Local Vacant Property Registration Ordinances in the U.S.
An Analysis of Growth, Regional Trends, and Some Key Characteristics

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Abstract:

This article examines the growth of vacant property registration ordinances (VPROs) in the U.S. It utilizes a new, unique database of local VPROs enacted in the U.S. The database is based on an industry listing of ordinances maintained by a large, national field services firm employed by mortgage lenders to secure and maintain foreclosed properties. Copies of over 550 ordinances (or in a few cases, summaries of ordinances) were obtained and coded on over 30 characteristics. Initial analysis of the database reveals that VPROs grew dramatically in 2008 and 2009, during the climax of the national foreclosure crisis, and that number or ordinances continued to grow after 2009, albeit at a somewhat slower pace. Growth was particularly robust in the Midwest, Southeast and West, although growth occurred in all parts of the country generally. Localities in some states, especially California, were particularly early adopters of VPROs in 2007 and 2008. In general, higher foreclosure levels do predict higher rates of VPRO adoption within a state, but only roughly, with a good deal of variation not explained by foreclosure rates. In particular, a few states that have been hit hard by foreclosures (Arizona and Nevada, e.g.) did not see substantial growth in the number of VPROs. The coverage, requirements, and penalties specified in VPROs vary greatly across ordinances and across regions of the country.

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Due in large part to the growth in vacant properties generated during the U.S. foreclosure crisis, there has been a major increase since the early- to mid-2000s in the number of local governments enacting what are known as vacant property registration ordinances (VPROs). VPROs are laws, enacted by localities (e.g., municipalities, counties, etc.) that generally require the formal registration of properties that are vacant, abandoned, foreclosed upon, or in some similar situation. VPROs often require owners of the registered properties to pay a periodic registration fee (which may increase as a property remains vacant for an extended period) and to maintain and secure properties in specified ways, such as securing windows and doors adequately, keeping grass cut, etc. They may also require property owners to carry a minimum amount of insurance, or, in some cases, to provide a minimum bond or deposit. If requirements of an ordinance are not met, many specify maximum fine amounts and, in some cases, potential criminal penalties. As of May 2012, there were more than 550 local VPROs in the U.S., up from fewer than 20 in 2000 and less than 100 at the end of 2007.[2]

The proximate objectives of VPROs typically include acquiring better data on the extent and nature of vacant and/or foreclosed properties within a jurisdiction, having detailed and reliable contact information for the owners and/or managers of such properties, and ensuring that these properties are secured and maintained in a way that will reduce the harms and costs they

[2] These counts, and the database developed for this paper, are based on a list of VPROs maintained by Safeguard Properties, Inc., a firm that provides field services to mortgage lenders around the country. By trade media accounts, Safeguard began compiling such a list in early 2008 (USFN, 2012). This may mean that the current list misses more ordinances enacted in earlier years. However, the list has routinely added older ordinances as it has developed, thus capturing more pre-2008 ordinances as it has matured. The current Safeguard database is located (as of May 1, 2012) at http://www.safeguardproperties.com/Resources/Vacant_Property_Registration.aspx.

pose to neighborhoods and local governments. There may also be ancillary objectives, including raising funds to pay for addressing the problems of vacant properties. Ultimately, proponents of VPROs may hope to discourage irresponsible investment by internalizing some of the social costs of vacant properties and holding owners accountable for not maintaining properties in a responsible manner.

VPROs are not without their critics. Opponents of the ordinances have suggested that they may raise the costs of property ownership as well as the costs of servicing delinquent loans and foreclosed properties.[3] This in turn, VPRO opponents argue, may discourage firms from investing and lending in areas covered by such ordinances. For example, the Mortgage Bankers Association claim that VPROs will:

> ...further deteriorate the mortgage market by placing unreasonable requirements upon servicers. Mortgage market participants will have no choice but to respond to these unreasonable requirements by significantly reducing their current business or ceasing to make further investments in the communities with unreasonable registration ordinances.[4]

However, proponents of VPROs are likely to reject such assertions and argue that costs imposed by VPROs represent a portion of the true costs of owning and managing vacant property, which should be considered by investors and lenders in their investment and

[3] For a critical perspective on VPROs, see Hirokawa and Gonzalez (2010), who suggest that "the timing of these ordinances is ill-advised (if ever there was a good time)." For more favorable perspectives, see Davis (2012), Martin (2010), and Schilling (2009).

[4] Mortgage Bankers Association. 2011. Retrieved on January 18, 2011 from http://www.mbaa.org/VacantPropertyRegistration.htm.

underwriting decisions. By reallocating the costs of vacant properties to the appropriate private parties and away from neighborhoods and local governments, the VPRO should encourage responsible investment and lending, and discourage irresponsible investment and speculation as well as overly risky lending.

Without more comprehensive and detailed information on VPROs, proponents and critics of such ordinances are left without the data needed to evaluate the effects of ordinances – and different ordinance characteristics – on lending and investment patterns. The debate will remain one of theory and rhetoric, rather than one based on actual housing market behavior.

The rapid adoption of VPROs across the country has met with significant political resistance. After the City of Chicago proposed an ordinance in 2008 requiring the use of metal instead of plywood to secure windows and doors, the Mortgage Bankers Association, together with Safeguard Properties, formed the "Vacant Property Registration Committee" in which regular conference calls were conducted to track and advocate around VPROs (Schilling, 2009; Martin, 2010). Schilling (2009) argues, "the MBA and Safeguard do not technically oppose the concept of registering vacant properties, but they would like a process and set of property maintenance requirements that would be similar to industry standards."[5]

Up until this point, limited information on VPROs has been available, including on the coverage of the ordinances, their requirements for physical security, insurance, etc., and the penalties for noncompliance (e.g., fines). The two most comprehensive treatments on VPROs are those by Davis (20120, Martin (2010), and Schilling (2009). Martin (2010) presents some quantitative cataloging of the growth in ordinances up until 2009, and analyzes growth according

[5] Lind's (2011) portrayal of the MBA and Safeguard's actions is one of lobbying against VPROs. A senior staff member of Safeguard Properties has written that "if every city in the U.S. enacted a VPR ordinance, the challenges of vacant properties would not go away; in fact, they would likely get worse (Halpern, 2011).

to a broad classification of ordinance types.[6] The continued growth in the number of ordinances around the country has rendered the information in this study of somewhat limited use by this point, however. Moreover, the large numbers of characteristics of VPROs calls for a more exhaustive database on VPROs that detail the characteristics needed to understand the level and nature of variation among ordinances and to identify any patterns that might emerge.

A key purpose of this project was to develop a database of VPROs that would provide the sorts of information necessary to understand the nature of VPROs more fully and to determine differences among ordinances. Ultimately, the database could be used to evaluate the impact of different types of ordinances on local housing market conditions as Fitzpatrick et al. (2012) do in northeastern Ohio. However, this is not the aim here. Rather, the principal goal is to analyze the evolution and spread of local VPROs across different parts of the country as the foreclosure crisis has unfolded.[7]

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[6] Davis (2012), Martin (2010), and Schilling (2009) provide many examples of detailed features of various ordinances, such as escalating fees, expanded definitions of covered properties, and other components.

[7] There is also a modest (thus far) trend in states enacting statues relative to vacant property registration of statewide applicability. Some states (Texas, Virginia, Georgia) have passed laws explicitly setting forth the nature and extent of the authority of local government to enact local VPROs. Two states (Connecticut and Maryland) have enacted statewide registration requirements of some kind. At least some of these laws appear to be aimed primarily at weakening or preempting local VPROs. For example, some (e.g., Connecticut and Virginia) enable owners to avoid local, public registration by utilizing some sort of private-sector registration system, and others (e.g., Georgia, Texas) limit fines or fees that localities can impose (Connecticut, 2009; Georgia, 2012;Texas, 2009; Virginia, 2009). Because Connecticut is the only state requiring statewide registration during the period of this study (prior to May 2012), Connecticut localities are not included in any of the analyses here. (The Maryland foreclosure registration law for foreclosed properties was not enacted until May 2, 2012, so Maryland ordinances are not excluded.) The data analyzed here represents only the contents of the local VPROs and not any preemptive or constraining effect of any state law on a VPRO. For example, if a local VPRO requires local, public registration, but state law preempts the local ordinance and allows an owner, as an alternative, to list the property in an industry database, this is not necessarily reflected in the Vacant Properties Registration Ordinance Database developed for this project.

Why VPROs?

The problems associated with vacant and abandoned properties in urban communities are not new ones. Long-term population loss in many parts of the industrial Midwest and Northeast, associated especially with industrial restructuring, created increased vacancy and abandonment beginning in the latter decades of the twentieth century (Mallach, 2006). In the early 1970s, many cities were affected by surges in vacant homes fueled by property flipping schemes related to the Federal Housing Administration (FHA) 235 loan program (Bratt, 2009). In the late 1990s, after the first major boom in subprime lending, many cities faced problems of spatially concentrated foreclosed properties and their associated social costs. However, the national foreclosure crisis beginning in 2007 resulted in unprecedented surges in vacant homes across many metropolitan areas, including regions that had not experienced significant vacancy problems earlier (Hollander, 2011).

The number of vacant housing units in the U.S. grew by 44 percent from 2000 to 2010, from 10.4 million to 15 million units (U.S. Census Bureau, 2011).[8] The vacancy rate nationally grew from 9 percent to 11.4 percent, a 27 percent increase, from 2000 to 2010. The number of nonseasonal vacancies increased by 51 percent (from almost 7 million to 10 million units) over the same period, compared to a 14 percent increase in total housing units (U.S. Government Accountability Office, 2011). In ten states the number of nonseasonal vacant units increased by more than 70 percent. Vacancy rates were often particularly high in central cities. The U.S.

[8] The Census Bureau, in the decennial census, defines a vacant housing unit as one that is found to be vacant at the time of the census by enumerators, but then breaks down vacant units into the following categories: 1) For rent; 2) For sale only; 3) Rented, not occupied; 4) Sold, not occupied; 5) For seasonal, recreational or occasional use; 6) For migrant workers; or 7) Other vacant. The "vacancy rate" includes all properties. The "nonseasonal vacancy rate" excludes vacation homes as well as corporate apartments and other temporary residences (U.S. Census Bureau, 2011).

Government Accountability Office (2011) looked at a diverse set of nine central cities and found that nonseasonal vacancy rates had risen from 2000 to 2010 in all of them, to as high as 11.6 percent in Chicago, 14.5 percent in Cape Coral, Florida, 19.1 percent in Cleveland, and 22.6 percent in Detroit. In lower-income parts of these cities, vacancy rates were generally even higher.

