



To: The House Committee on Local Government
From: Mark Wassom - Chief Building Official, Olathe, KS
Subject: Written Testimony in Support of HB 2506
Date: January 23, 2018

Dear Committee Members,

Please consider this letter as our testimony in support of HB 2506, which is substantially similar to 2017 Senate Bill 31. Abandoned and blighted structures cause a wide array of concerns for our City and its residents including, but not limited to the following:

- Reduction of property values for surrounding property owners, and in some cases, the inability to sell their property.
- Serving an attractive nuisance to children who might play in the building or structure.
- Becoming a harbor for vagrants, criminals or immoral persons; or enabling persons to resort to the building or structure for committing unlawful acts.
- Creating public health concerns, such as rodents, wildlife, mold, stagnant water and similar issues.
- An increased risk of fire and potential fire exposure to surrounding properties.

Our adopted building, fire and property maintenance codes provide some authority to require owners to maintain their property, but there are limited actions that can be taken if the owner is unresponsive or refuses to abate the problem. These are typically lengthy processes including multiple notifications, public hearings and court proceedings. If the owner refuses to respond or appear in court, it remains difficult to get the work completed. Frequently, proceedings can be drawn out to the point where the structure must be demolished. This is unfortunate when, had the problem been addressed years earlier, it may have been possible to repair the structure rather than demolish it.

The City of Olathe generally has five to ten active cases on properties that could benefit from the provisions of this bill. We typically encounter two or three new cases each year on abandoned properties. These cases often take several years to resolve and, unfortunately, we find new cases faster than they can be resolved so it is a growing problem. I have included a couple of examples of concerns in our City on the next page.



This residence has been an abandonment case since 2009. There is evidence of people entering the structure through broken doors and windows. The owner continues to pay property taxes, so it has not met the current definition of abandoned. Therefore, we have had limited ability to abate the conditions. We receive numerous complaints on this structure every year concerning its condition. The structure will have to be demolished rather than repaired due to the deterioration of the structure



This structure was abandoned in the middle of construction in 2012. There was evidence of animals and people entering the structure, even after repeated attempts to secure the structure. It was unsafe for several reasons including unprotected balconies, water in the basement and wild animals. After 4 years, and in cooperation with the homeowner's association, the City was able to convince the owner to sell the property as is so that it could be repaired and finished. The turning point on the project was legal action against the owner by the HOA



In summary, we believe this Bill would give us an additional and better tool to help address these abandoned properties more quickly; before they get to the point where the only option is demolition. Please feel free to contact me if you have questions or if you would like further information.

Best Regards,

Mark S. Wassom, P.E., CBO, CFM
Chief Building Official