



**CITY OF SUTHERLIN
VACANT RESIDENTIAL PROPERTY
REGISTRATION**

Community Development
126 E. Central Avenue
Sutherlin, OR 97479
(541) 459-2856

RECEIVED _____

THE UNDERSIGNED LENDER(S) OR AUTHORIZED AGENT(S) HEREBY SUBMIT A VACANT RESIDENTIAL PROPERTY REGISTRATION (PER ORDINANCE NO. 1057) TO THE CITY OF SUTHERLIN.

1. LENDER

NAME: _____ PHONE: _____

MAILING ADDRESS: _____

PHYSICAL ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

EMAIL: _____

2. LOCAL PROPERTY MANAGEMENT COMPANY (IF APPLICABLE)

NAME: _____ PHONE: _____

MAILING ADDRESS: _____

PHYSICAL ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

EMAIL: _____

3. SPECIFIC DESCRIPTION OF SUBJECT PROPERTY

SITUS ADDRESS: _____

TOWNSHIP: _____ RANGE: _____ SECTION: _____ TAX LOT(S) _____

PROPERTY ID NO(S): _____

4. INSPECTION BY THE LENDER (PER 8.28.020 OF ORDINANCE NO. 1057)

- (1) Immediately upon default of the borrower, a lender shall perform an inspection of the property that is the security for the real estate loan agreement.
- (2) If the property is found to be vacant or shows evidence of vacancy, the lender shall, within ten (10) days of the inspection, register the property with the City Manager or designee.
- (3) If the property is occupied but remains in default, the property shall be inspected by the lender on a monthly basis until the borrower remedies the default. If an inspection reveals

that the property is vacant or shows evidence of vacancy, the lender shall, within ten (10) days of the inspection, register the property with the City Manager or designee.

- (4) Ordinance 1057 also applies to properties that have been the subject of a foreclosure sale where title has transferred from one lender to another lender; and a property transferred under a deed in lieu of foreclosure.

DATE SUBJECT PROPERTY DEEMED TO BE VACANT: _____

DATE OF INSPECTION BY LENDER: _____

5. MAINTENANCE REQUIREMENTS (PER SECTION 8.28.040 OF ORDINANCE 1057)

- (1) A lender shall maintain properties subject to Ordinance 1057. Maintenance includes all of the following:
 - (a) Ensuring that the condition of the subject property does not, in the opinion of the City Manager or designee, constitute a public nuisance as described in Sutherlin Municipal Code sections 8.16;
 - (b) Regular cutting, pruning and mowing of the subject property and the removal of all trimmings, as applicable to the property;
 - (c) Pools and spas shall be kept in working order, so that water remains clear and free of pollutants and debris; or drained and kept covered.
- (2) If the property is owned by an out of area lender, a local property management company shall be contracted to perform monthly inspections to verify the requirements of this section, and to ensure any other applicable laws are being met. The property management company shall post a direct contact name and 24-hour contact phone number for persons to report problems or concerns, and the posting shall be placed on the interior of a window facing the street to the front of the property so it is visible from the street. If no such area exists, then the posting shall be placed on the exterior of the property in a location visible from the street to the front of the property. An exterior posting shall be constructed of and printed with weather resistant materials.
- (3) Adherence to this section does not relieve a person subject to this ordinance of any obligations set forth in any covenants, conditions and restrictions which may apply to the subject property.

6. SECURITY REQUIREMENTS (PER SECTION 8.28.050 OF ORDINANCE 1057)

- (1) The lender shall maintain a subject property in a secure manner so as not to be accessible to unauthorized persons, and includes the securing of windows, doors, gates and any other opening of such size that may allow a child to access the interior of the property. Broken windows shall be boarded or reglazed.
- (2) If the property is owned by an out of area lender, a local property management company shall be contracted to perform monthly inspections to verify the requirements of this

section, and to ensure any other applicable laws are being met. A property management company shall be subject to the same posting requirements as provided for in section 8.28.040(2) of this ordinance.

7. ADDITIONAL AUTHORITY (PER SECTION 8.28.060 OF ORDINANCE 1057)

The City Manager or designee shall have the authority to require the lender to implement any additional maintenance and/or security measures including, but not limited to:

- (a) Installation of additional security lighting;
- (b) Increasing on-site inspection frequency;
- (c) Employment of an on-site security guard; and
- (d) Any other measures as may be reasonable required to prevent the decline of the property.

8. VIOLATION, PENALTY (PER SECTION 8.28.070 OF ORDINANCE 1057)

- (1) In the event the City Manager or designee believes a lender has failed to meet the registration, maintenance, security and inspection obligations of this chapter, the City Manager or designee shall send notice to the lender at the address listed on the tax rolls of the county maintained consistent with ORS 311.560 or at another address known to the City Manager or designee. The notice shall set out the nature of the failure(s) to be corrected and shall give the lender not less than ten (10) working days from the date of the notice to correct them. In the event the owner fails to remedy the matter within the time set out in the notice the city may then enter the property and cause the failures to be corrected, charging the costs to the property as a lien.
- (2) In addition to the remedies in subsection (1), the city may enforce the terms of this chapter as provided elsewhere in the code and state law.
- (3) Any person violating any of the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00) per day.
- (3) If the City Manager or designee believes a lender's failure to comply with the requirements in this chapter is willful or purposeful, the City Manager or designee may authorize the appropriate enforcement personnel to seek an enhanced penalty up to one thousand dollars (\$1000.00) per day in addition to the penalty contained in subsection (3).

9. APPEALS (PER SECTION 8.28.080 OF ORDINANCE 1057)

- (1) In the event a lender is notified that a residential property is subject to the terms of this chapter but believes the property should not be, the lender may appeal the determination to the City Manager or designee.
- (2) Any appeal shall be:
 - (a) In writing;

- (b) Received by the City Manager or designee within 10 working days of the date the lender was notified that their residential property was subject to this chapter; and
 - (c) Setting out in summary form the basis for their belief that their residential property should not be subject to this chapter.
- (3) Upon receipt of the appeal, the City Manager or designee shall review the matter and provide the lender an opportunity to give additional information if the City Manager or designee believes that additional information could better inform the decision on whether to affirm, deny or modify the notification. After the owner has been given the opportunity to provide additional information, the City Manager or designee shall within ten (10) days of the receipt of that information affirm, deny or modify the notification as to the applicability of this chapter to the residential property in writing.
- (4) The City Manager's or designee's decision is final subject only to judicial review pursuant to ORS 34.010 et seq.

LENDER OR OWNER THAT HAS REGISTERED A PROPERTY UNDER THIS ORDINANCE SHALL REPORT ANY CHANGE OF INFORMATION CONTAINED IN THE REGISTRATION WITHIN TEN (10) DAYS OF THE CHANGE. PROPERTIES SUBJECT TO ORDINANCE 1057 SHALL REMAIN UNDER THE REGISTRATION REQUIREMENT AS LONG AS THE PROPERTY REMAINS VACANT.

SIGNATURE REQUIRED:

I (we), _____, am (are)

(Print Name(s) in Full)

the Lender(s) [under a duly executed written contract] of the property described in this application and hereby certify that the statements and information contained herein are in all aspects true, complete and correct to the best of my (our) knowledge and belief.

SIGNED: _____

DATE: _____

CITY USE ONLY

ADDITIONAL SECURITY MEASURES REQUIRED: _____

ADDITIONAL COMMENTS: _____