There is considerable evidence that foreclosures and vacant properties have negative impacts on neighboring property values and social conditions (Harding, Rosenblatt and Yao, 2008; Ellen, Lacoe, and Sharygin, 2011; Immergluck and Smith, 2006; Whitaker and Fitzpatrick, 2011). The problems of foreclosed and vacant homes gained even more attention from local governments with the advent of the federal Neighborhood Stabilization Programs (NSP). The three rounds of NSP, the first of which was authorized by the 2008 Housing and Economic Recovery Act (HERA), have now provided local governments and nonprofits with federal funding totaling approximately $7 billion for the purpose of reclaiming and sometimes redeveloping foreclosed residential properties.

However, despite its considerable magnitude relative to other federal community development funding, NSP has generally not been viewed as sufficient to address the problem of much larger numbers of foreclosed, vacant, and abandoned properties in the last decade.[9] With the increased fiscal stress brought on by the housing crisis and the Great Recession, localities are left with few tools other than their powers to regulate land use and protect the public from the hazards and costs posed by vacant and neglected properties. Alexander and Powell (2011) outline five key groups of strategies that localities can use to address problems posed by vacant

[9] There are also structural reasons why NSP may have been limited in its ability to abate the foreclosed and vacant property problems, especially in weak-market cities and especially in the case of properties not owned by lenders. See Fitzpatrick et al. (2012) and Immergluck (2012) for some discussion.

properties. These include: 1) improving the local tax foreclosure system; 2) improving code enforcement systems and management; 3) placing problem properties under court-appointed receivership; 4) creating local land banks; and 5) adopting vacant property registration ordinances. VPROs have proved to be among the most popular of these approaches.[10]

Previous Research on VPROs

Schilling (2009), Martin (2010), and Davis (2012) have discussed and described VPROs, and have developed similar typologies of VPROs that are built upon here. Martin (2010) describes two fundamental types of ordinances: the "classic model" and the "Chula Vista model." The classic model has also been called the "Wilmington model" (Schilling, 2009) and here is simply be called the "Vacancy and Abandonment Model". The Chula Vista model has also been called the "Foreclosure Model," the term that is used here.

The key difference between these two models is the event that triggers the requirement to register properties with the locality and comply with the ordinance's other requirements. The Vacancy and Abandonment Model is an ordinance that requires property owners to register properties after a certain length of vacancy. The locality frequently collects fees from the owner for as long as the property remains vacant and, in some ordinances, these fees may escalate over time (e.g., the annual fee is higher in year two than in year one). These ordinances require contact information for responsible parties to be included in the registration. Vacancy and Abandonment ordinances vary across a broad variety of characteristics. Examples include the definitions of "vacancy" and "abandonment", the coverage of property types (residential vs.

[10] Fitzpatrick et al. (2012) also consider point-of-sale and escrow ordinances, together with VPROs, as three types of "anti-vacancy and anti-blight ordinances." The focus here is only on VPROs.

commercial), exemptions (e.g., for actively marketed properties), maximum fine amounts and how the fines are structured (e.g., per violation or per violation per day), whether and which violations trigger criminal violations, whether insurance (liability and/or casualty) or bonding is required, and whether localities can waive or adjust penalties in negotiation with property owners in order to encourage remediation or redevelopment.

The Foreclosure Model is an ordinance in which registration is triggered by some foreclosure-related event. In the Foreclosure Model, registration is typically triggered by a formal, state-required notice of default or intent to foreclose that is filed as a part of a judicial proceeding or advertised by the mortgagee or servicer as a part of a nonjudicial foreclosure process. One reason that this model was developed was that localities were finding that some properties where foreclosures had been initiated were being vacated well before the foreclosure sale was complete and the property became owned by the mortgagee (or another new owner). Martin (2010) notes that while some foreclosure ordinances require the lender to inspect a property and secure it according to the ordinance once the trigger has occurred, others merely require registration (and potentially fees) at that point. The former ordinances frequently rely on the "waste and abandonment clause" common in many mortgage documents. However, lenders have resisted VPROs requiring them to take steps to secure a property before they assume title in part because of the costs they expect to incur in doing so.

Martin (2010) recognizes that many, especially more recently enacted, ordinances include characteristics of both the vacancy and abandonment model and the Foreclosure Model. In large part this means that many ordinances are triggered either by vacancy or by foreclosure-related actions. We classify such ordinances as following a "Hybrid Model."

Within these three ordinance types (Vacancy and Abandonment, Foreclosure, and Hybrid) there are many variations in specific terms and requirements.[11] Coverage and exemptions vary, as do requirements for securing, maintaining and insuring the property. Enforcement while somewhat uniform in fundamental structure (the use of fines as the primary tool), also varies, with some localities specifying at least some violations as criminal (misdemeanor) offenses and others not. Maximum fine amounts also vary significantly.

Another feature of some VPROs is the exemption of properties that are registered with industry databases. Originally, the main industry database for use by mortgagees or property owners to avoid municipal registration had been one developed by the Mortgage Bankers Association and Safeguard Properties, and implemented under the industry cooperative, the Mortgage Electronic Registration Systems (MERS). The MBA/MERS system provided an online look-up system in which eligible local code enforcement officials would be able to look up a property and identify key responsible parties, including a field servicing agent, to whom they could address complaints and address issues. With the increasing troubles associated with MERS more generally, Safeguard began promoting a service named "Compliance Connections" to provide an alternative to local registration (Lind, 2011). In some ordinances, and under some state laws, MERS registration effectively removes the need to register a property in a local, public registration database.

One key question for those studying VPROs is their enforceability. This is a difficult issue to assess across jurisdictions and would require the collection of survey data from local officials. Besides the actual citations and fines imposed by local authorities, an important issue is what tools the locality has to collect fines and whether it uses such tools in an aggressive manner.

[11] We also found rare instances of ordinances that fall outside of these three models. We identified six ordinances that covered either all properties or all absentee-owned properties. See Figure 1.

Most ordinances permit the fines to be accompanied by liens on the property in question, similar to the enforcement of nuisance abatement or housing code ordinances. However the priority of VPRO liens varies across states (Martin, 2010). In some states VPRO and nuisance abatement liens are given "super priority" over mortgages and other liens, thus having similar status as property tax liens. In other states, VPRO and similar liens are subordinate to mortgages, thus being a significantly less powerful tool for enforcement purposes.[12]

Research on the effects of VPROs is extremely scarce. This is expected given the relatively recent popularity of such laws. Simple, before-and-after comparisons have shown declines in vacant properties in some jurisdictions after adoption of an ordinance (e.g., U.S. Conference of Mayors, 2006). However, the only known, rigorous study of the effects of VPROs on housing markets or property conditions, in Cuyahoga County, Ohio, found no appreciable effect of VPROs on a number of housing market indicators (Fitzpatrick et al., 2012). Thus far, no studies have found negative impacts of VPROs on local housing markets. Further research is needed in this area, including work that takes into account the potentially differential impacts of such ordinances with respect to different types of properties (e.g., commercial versus residential, low-value vs. high-value, etc.) and housing market conditions.

Development of the Vacant Property Registration Ordinance (VPRO) Database

The initial raw data on VPROs comes from the firm Safeguard Properties, Inc., which has provided a frequently updated list of VPROs for several years. Safeguard is nationally recognized as a leading provider of asset management services for loan servicers and lenders. However, the Safeguard list provides little descriptive information on the ordinances. Beginning

[12] The use of super-priority liens is discussed in Alexander and Powell (2011).

with the Safeguard Properties database on VPROs, we identified 552 ordinances for which we were able to find some significant documentation describing the ordinance (in the vast majority of cases, the copy of the full ordinance was obtained).[13] Each ordinance was coded into more than 30 variables that describe each ordinance.[14]

Figure 1 illustrates the number of local VPROs enacted in different periods, including before 2000, from 2000 to 2007, 2008 and 2009 (at the climax of the national subprime foreclosure crisis), and from 2010 to April of 2012. The ordinances are broken out into four types, including the Vacancy and Abandonment Model, the Foreclosure Model, the Hybrid Model, and a small fourth category. In this last category, six ordinances cover both occupied and vacant properties, or all properties owned by an absentee owner. However, the bulk of the ordinances fall into one of the three primary models.

Figure 1 shows that the Vacancy and Abandonment Model was the dominant model before 2008, with substantial growth during the 2000 to 2007 period. In 2008 and 2009, both Foreclosure and the Hybrid ordinances mushroomed, although there was still major growth in Vacancy and Abandonment ordinances. After 2009, the number of new ordinances slowed a bit, but there were still more than 200 ordinances adopted from January 2010 to April 2012. The number of new Hybrid ordinances slowed somewhat after 2009, while the number of new

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[13] We began with a list of 587 mandatory VPROs published by Safeguard Properties downloaded from http://www.safeguardproperties.com/Resources/Vacant_Property_Registration.aspx as of May 1, 2012. However, for some of the ordinances listed in the Safeguard database, we were unable to find documentation (either a copy of the ordinance itself or, for a few cases, a summary of the ordinance). After suppressing the two Connecticut ordinances in the database (as explained in note 6), 552 ordinances remained for the analyses here. For 14 of the 552 ordinances, the date of enactment was unclear. These latter VPROs are not included in any analysis where time was required. It is likely that there is a significant undercount of ordinances adopted in the last few months of this period, because there is expected to be some (varying) lag between the date of enactment and the entry of the ordinance in the Safeguard database.

[14] A full list of the variables and possible values is included in the Appendix.

Vacancy and Abandonment ordinances held roughly constant and the number of new Foreclosure ordinances increased.

Figure 2 shows the distribution of local VPROs by state, excluding Connecticut (see note 6). Nine states account for 77 percent of VPROs, led by Florida and California, which each account for 17 percent (94 and 93, respectively) of the VPROs. These two states are followed by Illinois (61 ordinances, or 11 percent), Michigan (54, or 9 percent), Ohio (37, or 7 percent), Massachusetts (30, or 5 percent), and then Minnesota, Georgia, and Missouri.

Many of these states have been among the leaders in foreclosure statistics during the prolonged U.S. housing crisis. To look more closely at whether increased foreclosure rates seem to be related to later adoption of VPROs, Figure 3 plots the number of new VPROs in each state after 2007 (through early 2012) against the increase in the quarterly foreclosure start rate at the beginning of the national foreclosure crisis, from the last quarter of 2005 to the last quarter of 2007. It shows a general positive association between these two variables, so that states with larger increases in foreclosure starts in 2006 and 2007 tended to experience larger numbers of new, local VPROs after 2007.

