation and administrative action on data security protection later this year has the retail and financial services industries advocating for different priorities in data breach security proposals.

3) Attorney General Nominee Loretta Lynch Omitted HSBC Interview From Senate Questionnaire

from the International Business Times by Ginger Gibson

But the questionnaire U.S. attorney general nominee Lynch submitted to the Senate Judiciary Committee has a notable omission. Lynch failed to include an interview in which she defended the controversial settlement she orchestrated with the bank HSBC.

4) Russia dismisses U.S. espionage charges against alleged NYC spy ring

from Reuters by Polina Devitt

Russia's foreign ministry on Tuesday dismissed charges by the U.S. against three men for their alleged involvement in a Russian spy ring operating in New York City.

5) For New Revenue-Recognition Rules, It's Ready vs. Not

from the Wall Street Journal by Maxwell Murphy

Call it the \$360 billion question: whether to delay one of the biggest accounting changes in decades.

6) CFPB Warns Against Sharing Exam Info with Third Parties

from American Banker by Rachel Witkowski

The Consumer Financial Protection Bureau issued a bulletin Tuesday warning financial institutions about entering into agreements with third parties that share or hide information related to regulatory exams.

Banking

7) BNY Mellon may face bribery charges over sovereign wealth funds: filing

from Reuters by Nate Raymond and Aruna Viswanatha

Bank of New York Mellon Corp has disclosed in a filing that U.S. regulators are considering charging it with violating U.S. foreign bribery laws after an investigation into internships it gave to relatives of sovereign wealth fund officials.

8) Citibank Reaches Pact With New York on ChexSystems Data

from the Wall Street Journal by Daniel Huang

A Citigroup Inc. unit plans to announce Wednesday it will change its screening processes for checking and savings accounts to be more forgiving of customers' histories, becoming the second financial institution to reach such an agreement with New York Attorney General Eric Schneiderman.

Alternative Investments

9) Oppenheimer Hit With \$20 Million Penalty over Money-Laundering Safeguards

from the Wall Street Journal by Rachel Louise Ensign

U.S. authorities hit Oppenheimer & Co. with a \$20 million penalty Tuesday for having inadequate procedures to spot money laundering, the latest sign that regulatory scrutiny of such controls is extending beyond banks.

10) Subprime Bonds Are Back With Different Name Seven Years After U.S. Crisis

from Bloomberg Business by Joseph Shenn

comeback. Just don't call it subprime.

11) Hedge Funds, Private Equity Win Big at TARP Auctions

from the Wall Street Journal by Ryan Tracy et al.

A government program to rid itself of TARP investments in small banks has proved a boon to hedge funds, private-equity and other private investors, according to a new watchdog report.

12) CFTC aims to approve new position limits by year's end: staffer

from Reuters by Tom Polansek

The U.S. Commodity Futures Trading Commission aims to approve by the end of this year proposed rules to crack down on speculation in energy, grain and metals markets, the agency's chief of staff said on Tuesday.

Housing and GSEs

13) Fannie, Freddie Regulator Defends Actions

from the Wall Street Journal by Joe Light

A top housing regulator, in a tense four-hour hearing before Congress on Tuesday, defended a series of controversial decisions made in his first year on the job that the regulator believes will improve access to housing but critics say could increase taxpayer risk.

14) Royce introduces bill to halt affordable housing funds

from The Hill by Kevin Cirilli

Rep. Ed Royce (R-Calif.) reintroduced legislation on Tuesday that would stop the Federal Housing Finance Agency (FHFA) from financing affordable housing trust funds at taxpayer-backed mortgage giants Fannie Mae and Freddie Mac.

Taxes

15) Obama drops proposal to cut tax benefits of 529 college savings plans

from the Washington Post by Danielle Douglas-Gabriel

President Obama on Tuesday abandoned a proposal to end a major tax benefit of popular college savings accounts used by millions of American families after the White House faced mounting criticism from lawmakers and parents.

16) IRS chief heading back to Capitol Hill

from The Hill by Bernie Becker

John Koskinen, the IRS commissioner, is set to testify for the first time in the new Congress next week.

17) Berkshire's NetJets defeats \$500 million IRS tax claim

from Reuters by Jonathan Stempel

NetJets Inc, the private jet-sharing company owned by Warren Buffett's Berkshire Hathaway Inc, has defeated a U.S. Internal Revenue Service lawsuit attempting to recoup more than \$500 million of unpaid taxes, penalties and interest.

Banking Systems/Currencies

18) Overseas Forex Trades Laid FXCM Low

from the Wall Street Journal by Andrew Ackerman and Ira Iosebashvili

Retail foreign-exchange broker FXCM Inc. was nearly felled by outsize bets made by foreign customers who aren't subject to U.S. regulations, according to people familiar with regulators' review of the firm.

