

**CITY OF WARREN REDEVELOPMENT AUTHORITY  
REGULAR MEETING  
MARCH 21, 2013**

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The regular meeting of the Redevelopment Authority was held on Thursday, March 21, 2013 at 7:15 AM in the Conference Room of the Municipal Building with Chuck Hayes presiding.

Members present were Michael Boyd, Tricia Durbin, Chuck Hayes, Robert Kaemmerer and Randy Rossey. Also present were Alan Gustafson, Building Codes; David Hildebrand, Planner/Development Administrator; and Cindy Strandburg, Administrative Assistant.

**VISITORS**

Jacob Perryman –Times Observer Reporter

**ELECTION OF OFFICERS**

Upon motion by Tricia Durbin and second by Randy Rossey, the Authority unanimously approved the following slate of officers for 2013:

Chuck Hayes	Chairman
Michael Boyd	Vice-Chairman
Robert Kaemmerer	Treasurer
Tricia Durbin	Secretary

**BUSINESS**

**The Abandoned and Blighted Property Conservatorship Act.** Mr. Gustafson stated that on November 26, 2008, Governor Rendell signed into law a type of conservatorship aimed particularly at residential, commercial, and industrial buildings in the Commonwealth which do not meet municipal code requirements. The Act allows any “Party in Interest” to file a petition for appointment as conservator in a court in the county where the property is located. When filing a petition, it must include a sworn statement that, to the best of the petitioner’s knowledge, the property meets the conditions set forth in the act for conservatorship. The Act requires that the property meets all of the first four conditions and three of the last nine conditions for the court to appoint a conservator.

The four mandatory conditions are as follows:

1. The property has not been legally occupied for twelve months.
2. The building has not been “actively marketed” during the 60 days prior to the date of the petition.
3. The building is not subject to an existing foreclosure action.
4. The owner must have owned the property for more than six months.

The nine other conditions are more discretionary and subject to influence by local authorities. These conditions, only three of which must be met to appoint a conservator, include in abbreviated form:

1. The building is a public nuisance.
2. The building is in need of substantial rehabilitation, and none has taken place in a year.
3. The building is unfit for human habitation, occupancy, or use.
4. The condition and vacancy of the building materially increase the risk of fire.
5. The building is subject to unauthorized entry and the owner hasn't secured it or the municipality has secured it.
6. The building is an attractive nuisance to children.
7. Vermin, debris, uncut weeds, or physical deterioration of the building not removed by the owner and present safety hazards.
8. The unremediated dilapidation or other condition of the building hurts property values or nearby businesses.
9. The property is an attractive nuisance for drugs, prostitution, vagrancy, or other illicit purposes.

The petition must also include, to the extent available to the petitioner after reasonable efforts to obtain them, copies of any citations charging the owner with violations of municipal codes or declaring the building a public nuisance, a recommendation for a person or entity to be appointed conservator, and a preliminary plan with initial cost estimates for rehabilitation of the building to bring it into compliance with all municipal codes and plans for the area, with anticipated funding sources.

The conservator is allowed to collect money due the owner regarding the building, pursue any lawsuits or similar claims the owner has with respect to the building, contract for repairs or improvements to the building, borrow money for the repairs and improvements which can be a first lien bumping any existing financing to second lien position if the existing lien holder will not finance the improvements. For purposes of this Act, the conservator is deemed to have an ownership interest and legal control of the property during the conservatorship, but the real owner continues to be liable for civil and criminal liabilities as owner, taxes, mortgage payments and other similar charges even though the owner is not in possession of the building.

If the conservator has been in possession of the property for more than six months, and the owner has not successfully petitioned to end the conservatorship and take back the building, the conservator can petition to sell the property free and clear of all liens, subject to payment of the proceeds to cover all costs of the conservatorship, government liens, such as an existing mortgage and the costs of the original petitioner in requesting the conservatorship.

**117 Beaty Street** Mr. Gustafson stated that 117 Beaty Street is a unique situation and may be a perfect property to look into petition the court for conservatorship.

Mr. Gustafson further stated that the owners are deceased, the bank has decided not to pursue foreclose, and, to the best of our knowledge, there is not an estate.

The Authority unanimously agreed to look into having the bank take responsibility for the property and to pursue the possibility of an estate.

**CHANGE IN MEETING TIME** The Authority discussed changing the meeting time to later in the day to possibly allow more public interest.

Upon motion by Mrs. Durbin and second by Mr. Rossey, the Authority unanimously agreed to change the meeting time to 11:00 am.

**PROPERTY REVIEW** Mr. Gustafson presented a breakdown of all the properties that have come before the Authority. Mr. Gustafson stated that thirteen properties have been demolished by the RDA and sixteen have been demolished by owners. Two properties have been purchased and renovated.

**ADJOURNMENT**

There being no further business to come before the Authority, Mr. Hayes declared the meeting adjourned.