Figure 3 also shows, however, that among states with large increases in foreclosure starts, there was substantial variation in the adoption of local VPROs. Therefore, while the foreclosure experience in a state appears likely to have affected how many VPROs were adopted later in the state, many other factors are certainly at play. For one thing, the sheer number of localities in states varies greatly, due to both population size and differences in systems of local governance and fragmentation.[15]

[15] For example, as of 2007, there were only 19 incorporated municipalities in the state of Nevada and 90 in Arizona, compared to 482 in California and 1,299 in Illinois (U.S. Census Bureau, 2007).

Beyond these very basic differences, one key factor in determining local VPRO adoption is the constitutional and/or legislative authority of localities within a state to enact and implement VPROs. Some states, such as Nevada, are strong Dillon's rule states, in which the authority to pass laws such as VPROs must be expressly granted by state statute and home rule is generally quite limited and specified (Nevada, 2012). Some state laws authorizing vacant property registration at a local level or requiring statewide registration may, in effect, actually discourage or prevent states from enacting their own ordinances.[16] Differences in state property law, other housing market conditions and broader vacancy rates, and local political environments are all likely to come into play in the extent to which local governments are likely to adopt VPROs. Another factor may be the prior experience with VPROs within a state. Older industrial states with prior experience with VPROs (or perhaps near states with such experience) or other activist property maintenance and redevelopment tools (e.g., spot blight laws, receivership, etc.) may be much more likely to see more VPROs adopted.

Of particular note are the states in the lower right-hand portion of Figure 3. These states, including Arizona and Nevada (two perennial leaders in foreclosure statistics during the crisis) saw very few VPROs adopted after 2007. Arizona had only one known VPRO (enacted in 2009), and Nevada had only three (enacted in 2006, 2010, and 2012). Again, state home rule laws and political climate, as well as the number of local governments, are likely to be key factors here.

Because most of the growth in VPROs occurred after the early 2000s, it is helpful to look more closely at the states with many ordinances to see where VPROs grew most during different

[16] Even when a state grants authority to local governments to enact VPROs, there may be constraints. For example, the 2009 Texas law explicitly giving localities the ability to adopt VPROs is limited to municipalities in counties with populations of 1.5 million or more. This is likely to restrict the growth of VPROs by limiting the number of localities explicitly authorized to enact ordinances (Texas, 2009). In addition, in some state laws, there are also strong constraints on the fees and/or fines that can be levied in local ordinances, which might discourage localities from bothering to enact laws that they might expect to be ineffectual.

periods. Figure 4 shows that California was clearly the early leader, at least after the beginning of the national foreclosure crisis, with four localities enacting ordinances in 2007, and another 44 enacting them in 2008. Ohio had seen a steady, if slower, increase in VPROs, with three new ordinances in 2007 and five in 2008. Most of the nine states saw a substantial increase in ordinances enacted in 2008, including Florida, Illinois, Massachusetts, and, to a lesser extent, Michigan and Missouri. In 2009, Florida continued to see growth in the rate of ordinance adoption, while in California the rate of increase slowed, although the state still saw 25 new ordinances.

Two states – Ohio and Georgia -- saw the rate of VPRO adoption pickup markedly in 2011. Ohio localities had already been somewhat active in adopting VPROs, enacting 14 ordinances from 2008 to 2010. However, in 2011, ten ordinances were enacted in the state. Georgia, before 2011, had seen a slow rate of VPRO adoption, with only nine local laws enacted up through 2010. In 2011, however, ten new ordinances were enacted throughout the state. However, in response to the surge in such ordinances, by spring of 2012, opponents of local VPROs had gotten a state law passed essentially preempting all but relatively weak ordinances (Georgia, 2012).

A Regional Analysis of VPROs

We now look more closely at the regional distribution of VPROs and whether the ordinances appear to vary in any obvious ways by region of the country. We identify nine regions according to Table 1. However, localities in Connecticut are omitted from all analyses due to its statewide vacant property registration statute (Connecticut, 2009). Figure 5 illustrates the growth of ordinances by region. It shows that, as of the end of 2007, the Midwest was far and away the leading region in terms of VPROs, with 33, with the Northeast a distant second at 15 ordinances. The Southeast, by contrast, had only two enacted ordinances before 2008. At the end of April, 2012, the Midwest continued to be the leading region for VPROs, but two regions had leapfrogged over the Northeast, with the Southeast growing to 113 ordinances (the bulk of them in Florida, the rest in Georgia) and the West growing to 100 ordinances (the bulk of them in California).

Figure 6 complements Figure 5 by indicating the proportion of total ordinances in each region that were enacted in each of three periods: before 2008, in 2008 and 2009, and after 2009. It shows that regions varied greatly in terms of when VPROs tended to be adopted. In the Southeast, the West, and New England, a relatively small percentage of ordinances (2 to 10 percent) were adopted before 2008. In other regions, this figure is notably higher, especially in the Northeast (29 percent), the MidAtlantic (45 percent), the Midsouth (35 percent) and the Plains (56 percent).[17] In terms of responding to the national foreclosure crisis, cities in the West (led by California) are significant for their substantial response during the peak of the national subprime crisis in 2008 and 2009. In the Southeast, while Florida experienced a significant surge in 2009, most of the ordinances were adopted in 2010 and 2011. It is notable that, while many cities in the Midwest experienced major increases in foreclosures well before 2008, the Midwest continued to see substantial levels of ordinance adoption in 2010 and beyond. Clearly the problems of vacancy and abandonment remained on the local political agenda in many Midwestern (as well as Northeastern) cities past 2009.

[17] It should be noted that the Plains and the Southwest regions both had few enacted VPROs in total as of May 1, 2012, with 9 and 10 ordinances respectively, so percentages should be read understanding the small raw numbers involved.

Some Potential Indicators of Ordinance Strength

The complexity of VPROs makes it difficult to develop a simple measure of the "strength" or "rigor" of an ordinance. In fact, any concept of strength is likely to be somewhat subjective and depend on a combination of a variety of characteristics, including coverage of the ordinance (which types of properties are covered or excluded), requirements (e.g. maintenance, security, insurance, etc.), and sanctions or penalties (fines, criminal penalties, liens, etc.). Moreover, there may be tradeoffs between different characteristics. As an example, localities may specify higher maximum fines, but this may be partly related to their exclusion of a larger number of property types.[18]

Actual implementation and enforcement actions (actual inspections, utilization of sanctions or penalties) are another aspect of the strength of local law. Unfortunately, data on enforcement actions would be extremely difficult to obtain and the database developed here does not address such actions. However, it does contain data on many other characteristics that might be used to measure ordinance strength. Although no one or two variables in the database will provide a comprehensive measure of ordinance strength, some can be used to measure specific indicators that might be expected to be correlated with overall ordinance strength.

[18] Martin (2010) also argues that the complexity and heterogeneity of ordinances reflects differing goals among the adopting localities. He breaks down ordinance goals into two general types: 1) maintaining and securing vacant properties in an effort to preserve home values while awaiting future, improved economic conditions; and 2) shifting the burdens of blighted, vacant properties onto property owners and lenders, thereby encouraging them to either rehabilitate them or demolish them.

As an example, we can look at the maximum fine amount indicated in each ordinance.[19] Figure 7 illustrates the distribution of maximum fine amounts for all ordinances in the U.S. as well as for the ordinances within each region.[20] Overall, 24 percent of ordinances have maximum fines over $750, with another 7 percent having maximum fines between $500 and $750. There is some variation across regions in the proportion of VPROs with maximum fines over $750. The West had the most such ordinances, with 42 percent of ordinances having maximum fines over $750.[21] Similarly, 41 percent of the VPROs in the Northeast and the 39 percent in the Midsouth had maximum fines over $750. Arguably, the Northeast had the most severe fines, with 14 percent of ordinances having fines over $1,000, compared to none in the Midsouth and only 3 percent in the West.

Ordinances in other regions rarely reached the $750, or especially the $1,000, level. The Southeast, MidAtlantic and New England regions had markedly lower maximum fine amounts, with only 15 percent, 13 percent, and 6 percent of VPROs having maximum fines exceeding $750, respectively.

Administrative fines are not the only possible forms of penalties in VPROs. A substantial number of ordinances include criminal penalties (always misdemeanors). Figure 8 shows that, like the maximum fine amounts, the proportion of ordinances that clearly specify criminal

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[19] Even in this case, there is significant complexity, in part because fines may be imposed per violation, per violation per period (e.g., per violation per day), etc. (The database provides for such distinctions.) Fines can vary based on the nature of the violation (e.g., failing to register a property vs. failing to maintain or secure property as required). Finally, a substantial number of VPROs do not specify maximum fine amounts (see Figure 7), making it difficult to distinguish expected penalties. The Database includes data on both the maximum fine (for any particular violation) and the maximum fine for violation of the ordinance's maintenance requirements.

[20] In some cases, VPRO maximum fines are based on maximum fines specified in the general housing or building code.

[21] However, 38 percent of VPROs in the West do not specify a maximum fine amount, more than in any other region.

penalties varies substantially across regions of the country. Nationally, 32 percent of ordinances specified potential criminal penalties for property owners. This percentage varied across regions, with a minimum of 3 percent in the New England Region to a high of 70 percent in the Southwest. However, in most regions, somewhere between 25 and 40 percent of VPROs include potential criminal penalties as part of their enforcement tools.

Another aspect of the strength of VPROs is coverage. One dimension of coverage, in turn, is whether the ordinance spells out many different types of exclusions. Examples of properties excluded from coverage by a VPRO include those that are "actively marketed," those with a building permit for rehabilitation/construction, those under contract for sale or lease, those with no code violations, those owned by a nonprofit, and many others. The database characterizes the exemptions into 17 categories (including "none specified"). VPROs had somewhere between zero and five types of exemptions.[22]

Figure 9 shows that, nationally, one third of VPROs have at least one form of exemption, with seven percent having more than three types of exemptions. The number of specified exemptions varies by region. In the Southeast, Midsouth, West, and MidAtlantic regions, over three quarters of ordinances had no exemptions specified. Conversely, in the Northeast, Midwest, and Plains, fewer than 50 percent of VPROs had no exemptions.