19) Cointerra, Bitcoin Company, Files to Liquidate in Bankruptcy

from Bloomberg News by Dawn McCarty

The bitcoin mining company Cointerra Inc. filed to liquidate its assets under Chapter 7 of the U.S. Bankruptcy Code, following the bitcoin exchange Mt. Gox in declaring insolvency as the virtual currency falls in value.

20) JPMorgan Reaped Up to \$300 Million Gain On Swiss-Franc Turmoil

from Bloomberg Business by Julia Verlaine

JPMorgan Chase & Co.'s foreign-exchange traders reaped a gain of as much as \$300 million after the Swiss central bank roiled markets by abolishing its cap on the franc, according to two people with knowledge of the matter.

OPINIONS, EDITORIALS, PERSPECTIVES

21) S.E.C. Faces Challenges Over the Constitutionality of Some of Its Court Proceedings

from the New York Times by Peter J. Henning

But a recent push by the agency to bring more cases before its administrative law judges rather than filing charges in federal district court is drawing increased attacks from defense lawyers claiming that the entire process is not just unfair, but also unconstitutional.

22) What we really need to be better off financially

from CNN Money by Richard Cordray

The gap between the complex financial world and our ability to navigate it is growing wider. Too many financial lessons are learned through trial and error, where it is costly to recover from a financial mistake, let alone to achieve your financial goals.

23) A Radical Idea for Activist Investors

from the Wall Street Journal by Dennis K. Berman

Think about how jarring it would be if Carl Icahn wrote a blistering letter to a management, demanding that it halt a buyback program and plow money into a promising new product.

24) S.E.C. Has Yet to Set Rule on Tricky Ratio of C.E.O.'s Pay to Workers'

from the New York Times by Andrew Ross Sorkin

While many have contended that chief executives of successful companies deserve handsome pay packages, that assertion does leave hanging the question of how to value the contribution of the average worker in relative terms.

25) What a New Measure of Mortgage Denials Reveals About Credit Access

from American Banker by Ellen Seidman and Wei Li

The traditional method of measuring mortgage denial rates is fundamentally flawed and can produce mistaken conclusions about access to credit.

26) Obama Could Make Broker Kickbacks Disappear

from Bloomberg View by Paula Dwyer

Wall Street will hate the requirement that brokers act solely in a client's interest or risk getting sued, and will probably ask Congress to overturn it. But lawmakers should take note: It would help millions of savers, ease the U.S.'s retirement time bomb and aid the broader economy.

RESEARCH REPORTS, ISSUE BRIEFS, CASE STUDIES

27) 2014 ICBA Community Bank Lending Survey

from the Independent Community Bankers of America

In 2014, ICBA conducted a survey of community banks on their lending activities. The survey provides a valuable benchmark to help gauge community banks' outlook toward areas of lending in the year ahead, real-world data to help policymakers assess the impact of recent rulemaking and insights into barriers that are preventing community banks from better serving their communities.

