

**Property Acquisition/Disposition:  
Annotated Bibliography (Articles & Case Studies)  
1992 - 2001**

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## ARTICLES

1. **Title:** *Abandoned Housing: Exploring Lessons from Baltimore*  
**Author:** James R. Cohen  
**Date:** 2001  
**Publication Title/Source:** Housing Policy Debate, Volume 12, Issue 3  
**Publisher:** Fannie Mae Foundation, Washington, D.C.

**Description:**

This article discusses factors that contribute to neighborhood decline and property abandonment in U.S. cities, such as the decline in manufacturing and the increasing of illegal drug activity and poverty concentration. Home abandonment and vacant property issues have plagued Baltimore since the 1960s and the City of Baltimore has begun to explore ways to address this problem. The author highlights and discusses the many challenges that Baltimore faces in undergoing revitalization planning such as difficulty in acquiring and demolishing buildings, marketing row homes, making rehabilitated homes affordable through subsidy, reaching a consensus among neighborhood groups and CDC's on revitalization plans, and obtaining financial resources for demolition and revitalization projects.

2. **Title:** *Barriers to the Rehabilitation of Affordable Housing: Volume I of II: Findings and Analysis*  
**Author:** David Listokin and Barbara Listokin  
**Date:** May 2001  
**Publication:** Excerpt from the Report  
**Publisher:** - U.S. Department of Housing and Urban Development Office of Policy Development and Research, Washington, D.C.  
**Web:** <http://www.huduser.org/publications/destech/brah.html>

**Description:**

This excerpt taken from Chapter 2 of the report entitled, "Synthesis and Findings" describes barriers in acquiring properties at various points for rehabilitation. The authors succinctly describe the problems associated with acquiring properties from different vantage points such as through banks, donations, tax foreclosures, Federal Housing Administration (FHA), condemnation/eminent domain, etc. Every barrier mentioned is afforded a short, illustrative case study example. This segment outlines various barriers in acquiring properties for rehab while providing clear analysis of its effects on the process and suggests steps to address these barriers. Case studies describing these issues in more detail are contained in Volume II of the study.

3. **Title:** *Breaking the Cycle of Abandonment: Using a Tax Enforcement Tool to Return Distressed Properties to Sound Private Ownership*

**Author:** Christopher J. Allred

**Date:** 2000

**Publication Title/Source:** Article (Better Government Competition No. 10)

**Publisher:** Pioneer Institute for Public Policy Research, Boston, MA

**Web:** [http://www.pioneerinstitute.org/pdf/bgc00\\_winner.pdf](http://www.pioneerinstitute.org/pdf/bgc00_winner.pdf)

**Description:**

This article describes how the Housing and Preservation Department (HPD) of New York City began developing strategies to address the growing housing abandonment crisis of the late 1970s and early 1980s. Many property owners were unable to meet the maintenance and financial demands of their properties. Therefore, New York City began adopting *in rem* proceedings for thousands of abandoned properties in the early 1980s in order to maintain and repair distressed properties, rather than continuing *in personam* (action against the property). This tactic was very costly to the City in the long run however. *In rem* proceedings also failed to address numerous maintenance and physical problems associated with abandoned properties. As a result, HPD developed another strategy.

HPD's new strategy, the Third Party Transfer Initiative, transfers ownership of distressed properties to third parties without the City taking title of the property. The piloting of the initiative in the South Bronx proved a success for a number of reasons. The City was able to cut costs by millions of dollars; turn around distressed properties quickly; utilize local resources such as neighborhood groups; and rehabilitate thousands of units. Private financial resources such as banks and foundations contributed to the success of the Third Party Transfer Initiative. However, HPD did experience many obstacles such as: tenant resistance to the program; legislative skepticism; identifying properties for transfer; obtaining advice and input from outside groups and individuals. The author describes how the success of the HPD program and its flexible financing mechanisms make it easy to replicate across the country.

4. **Title:** *Critical Issues Facing Philadelphia's Neighborhoods: Vacancy Reassessed*

**Author:** Mark Alan Hughes and Rebekah Cook-Mack

**Date:** October 1999

**Publication Title/Source:** Article in Community Policy Research

**Website:** <http://www.ppv.org/pdffiles/vacancyreassessed.pdf>

**Publisher:** Public/Private Ventures, Philadelphia, PA

**Description:**

This article highlights how Philadelphia in the mid-1990s released reports detailing vacant land issues and took steps toward outlining initiatives to combat this problem. Hughes and Mack discuss how vacant properties in the City of Philadelphia exist largely due to rising depopulation since 1950. Having a new authority that would be responsible for all vacant property in Philadelphia would help consolidate the City's efforts to address the issue more effectively. Attention is focused on two core challenges regarding vacant land and building

issues in the City: informational and institutional barriers that prohibit the most effective methods of acquisition and disposition.