Maintenance and security requirements are another aspect of VPROs. For example, most VPROs require property owners to physically secure property in some way (e.g., boarding

[22] Beyond explicit exemptions in local ordinances is the issue of enforceability of the ordinance against all owners or mortgagees. One of the more aggressive VPROs, that of the City of Chicago, has been challenged in court by the Federal Housing Finance Agency, the conservator of Fannie Mae and Freddie Mac, the government-sponsored secondary market firms. The agency seeks exemption of Fannie Mae and Freddie Mac from the ordinance.

windows) to prevent entrance by vandals, squatters, or others.[23] For the U.S. as a whole, Figure 10 shows that 74 percent of ordinances have some sort of a requirement that the property be secured against entry. One ordinance (Chicago) specifically mandates that this security be of metal construction (wood is not sufficient), and another 15 ordinances do not allow wood board to be used when securing the property. The degree to which the physical securing of property (of any type) is required varies substantially by region, from a high of 94 percent in the West to a low of 33 percent in the MidAtlantic. In regions that accounted for the large majority of new ordinances after 2008 (the West, Southeast and Midwest) at least three-quarters of ordinances required properties to by physically secured.

Table 2 suggests that there may be a relationship between the level of penalties that a locality employs and the coverage of an ordinance. It shows that there is a modest, positive relationship between the maximum fine and the number of exemptions that are specified. (This analysis is done only for the 414 ordinances that specify a maximum fine amount.) Thus, ordinances with higher maximum penalties are more likely to specify one or more exemptions, although the relationship is not a very strong one. While only just over 30 percent of VPROs with relatively small maximum fines (<=$500) specify one or more exemptions, approximately 48 percent of VPROs with larger maximum fines (>$500) specify at least one exemption.[24] Thus, there does seem to be some relationship, or perhaps tradeoff, between these two ordinance characteristics. Localities may, in some cases, be choosing tougher fines while exempting some types of properties.

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[23] In many cases, boarding is considered only a temporary (e.g., 6-month) measure, and the locality provides some guidelines regarding boarding.

[24] The results here and in Table 2 are statistically significant at less than p=0.05. The gamma statistic is 0.311.

While not at all definitive of the strength of an ordinance, these four simple measures – maximum fine, criminal penalties, number of exclusions, and some level of physical security requirement – provide some evidence regarding various aspects of the relative strength or weakness of an ordinance. A fuller analysis of ordinance strength requires a more precise or developed concept of "strength," one that will be somewhat subjective and may vary based on whether one focuses more on dimensions of coverage, requirements, or penalties.

Conclusion

This analysis shows that the popularity of local VPROs in the U.S. has continued to grow across the U.S. Even three to four years after the beginning of the U.S. foreclosure crisis in 2007, localities were continuing to adopt VPROs at a substantial pace, although the rate of growth has slowed since the peak of the crisis. The pace of VPRO adoption has been uneven, with the greatest growth in Florida, California, and the Midwest. California was the clear early adopter of local VPROs after the national foreclosure crisis got underway, with places like Florida and Georgia lagging farther behind. The dominant type of VPRO before 2008 had been the Vacancy and Abandonment type, with Foreclosure and Hybrid ordinances growing in 2008 and 2009. After 2009, all three types of ordinances continued to grow, albeit at somewhat varying rates.

In general, states hit harder by the foreclosure crisis tended to see greater growth in new VPROs. However, some states with large increases in foreclosures – especially Arizona and Nevada, did not see a larger number of new VPROs. This may be at least partly explained by a small number of municipalities in these states (especially Nevada) as well as the political climate and limited home rule powers that may limit the ability of local governments to enact laws such as VPROs.

Beyond the number and types of VPROs, there was also substantial regional variation in the more detailed characteristics of the ordinances, including key terms that help determine the requirements, penalties, and coverage of an ordinance. Certain parts of the country (e.g., Northeast, West) tended to specify larger maximum fines, while others (e.g., Southeast) tended to specify smaller maximum fines. However, there may be some tradeoffs between requirements, penalties and coverage characteristics. For example, there is some tendency among localities adopting higher maximum penalties to be more likely to provide one or more exemptions to the types of properties covered by their VPROs.

References

Alexander, Frank and Leslie Powell. 2011. Neighborhood Stabilization Strategies for Vacant and Abandoned Properties. *Zoning and Planning Law Report* 34 (8): 1-10.

Bratt, Rachel. 2011. Homeownership Risk and Responsibility Before and After the U.S. Mortgage Crisis. In Ronald, R. and Elsinga, M., eds. *Beyond Home Ownership*. London: Routledge.

Connecticut, State of. 2009. An Act Concerning Neighborhood Protection. Public Act No. 090144. June 25. Retrieved August 1, 2012 from http://www.cga.ct.gov/2009/ACT/PA/2009PA-00144-R00SB-00951-PA.htm.

Davis, Timothy. 2012. A Comparative Analysis of State and Local Government Vacant Property Registration Statutes. *The Urban Lawyer* 44 (2): 399-427.

Ellen, Ingrid Gould, Johanna Lacoe, and Claudia Ayanna Sharygin. 2011. Do Foreclosures Cause Crime? June. Retrieved July 1, 2012 from http://furmancenter.org/files/publications/Ellen_Lacoe_Sharygin_ForeclosuresCrime_June27_1.pdf.

Fitzpatrick, Thomas, Lisa Nelson, Francisca Richter, and Stephan Whitaker. 2012. What Impact do Anti-vacancy and Anti-blight Ordinances Have on Local Housing Markets? Paper presented Conference on Strategies to Improve the Housing Market. Pew Center on the States. June 20. Retrieved July 10, 2012 from http://www.pewstates.us/research/featured-collections/strategies-to-improve-the-housing-market-85899400385.

Georgia, State of. 2012. House Bill 110. May 1. Retrieved July 12, 2012 from http://www1.legis.ga.gov/legis/2011_12/fulltext/hb110.htm.

Harding, John, Eric Rosenblatt, and Vincent Yao. 2008.The Effect of Foreclosed Properties. *Journal of Urban Economics* 66: 164-178.

Hollander, Justin. 2011. Sunburnt Cities: The Great Recession, Depopulation and Urban Planning in the American Sunbelt. London: Routledge.

Immergluck, Dan and Geoff Smith. 2006. The Impact of Single Family Mortgage Foreclosures on Crime. *Housing Studies* 21 (6): 851-866.

Lind, Kermit. 2012. Collateral Matters: Housing Code Compliance in the Mortgage Crisis. Northern Illinois University Law Review, Vol. 32, p. 445, 2012; Cleveland-Marshall Legal Studies Paper No. 12-240. Available at SSRN: http://ssrn.com/abstract=2064843.

Mallach, Alan. 2006. *Bringing Buildings Back: From Abandoned Properties to Community Assets*. Montclair, NJ: National Housing Institute.

Martin, Benton. 2010. Vacant Property Registration Ordinances. *Real Estate Law Journal* 39 (1): 6-43.

Nevada, State of. 2012. State and Local Government. Legislative Counsel Bureau. January. Retrieved August 7, 2012 from http://leg.state.nv.us/Division/Research/Publications/PandPReport/19-SLG.pdf.

Schilling, Joseph. 2009. Code Enforcement and Community Stabilization: The Forgotten First Responders to Vacant and Foreclosed Homes. *Albany Government Law Review* 2 (1): 101-162.

Texas, State of. 2009. House Bill 3065. An Act Relating to Municipal Registration of Vacant Buildings in Certain Counties. June 19. Retrieved August 1, 2012 from http://www.legis.state.tx.us/tlodocs/81R/billtext/pdf/HB03065I.pdf.

USFN. 2008. Vacant Property Registration: Number of Ordinances Grows. September. Retrieved August 12, 2012 from http://www.usfn.org/AM/Template.cfm?Section=USFN_E_Update&Template=/CM/HTMLDisplay.cfm&ContentID=10728.

U.S. Census Bureau. 2007. Local Governments and Public School Districts by Type and State, 2007. Retrieved August 7, 2012 from http://www.census.gov/govs/cog/GovOrgTab03ss.html.

U.S. Census Bureau. 2011. Housing Characteristics 2010. Census Briefs C2010BR-07. October.

U.S. Conference of Mayors. 2006. Combating Problems of Vacant and Abandoned Properties. Retrieved August 12 from http://www.usmayors.org/bestpractices/vacantproperties06.pdf.

U.S. Government Accountability Office. 2011. Vacant Properties: Growing Number Increases Communities' Costs and Challenges. Report 12-34. November.

Virginia, State of. 2009. Chapter 803. April 8. Retrieved August 1, 2009 from http://leg1.state.va.us/cgi-bin/legp504.exe?091+ful+CHAP0803.

Whitaker, Stephan and Thomas Fitzpatrick. 2011. The Impact of Vacant, Tax-Delinquent, and Foreclosed Property on Sales Prices of Neighboring Homes. Federal Reserve Bank of Cleveland Working Paper No. 1123R.

Table 1. Allocation of States into Regions

Region	STATES	
	States with at least 1 VPRO in the database	No VPROs in the database
MidAtlantic	DC, MD, NC, VA, WV	SC
MidSouth	KY, MO	AR
Midwest	IA, IL, IN, MI, MN, OH, WI	
New England	MA, NH, VT	CT*, ME, RI
Northeast	DE, NJ, NY, PA	
Plains	CO, KS, NE, OK, SD, WY	MT, ND
Southeast	FL, GA	AL, LA, MS, TN
Southwest	NM, TX	
West	AZ, CA, NV, OR, UT	AK, HI, ID, WA

*All Connecticut localities are excluded from the database because it has a statewide vacant property registration statute, enacted in 2009, which requires registration in all localities. (Only two localities, Hartford and New Haven, had ordinances prior to the statewide registration statute being enacted.)