Washington, DC 20003

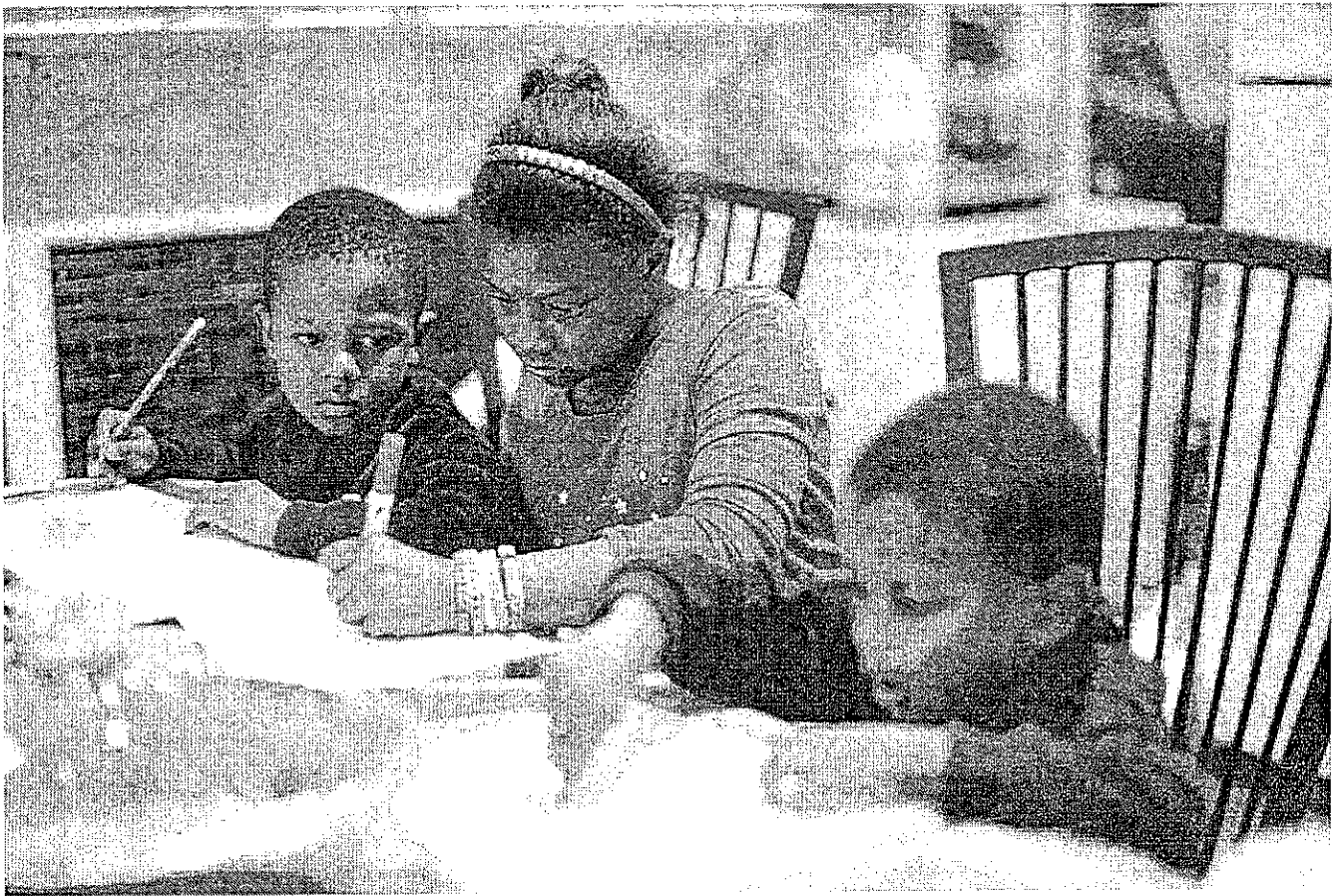
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HEALTH & HUMAN SERVICES

Affordable Housing Leads to Smarter Kids

A new study finds a link between how much families spend on housing and children's intellectual ability.

BY JONATHAN WALTERS | JULY 15, 2014



According to the study, kids' reading and math abilities suffered in families that spent more than half or less than 20 percent of their household income on housing. *AP/Matt Rourke*

In the world of human services, everything is linked, and one of the main axles around which things connect and spin is stable, affordable housing. If ever there was any doubt about housing's importance, particularly where it relates to the healthy development of kids, a new study crases it.

Looking at how much families spend on housing and then comparing that to a child's intellectual achievement, researchers at Johns Hopkins University found that though how

much a family spent "had no affect on a child's physical or social health, when it came to cognitive ability, it was a game changer."

In families that spent more than half their household income on housing, kids' reading and math abilities suffered, according to the study. At the same time, children in families that spent less than 20 percent of their income on housing also suffered cognitively. "It's worse when you pay too little and worse when you pay too much," says study author Sandra J. Newman, a Johns Hopkins professor of policy studies and director of the university's Center on Housing, Neighborhoods and Communities.

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Newman attributes this finding to the fact that families that spend more than 30 percent of their income on housing spend less on things like books, computers and educational outings.

442eanwhile, families that don't invest enough in housing are likely living in rougher, probably more chaotic and challenging neighborhoods, which is not at all conducive to building basic brainpower. "The markedly poor performance of children in families with extremely low housing cost burdens undercuts the housing policy assumption that a lower housing burden is **135**ways best," says Newman. "Rather than finding a bargain in a good neighborhood, they're living in low-quality housing with spillover effects on their children's development."

In other words, the sweet spot is right in the 30 percent range, says Newman. "Those families were spending significantly more on educational enrichment." They invested an average of **0**almost \$100 or more on their children, which she admits isn't a lot of money but is apparently enough to make a difference.

The report -- which gauged kids' abilities not by standardized academic or IQ tests but by basic cognitive skill tests -- focused on families with incomes at or below 200 percent of the poverty level.

None of its findings, of course, ought to be surprising to anyone: In order to learn, kids need nutritional food, a stable home environment, a decent night's sleep and an adequate cash flow for school supplies. Given that, the study's assertion that what families spend on housing had "no effect on a child's physical or social health" seems misguided. Maybe not directly, but as stated at the beginning, everything in the human services world is connected to everything else.