5. **Title:** *Dirt into Dollars: Converting Vacant Land Into Valuable Development*

**Author:** Mark Alan Hughes

**Date:** 2000

**Publication Title/Source:** The Brookings Review Vol. 18, No. 3

**Publisher:** The Brookings Institution, Washington, D.C.

**Description:**

The historical decline in Philadelphia's population over the last fifty years has become problematic, as a staggering number of vacant land and buildings continues to rise to problematic proportions. This article focuses its attention on the complexity of having fifteen public agencies responsible for vacant properties in Philadelphia. The author recommends that the City of Philadelphia improve cooperation and streamline information between departments. In addition, the City should develop a single authority responsible for acquiring, managing, consolidating and disposing of vacant properties. This agency would have a triage strategy that includes: strategic planning, redeveloping its inventory to meet market conditions; and playing an intentional land bank role throughout neighborhoods in Philadelphia.

6. **Title:** *Doing Business with Local Government: A Handbook for Nonprofit Developers, Community Development Corporations, Community Planners, and Others: Chapter 4 - Property Acquisition and Disposition*

**Author:** Alan Mallach

**Date:** 2001

**Publication Title/Source:** Handbook

**Publisher:** Housing and Community Development Network, Trenton, NJ

**Description:**

Chapter Four of this handbook provides an in-depth overview of the property acquisition and disposition process. The author first outlines urban property issues with regard to acquisition and disposition and the differences that exist in urban and suburban contexts. Municipalities use various tools during the acquisition process such as, voluntary purchase, gifts, tax foreclosure and eminent domain. Municipalities are able to dispose of properties by utilizing local land and building laws, Request For Proposal's and other legal powers under their discretion such as auctions and sales.

7. **Title:** *From Abandonment to Reuse: Issues and Policies in Urban Property Abandonment*  
**Author:** Alan Mallach  
**Date:** October 2001  
**Publication Title/Source:** Research Paper  
**Publisher:** National Housing Institute, Orange, New Jersey

**Description:**

This document critically analyzes what is, and is not, being done by municipalities regarding property abandonment. Property is examined through a life cycle that ranges from an early stage of abandonment to its final stage of reuse or rehabilitation. The author details many of the social, physical and economic consequences that can occur in a community as a result of property abandonment. According to the author, preventing abandonment is not an easy task for cities, but it requires addressing managerial, legal and economic issues and creating strategies to address these problems. From a municipal standpoint, managing an abandoned property inventory necessitates: the reexamination of public policies that contribute or hinder the process; developing neighborhood-based strategies; addressing legal obstacles and related issues; and, implementing managerial practices such as, better coordination and reorganization. The author suggests creating better marketing techniques and strategies that rely on neighborhood planning, demolition and downsizing to combat the abandoned property plague across America.

8. **Title:** *Neighborhood Transformation Initiative (NTI) Five-Year Action Plan (FY 2003-2007)*  
**Author:** City of Philadelphia  
**Date:** April 2001  
**Publication Title/Source:** Five-Year Action Plan  
**Publisher:** Neighborhood Transformation Initiative of the City of Philadelphia  
**Website:** [http://www.phila.gov/mayor/jfs/mayorsnti/vacantlots/pdfs/nti\\_fiveyearplan.pdf](http://www.phila.gov/mayor/jfs/mayorsnti/vacantlots/pdfs/nti_fiveyearplan.pdf)

**Description:**

Under Mayor Street, the City of Philadelphia developed a blueprint in April 2001 aimed at transforming city neighborhoods with a strategy called the Neighborhood Transformation Initiative (NTI). NTI is a comprehensive, community-oriented strategy that seeks to change the way the City and neighborhoods interact and cooperate. This Five-Year Action Plan outlines NTI's framework of six goals and provides detailed information on proactive steps the City and neighborhoods will take to reach and surpass these goals.