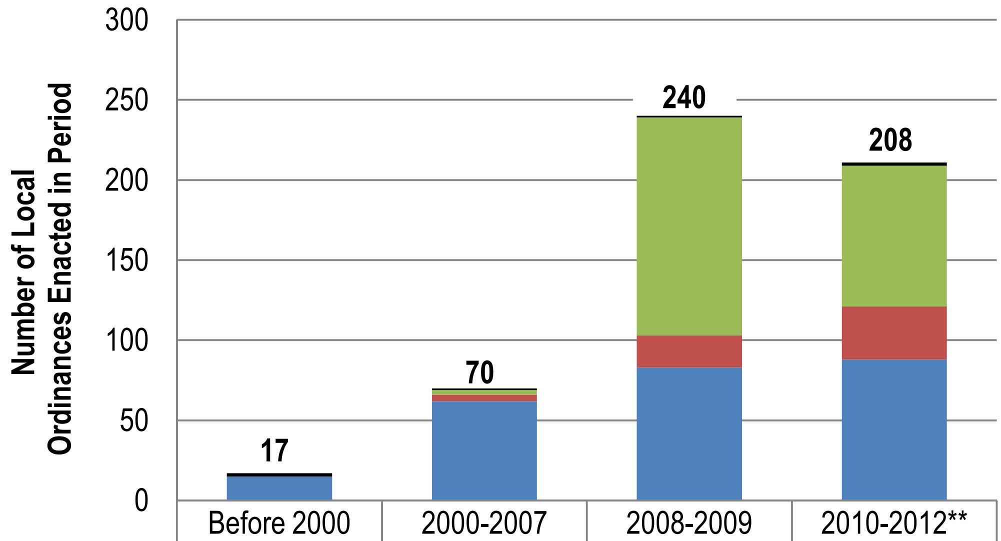
Table 2. Relationship between Maximum Fine Amount and Number of Specified Exemptions in Local VPROs*

Number of Specified Exemptions	Maximum Specified Fine Amount <=$500 (241 VPROs)	$501-$1,000 (146 VPROs)	>$1,000 (27 VPROs)	Total (414 VPROs)
None Specified	69.7%	52.1%	51.9%	62.3%
1	18.7%	23.3%	22.2%	20.5%
2	7.1%	12.3%	14.8%	9.4%
3	2.9%	8.9%	3.7%	5.1%
4	1.7%	1.4%	3.7%	1.7%
5	0.0%	2.1%	3.7%	1.0%
Total	100.0%	100.0%	100.0%	100.0%

*Excludes ordinances with no specified maximum fine amount

Data source: Vacant Property Registration Ordinance Database

Figure 1. Number of Local Vacant Property Registration Ordinances Enacted, by Type*

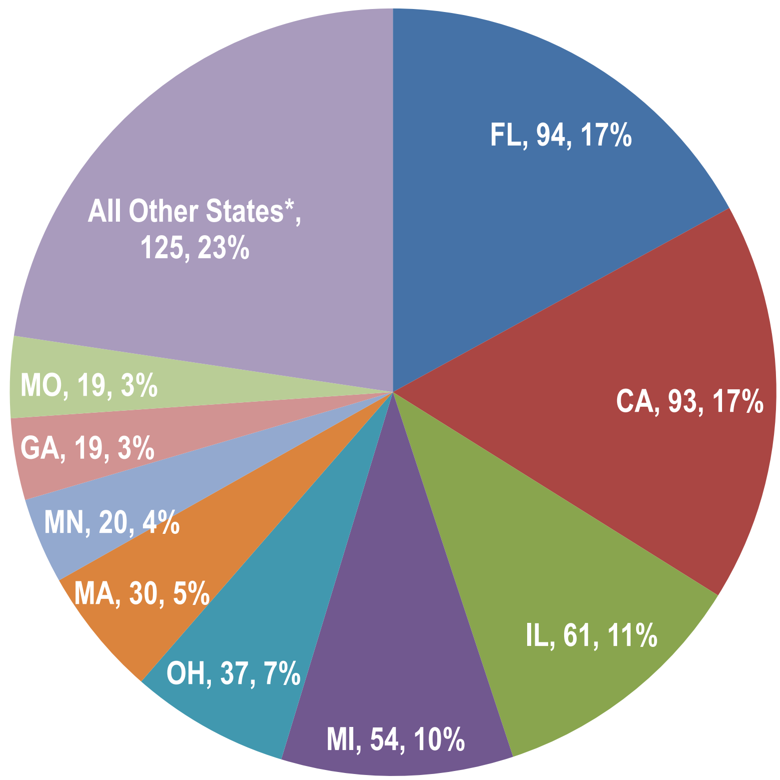


	Before 2000	2000-2007	2008-2009	2010-2012**
All Properties or Absentee Owner	2	1	1	2
Hybrid	0	3	136	88
Foreclosure	0	4	20	33
Vacancy & Abandonment	15	62	83	88

*Excludes Connecticut
**Through April 2012

Data source: Vacant Property Registration Ordinance Database

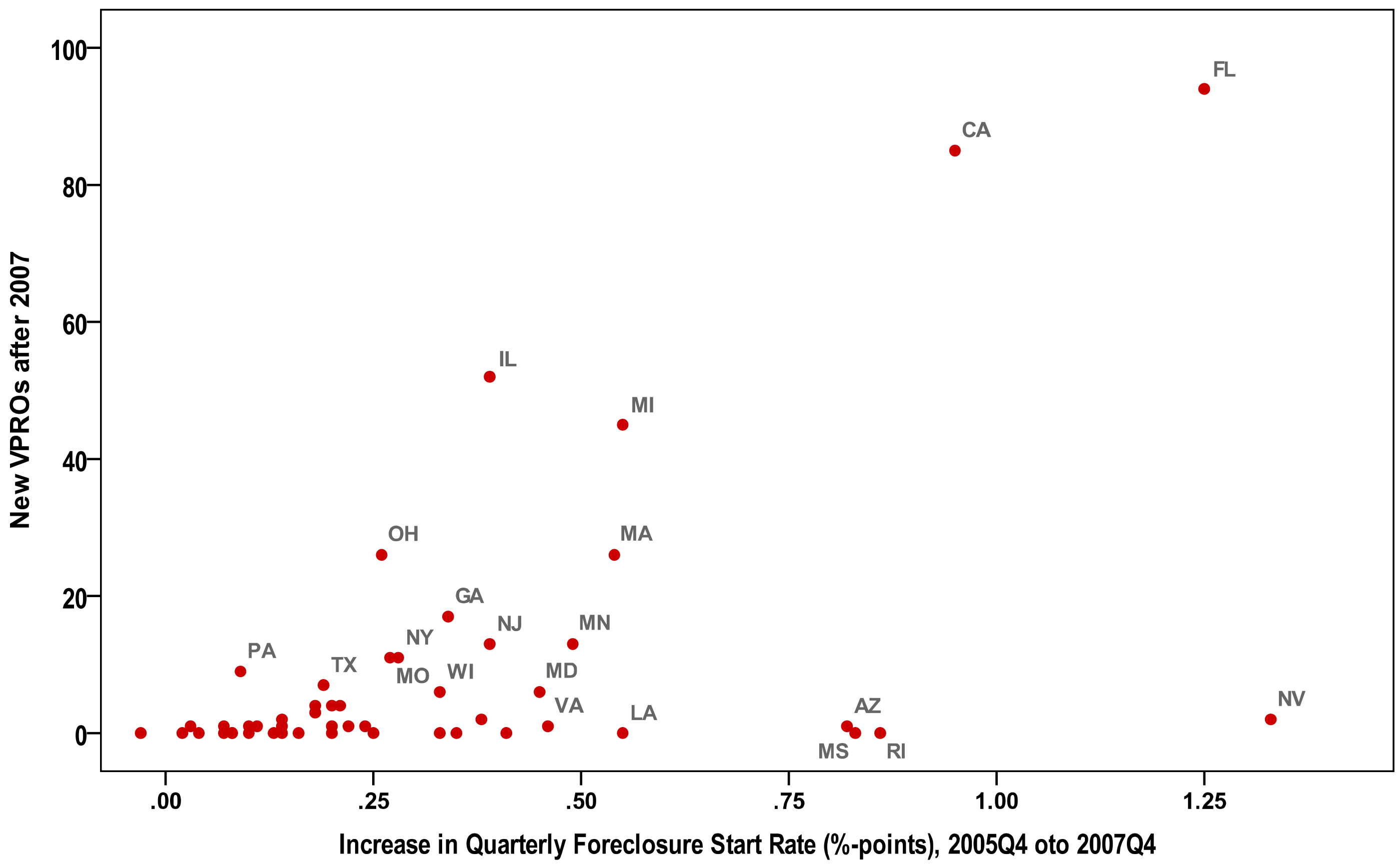
Figure 2. Distribution of Local VPROs by State, as of May 1, 2012*



*Excludes Connecticut

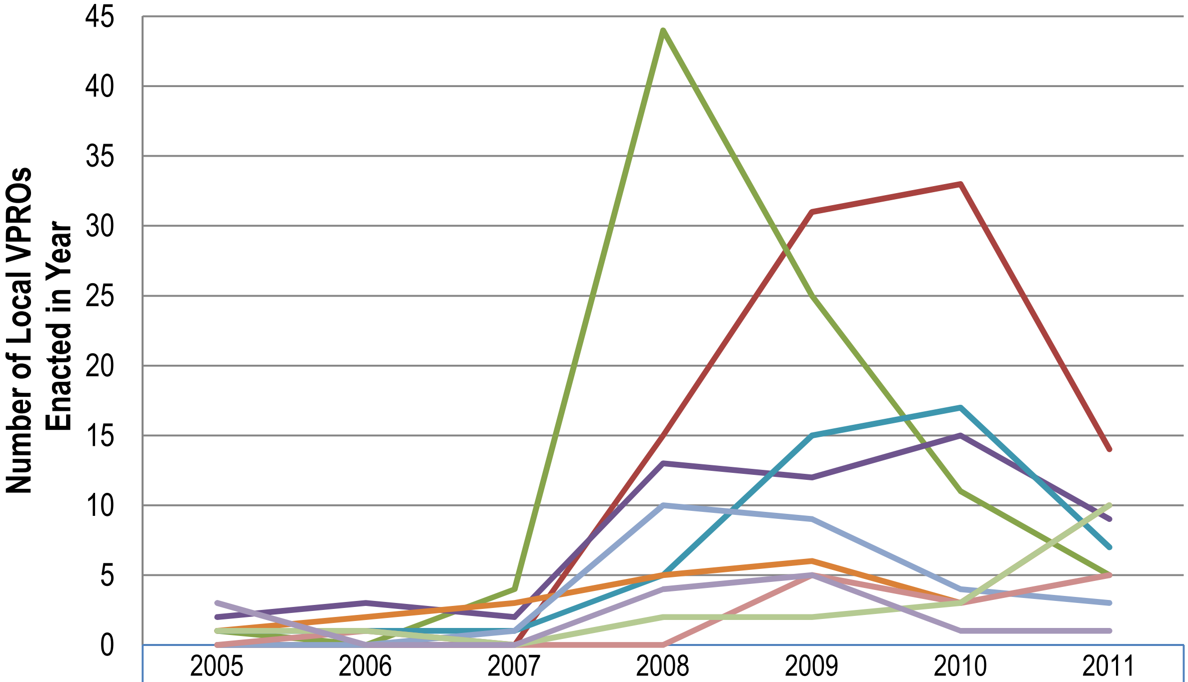
Data source: Vacant Property Registration Ordinance Database