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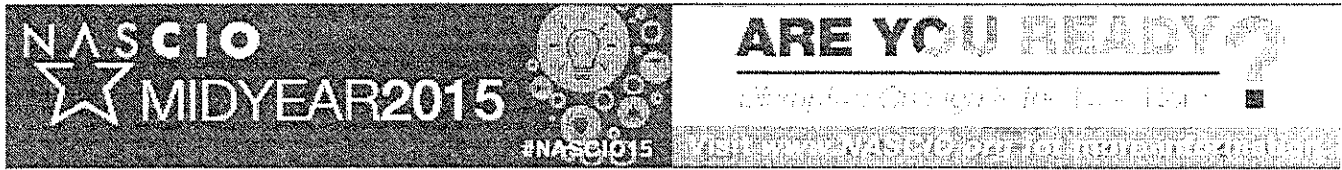
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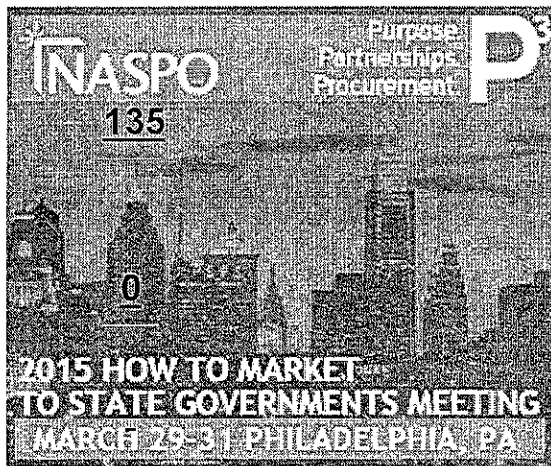
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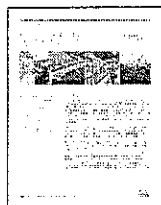
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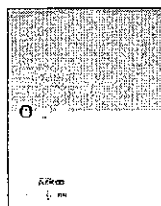
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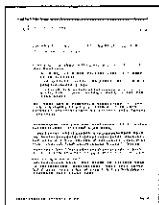
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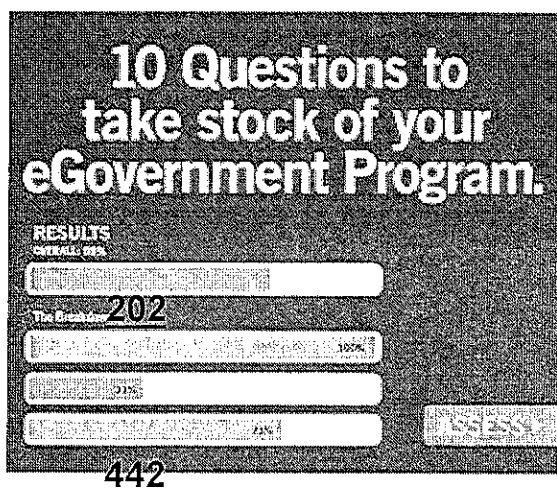


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Stan Frownfelter

From: Matthew L. Keith <mkeith@kansascommerce.com>
Sent: Monday, January 26, 2015 10:56 AM
To: Stan Frownfelter
Subject: News from KS Dept. of Commerce: Housing rehabilitation grants awarded to two Kansas communities
Attachments: 01-26-15 Housing rehabilitation grants awarded to two Kansas communities.pdf

For Immediate Release

Jan. 26, 2015

Contact: Matt Keith

(785) 296-4931, mkeith@kansascommerce.com

Housing rehabilitation grants awarded to two Kansas communities *Ashland and Frankfort will share nearly \$600,000 in CDBG funding*

The Kansas Department of Commerce announced today that two Kansas communities will share \$599,996 in federal funds through the Community Development Block Grant (CDBG) program for housing rehabilitation. These housing grants will rehabilitate 17 properties and demolish 14 dilapidated units.

“Housing is a critical component of economic development, particularly in our state’s rural communities,” said Kansas Commerce Secretary Pat George. “This CDBG funding will help Ashland and Frankfort make important improvements to meet the housing needs of their communities.”

Housing rehabilitation grants are awarded through an annual competition. They support rehabilitation of owner and renter occupied residences, with targeted areas to encourage neighborhood revitalization.

For more information on housing rehabilitation grants or the Community Development Block Grant program, contact the Rural Development Division of the Kansas Department of Commerce at (785) 296-3004 or ruraldev@kansascommerce.com.

The following communities have been awarded housing rehabilitation grants through the CDBG program:

City of Ashland, \$299,996

Located in Clark County, Ashland has a population of 1,145. This grant will rehabilitate nine homes for low-to-moderate income families and demolish five unoccupied housing units. Local funding will total \$22,800.

City of Frankfort, \$300,000

Frankfort has a population of 695 and is located in Marshall County. This grant will rehabilitate eight homes and demolish nine unoccupied units. Local funds will total \$20,400.

###

Click below to connect with the Kansas Department of Commerce on Facebook and Twitter.



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