Figure 3. New Local VPROs (January 2008 to April 2012) versus Increase in Quarterly Foreclosure Start Rate (2005Q4 to 2007Q4)



Data sources: Mortgage Bankers Association National Delinquency Survey; Vacant Property Registration Ordinance Database

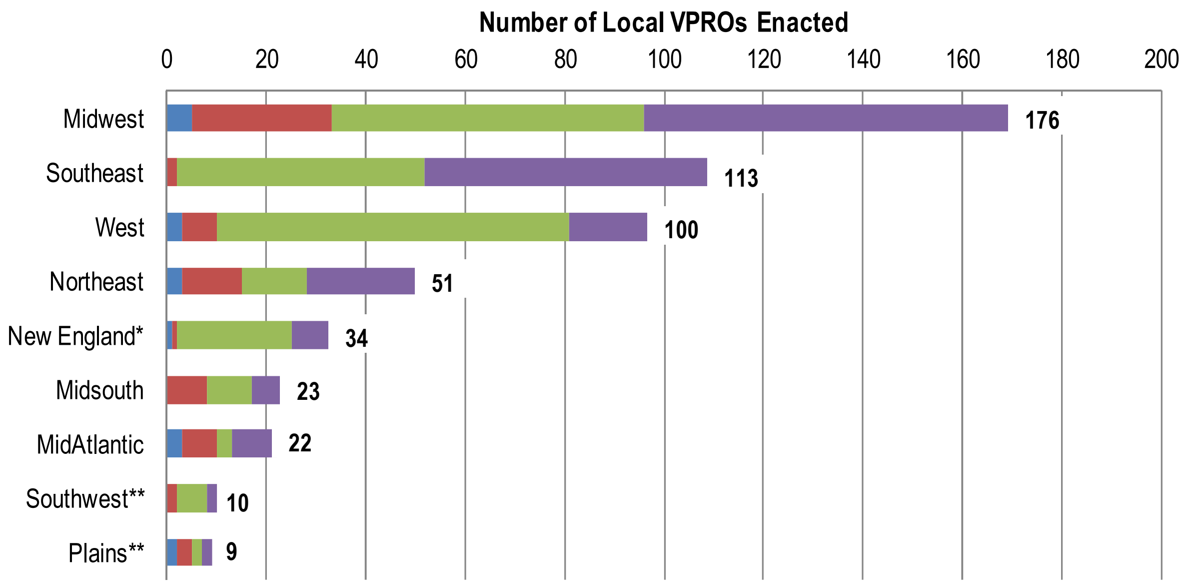
Figure 4. Local VPROs in Leading States, by Year of Enactment, 2005 – 2011



	2005	2006	2007	2008	2009	2010	2011
FL	0	0	0	15	31	33	14
CA	1	0	4	44	25	11	5
IL	2	3	2	13	12	15	9
MI	1	1	1	5	15	17	7
OH	1	2	3	5	6	3	10
MA	0	0	1	10	9	4	3
MN	0	1	0	0	5	3	5
GA	1	1	0	2	2	3	10
MO	3	0	0	4	5	1	1

Data source: Vacant Property Registration Ordinance Database

Figure 5. Growth of Local VPROs by Region and over Time*

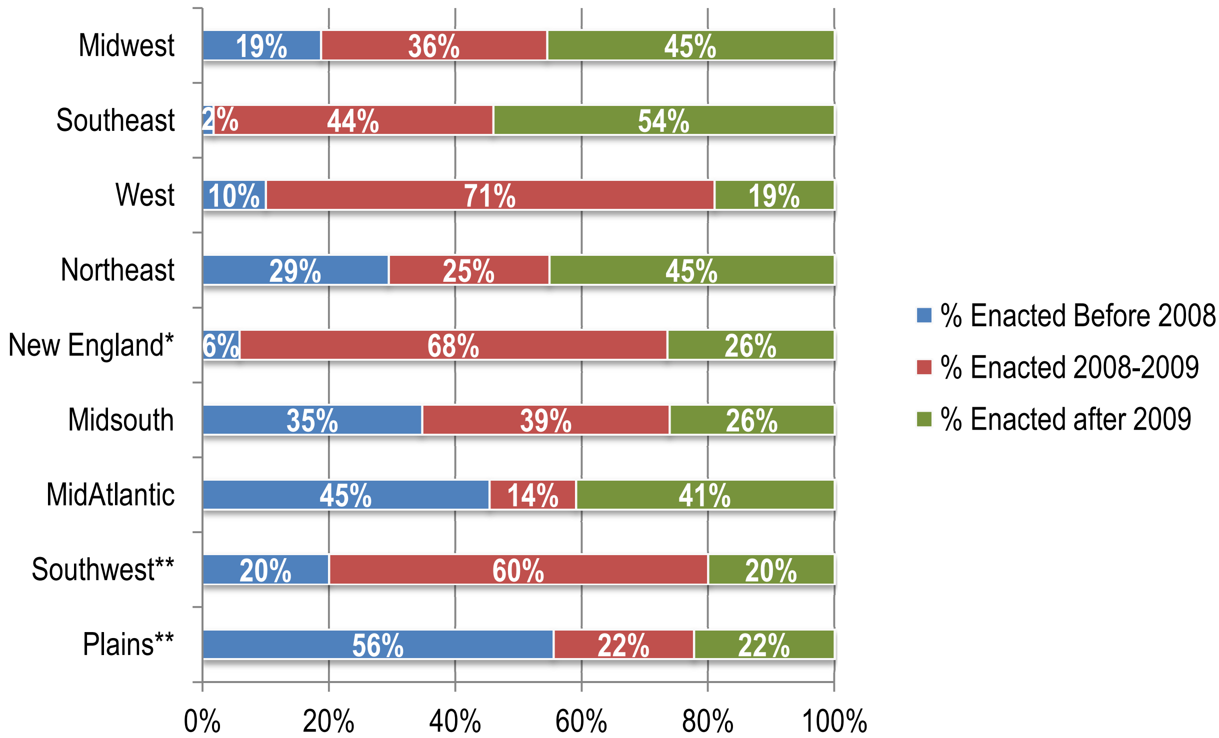


	Plains**	Southwest**	MidAtlantic	Midsouth	New England*	Northeast	West	Southeast	Midwest
Before 2000	2	0	3	0	1	3	3	0	5
2000-2007	3	2	7	8	1	12	7	2	28
2008-2009	2	6	3	9	23	13	71	50	63
2010-2012***	2	2	9	6	9	23	19	61	80

*Excludes Connecticut
**Number of ordinances in region is 10 or fewer
***Through April, 2012

Data source: Vacant Property Registration Ordinance Database

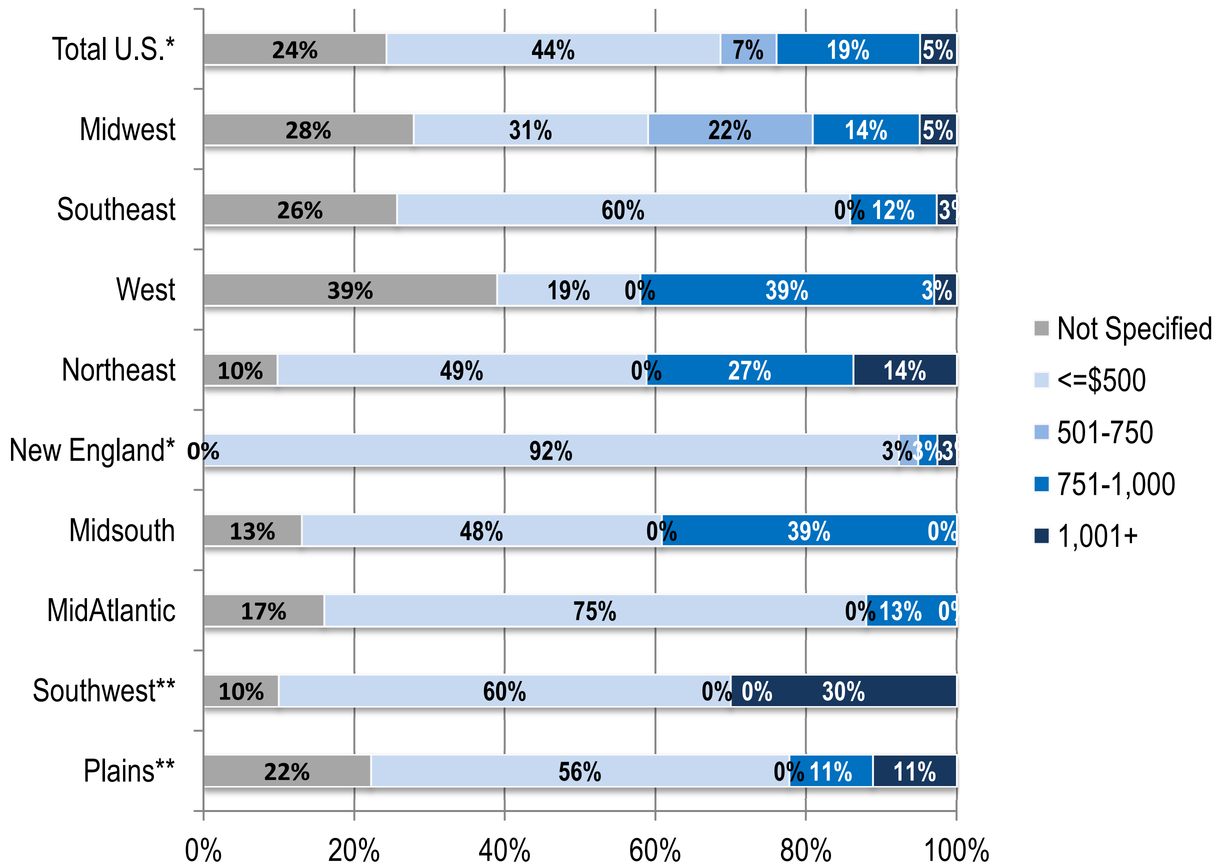
Figure 6. Percent of Local VPROs Adopted in Three Periods, by Region*



*Excludes Connecticut
**Number of ordinances in region is 10 or fewer

Data source: Vacant Property Registration Ordinance Database

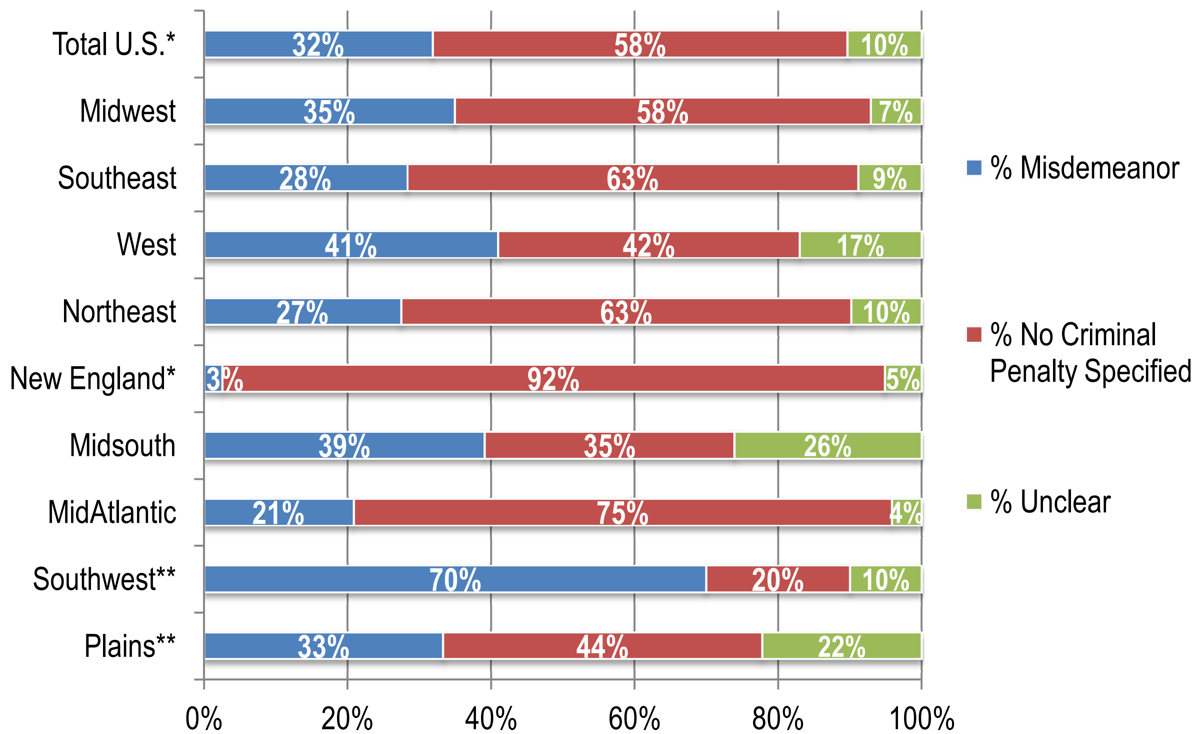
Figure 7. Maximum Specified Fine Amount in Local VPROs by Region*



*Excludes Connecticut
**Number of ordinances in region is 10 or fewer

Data source: Vacant Property Registration Ordinance Database

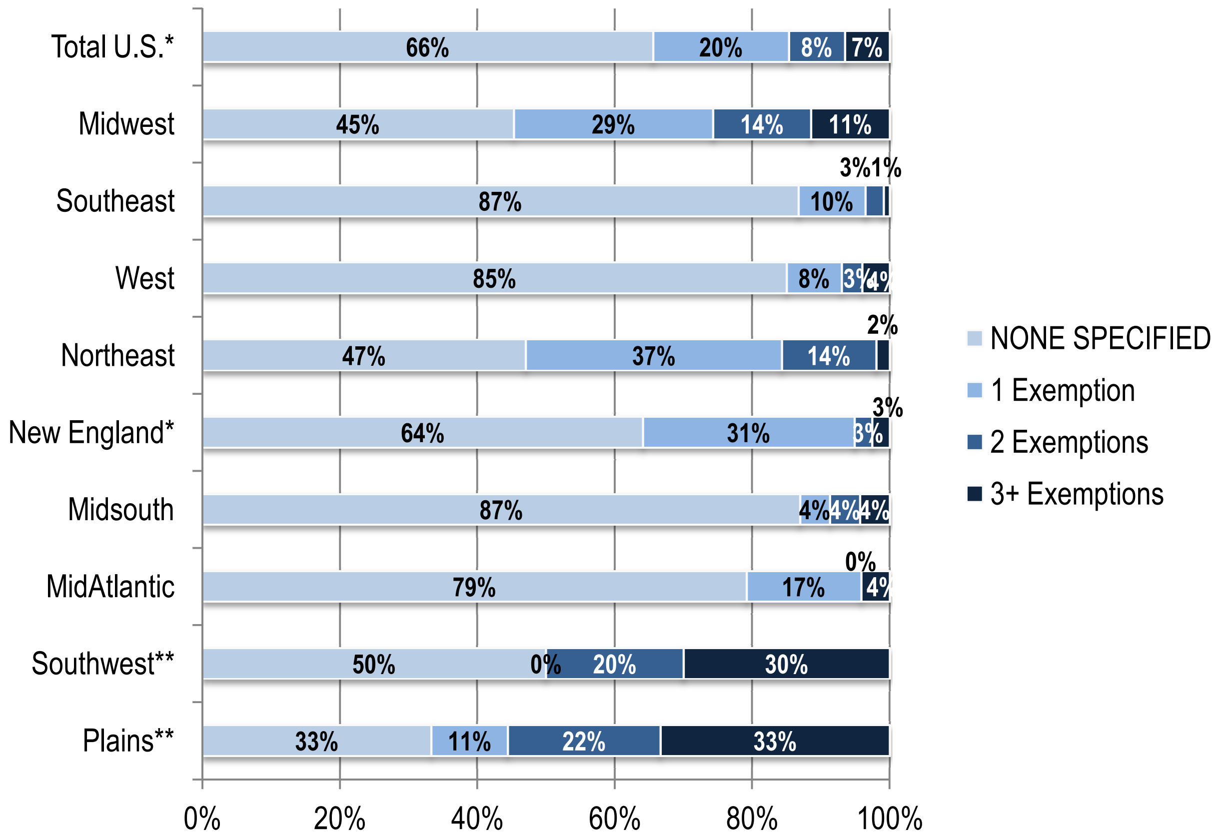
Figure 8. Percent of Local VPROs that Specify Criminal Penalties*



*Excludes Connecticut
**Number of ordinances in region is 10 or fewer

Data source: Vacant Property Registration Ordinance Database

Figure 9. Number of Exemptions in Local VPROs by Region*

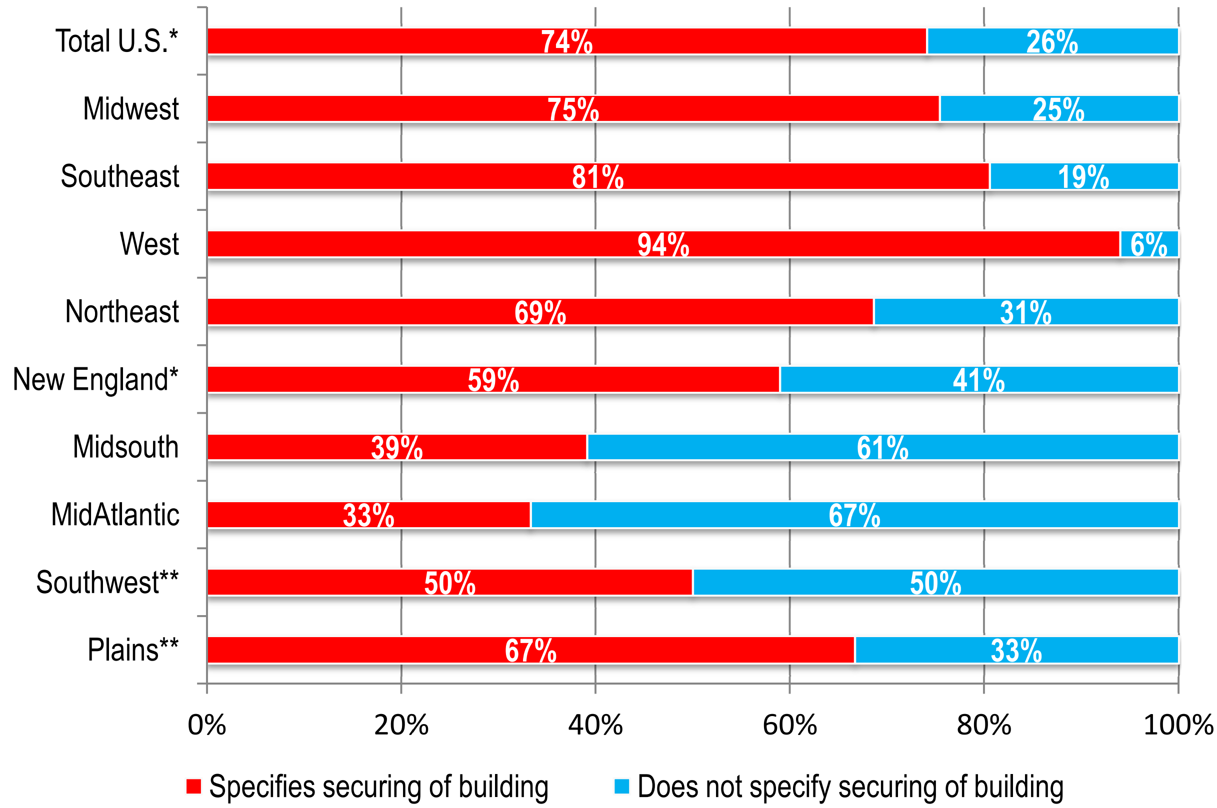


*Excludes Connecticut

**Number of ordinances in region is 10 or fewer

Data source: Vacant Property Registration Ordinance Database

Figure 10. Percent of Local VPROs with Requirements to Physically Secure Property*



*Excludes Connecticut
**Number of ordinances in region is 10 or fewer

Data source: Vacant Property Registration Ordinance Database

Appendix

Vacant Property Registration Ordinance (VPRO) Database
Data Dictionary

Variables and Detailed Descriptions/Field Values[25]

1. Special note

   This field identifies the ten cases where there was more than one ordinance in a locality and the three cases where the data are based on a summary of the ordinance and not the full ordinance. There are 554 ordinances in the full database. We began with 587 ordinances listed in the Safeguard Properties list as of May 1, 2012. However, 33 ordinances were eliminated for a variety of reasons. First, 18 listed ordinances were for cities in Connecticut that had no known *local* ordinance but were covered by a 2009 statewide vacant property registration statute. (The Safeguard database later appeared to include all Connecticut cities.) Only two Connecticut cities had local ordinances prior to adoption of the 2009 state law, and they remain in the database but are not used in this paper. Ten ordinances listed by Safeguard were eliminated after no local ordinance, or a summary of a local ordinance, could be found. Finally, in a few cases, the ordinances did not actually require any form of registration and so were excluded.

2. ID number
   Unique ID number for ordinance

3. Locality
   Name of city or county.

4. State
   Name of state.

5. Enacted
   Date when the ordinance was adopted, enacted, or passed in MM/DD/YYYY format. When date and/or month are not known, the first day and/or month are used. For example, when we know an ordinance is enacted in 2008, but do not know the date and the month, it is coded as "01/01/2008." In the accompanied note field, it is indicated whether the date and/or month are known or not.

   Unknown

6. Updated
   Dates when the ordinance was updated, after being enacted, in MM/DD/YYYY format.

7. Title
   A title of the ordinance or chapter, section, etc. in the municipal code for a reference.

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[25] For many fields in the database, there is an accompanying "NOTE" field which provides ancillary text to explain something about the associated field for a particular ordinance. These note fields are not described in this document.

8. Target property
   Type of vacant properties that must be registered.
   1 – All type of properties
   2 – Residential properties
   4 – Residential properties and commercial properties containing multiple residential units
   5 – Residential structures and vacant land
   6 – Commercial and mixed-use
   7 – Vacant lot
   8 – Non-residential properties in national historic district
   9 – Commercial properties
   10 – One- or two-family dwellings
   11 – Non-residential properties
   12 – One-to-four family dwellings

9. Trigger to register
   Event that triggers to register properties.
   1 – Becoming vacant
   2 – Becoming abandoned
   3 – Being involved in foreclosure process, such as notice of default, notice of foreclosure sale, or the title transfer through foreclosure sale
   4 – Both becoming vacant/abandoned and being involved in foreclosure process
   5 – Receiving a notice from city/county
   6 – Either becoming vacant/abandoned or receiving a notice from city/county
   7 – Either 1 or 4
   8 – Either 1 or 3
   9 – Either 3 or 6
   10 – Either 4 or 5
   11 – Either 3 or 5
   12 – Either 4 or 6
   13 – Either 2 or 4
   14 – All properties regardless of vacancy
   15 – Being sold to absentee owner
   17 – Either 1 or 15

10. Triggered by locality's evaluation
    Is it specified that local officials may discover vacant property and/or send a notice of determination?
    1 – Yes, it is specified
    2 – No, it is not mentioned

11. Definition of vacancy/abandoned
    1 – Unoccupied or not legally occupied
    2 – Construction ceased, partially constructed or incomplete
    3 – Unreoccupiable
    4 – Unsecured
    5 – Boarded
    6 – Not properly maintained
    7 – Unsafe
    8 – In multiple code violation
    9 – Cited for blight
    10 – Broken or severely damaged
    21 – Overgrown and/or dead vegetation
    22 – Electricity, water, or other utilities turned off
    23 – Stagnant swimming pool
    24 – Statements by neighbors, passer-by, delivery agents, or government agents
    25 – Accumulation of newspapers, circulars, flyers or mail
    26 – Accumulation of trash, junk, or debris
    27 – Absence of window coverings such as curtains, blinds, or shutters
    28 – Absence of furnishings or personal items consistent with residential habitation
    29 – Condemned
    30 – Site of unlawful activity
    31 – Not compliant in correcting public nuisance conditions or code violation
    32 – Unoccupied for 1 year
    33 – Unoccupied for 6 months
    34 – In code violation
    35 – Past due utility notices
    9998 – Others (Specify in accompanied note field)
    9999 – Not specified

12. Exemption
    Conditions for registration exemption.
    1 – Actively marketed
    2 – Have a building permit for remodel/repair/rehabilitation/construction
    3 – Under a contract for sale or lease
    4 – No code violation and ready for occupancy
    5 – Government property
    6 – Ready for occupancy
    7 – Abatement agreement
    8 – Maintained as a garden
    9 – Multi-family structure with at least one occupied unit
    10 – Government-owned building
    11 – Occupied at least three months within the previous nine months
    12 – Intended to resume residing
    13 – Multi-family structure with a property manager on the premises and an active owners' association responsible for the management and maintenance of the property
    14 – Not-for-profit organization
    15 – Multi-family residential property containing ten or more dwelling units at least 10 percent of the units are occupied
    9998 – Others (Specify in accompanied note field)
    9999 – Not specified

13. Registration deadline from trigger in days

    Days from the trigger event (vacancy or notice of default etc.) to registration deadline. Convert months with 1 month = 30 days.
    9998 – Others (Specify in accompanied not field)
    9999 – Not specified

14. Registration term
    Term that a registration is valid.
    1 – No fee
    2 – One time
    3 – Monthly
    4 – Quarterly
    5 – Semiannual (6 months)
    6 – Annual
    7 – Determined by the Director
    98 – Others (Specify in accompanied not field)
    99 – Not specified

15. Escalating fee
    Does the registration fee increase over time?
    1 – Yes
    2 – No
    9 – No fee
    98 – Others (Specify in accompanied not field)
    99 – Don't know

16. Registration fee for the first year
    "Annual" registration fee for the first year.
    0 – No fee
    -9 – Unclear or Don't know

17. Registration fee for the second year
    "Annual" registration fee for the second year. If fee is not required, 0.
    0 – No fee
    -9 – Unclear or Don't know

18. Range of escalating fee
    Write minimum and maximum of escalating registration fees using separator "-", e.g. 500-5000.
    9 – Not applicable

19. Differing fee amount?
    Does the registration fee vary according to property characteristics other than the length of vacancy?
    1 – Yes
    2 – No
    9 – No fee
    99 – Don't know

20. Differing fee amount by what?
    If the registration fee amount varies by property characteristics other than the length of vacancy, which characteristics are criteria? (We can choose multiple categories with comma.)

    1 – Single family vs. Multifamily
    2 – Residential vs. Non-residential or (Residential vs. Commercial)
    3 – Property size
    4 – Number of units
    5 – Square feet per unit
    6 – Vacant vs. Blighted or Abandoned
    7 – Building code violation status
    98 – Others (Specify in accompanied note field)
    99 – Not applicable

21. Bond requirement
    In some cases, the ordinance requires bond or deposit instead of or in addition to the registration fee. Does the ordinance require a bond or deposit?

    1 – Yes, for all properties
    2 – Yes, but only for commercial properties
    9 – No
    98 – Others

22. Minimum bond required per property
    If the ordinance requires a bond, write minimum amount of bond in dollars.

    Minimum Amount in dollars

    8 – Not specified
    9 – Not applicable

23. Unit of maximum fine amount
    1 – Per violation per day
    2 – Per violation
    8 – Not specified
    9 – No fine
    98 – Others (Specify in accompanied note field)

24. Maximum fine amount
    1 – Max Fine ≤ 250
    2 – 250 < Max Fine ≤ 500
    3 – 500 < Max Fine ≤ 750
    4 – 750 < Max Fine ≤ 1000
    5 – 1000 < Max Fine ≤ 1250
    6 – 1250 < Max Fine
    97 – Others (Specify in accompanied note field)
    98 – Not specified
    99 – No fine

25. Fine amount for maintenance violation
Is the fine amount for maintenance violation different from that for registration violation?
1 – Yes
2 – No
8 – Unclear
9 – Not applicable

26. Maximum fine amount for maintenance violation
1 – Max Fine ≤ 250
2 – 250 < Max Fine ≤ 500
3 – 500 < Max Fine ≤ 750
4 – 750 < Max Fine ≤ 1000
5 – 1000 < Max Fine ≤ 1250
6 – 1250 < Max Fine
97 – Others (Specify in accompanied note field)
98 – Not applicable
99 – No fine

27. Lien on the property
Can the fine be accompanied by, or enforced by, a line on a property?

1 – Yes
2 – Not specified
3 – Not Clear (The cost of abatement can be a lien on a property, but it is not clear that fine can be a lien on a property)
9 – Others (Specify in accompanied note field)

28. Criminal penalty
1 – Misdemeanor
2 – Felony
3 – No
4 – Not clear

29. Security requirement
What security requirements are specified? Choose multiple categories using comma as a separator.

1 – Enclose the building against unauthorized entry
2 – Secure the building against unauthorized entry
3 – Post a sign and contact information
4 – Designate local property manager if the owner is out-of-area
5 – Do not secure with board (No boarding)
6 – Regular (weekly) Inspection
7 – Obtain boarding permit if one desires it
8 – Provide space utilization floor plan
9 – Remove hazardous material
10 – Post no trespassing sign
11 – Secure with metal, NOT plywood board
12 – Have at least one exit door for authorized persons
13 – Provide rapid-entry system for Fire Department
998 – Others (Specify in accompanied note field)
999 – Not specified

30. Maintenance requirement
What maintenance requirements are specified? Choose multiple categories using comma as a separator.

1 – Free of garbage, rubbish, abandoned vehicles, furniture, personal items, etc.
2 – Keep all doors, windows, and openings from the roof or other areas in good repair
3 – Keep landscaping and plant materials in good condition
4 – Keep the exterior of the building in good condition
5 – Turn off all utilities that are not necessary for the upkeep and maintenance of building to resist being frozen
6 – Keep the interior of the building from damage and free from garbage, debris, and infestation by rodents, insects, or other pests.
7 – Keep properties in accordance with the standards for occupied properties
8 – Free of graffiti or similar markings
9 – Keep pools and spas in clean and safe condition
10 – Prevent crime (Not specified)
11 – Free from rodents, insects, vermin etc. (pest control)
12 – Drain all water from the plumbing and turn off all electricity
13 – Shovel interior walkway and public sidewalk clear of snow or water
14 – Keep continuous exterior lighting from dusk to dawn
15 – Provide smoke and carbon monoxide detector
998 – Others (Specify in accompanied note field)
999 – Not specified

31. Plan requirement
Does registration require a plan for the vacant properties?
1 – Always
2 – In case of waiver
3 – No

32. Plan coverage
What should be included in the plan?
1 – Demolish/rehabilitation
2 – Maintenance/security
3 – Both
7 – Not specified
8 – Others (Specify in accompanied note field)
9 – Not applicable

33. Insurance requirement
Does the ordinance require insurance?
1 – Liability insurance
2 – Fire insurance
3 – Both insurances
4 – Determined by Director
8 – Others (Specify in accompanied note field)
9 – No

34. MERS (Mortgage Electronic Registry Systems) or FPRC (Federal Property Registration Corp.) registration

Is registration waived if one registers with MERS and/or FPRC?
1 – MERS
2 – FPRC
3 – Either MERS or FPRC
4 – No