The six goals of NTI's strategy are to: facilitate community-based planning; eradicate blight; advance quality of life issues; improve assembling land for development purposes; stimulate investment and redevelopment; and leverage resources strategically. Neighborhood planning, for example, will focus on establishing criteria and processes in forming neighborhood plans, create an inventory of commercial corridors, analyze the City's approach to neighborhood development, etc. The goal of blight elimination will aim to: remove dangerous buildings; clean vacant land; remove abandoned cars, litter and graffiti; and remove dangerous streets. Blight prevention will work to: coordinate and leverage resources and develop interagency cooperation; rely on code enforcement; combat illegal dumping; and fight against predatory lending. Assembling land for development is seen as crucial in turning around the population

decline in Philadelphia. NTI's mechanisms to reach its goals are: establishing a Philadelphia Land Bank; developing a vacant property management information system; and, proposing legislative changes. NTI will: promote construction of homes in new urban communities; invest in preserving thousands of units and set aside units in developments as affordable housing for low-income residents throughout the city; facilitate market rate housing; and reorganize city agencies. Leveraging resources by NTI will require: issuing bonds for neighborhood redevelopment; securing Public Housing Authority resources; attract business investment; proactively seeking federal and state funding; and implementing an aggressive fund-raising strategy.

9. **Title:** *Renewing Public Assets for Community Development*

**Author:** Frank S. Alexander

**Date:** October 1, 2000

**Publication Title/Source:** Report from LISC Online Library

**Publisher:** Local Initiatives Support Corporation (LISC), New York, NY

**Website:** [http://www.liscnet.org/resources/assets/asset\\_upload\\_file444\\_555.pdf](http://www.liscnet.org/resources/assets/asset_upload_file444_555.pdf)

**Description:**

This report offers detailed information on property acquisition and tax foreclosure procedures. Property tax liens are key public assets for local governments seeking tax revenues and opportunities for organizations or entities to reinvest in declining neighborhoods. For example, local government can use tax liens to transfer ownership to those willing to turn around a distressed or abandoned property and put it back on the tax rolls. There are many obstacles to property tax foreclosures, which ultimately contribute to the decline of neighborhoods. Barriers to development include: lack of knowledge of who owns properties; restrictions on acquisition funding for later transfers or reuse; different state and local legal procedures; and, restrictive laws. Alexander's article recommends increasing access to these public assets by creating task forces, effective tax foreclosure procedures and better understanding of the process in general.

10. **Title:** *Restoring Problem Properties to the Tax Rolls: Rehabilitation & Homeownership Is the Answer to Neighborhood Stability*

**Author:** HANDS, Inc. (Housing and Neighborhood Development Services, Inc.)

**Date:** July 1, 1999

**Publication Title/Source:** Report

**Publisher:** HANDS, Inc., New Jersey

**Description:**

This document focuses on how the Cities of East Orange and Orange, New Jersey should address problems caused by vacant properties. There is discussion of various challenges as well as insight on why more is not being done to combat the issue. This report proposes initiatives that can help with developing action plans for various vacant properties in the two cities. For example, HANDS, Inc. suggested creating a Problem Property Task Force and a Rehabilitation Incentive Fund to plan and help coordinate subsidies to rehabilitate vacant properties and assist with getting properties back on the municipal tax rolls.

11. **Title:** *Saving Housing Through Receivership: The Chicago Experience*

**Author:** Robin Drayer

**Date:** September/October, 1992, #65

**Publication Title/Source:** Shelterforce

**Publisher:** National Housing Institute, Orange, NJ

**Description:**

This article discusses how the City of Chicago has instituted and implemented two programs under a housing receivership program -- Emergency Heat Program (EHP) and Housing Abandonment Prevention Program (HAPP). For both programs, the City requests that the court appoint a receiver which will act as the main contact responsible for paying emergency heating costs and/or repairing or replacing basic building systems. Though each receivership success depends upon the dynamics and economics of the neighborhood, Chicago's Housing Receivership program has proven successful for many neighborhoods in keeping buildings from falling into abandonment.

Several lessons were learned from Chicago's experience. Receivership requires a person with good accounting and management skills. Receivers must also have access to information such as a building profile that describes the building's conditions; tenants characteristics; and any government sources of operating subsidies. After a property has been transferred to receivership, the receiver must prepare a detailed economic feasibility plan that outlines goals, recommendations and action plans for improving building operations and making capital improvements.

12. **Title:** *Tax Liens, Tax Sales and Due Process*

**Author:** Frank S. Alexander

**Date:** Summer 2000

**Publication Title/Source:** Journal Article in Indiana Law Journal, Vol. 75, no.3

**Publisher:** Indiana Law Journal, Indianapolis, Indiana

**Description:**

This article discusses the importance of property tax collection in America and ways in which due process standards hinder the process. The author mentions that there is little consensus or unanimity to laws governing property tax liens among different states, cities or counties. Due process laws are necessary to ensure that private property owner's rights are protected; however, they create lengthy obstacles and timeframes that encourage tax delinquency and property abandonment. For example, providing notice of tax collection at multiple points in the process to all involved parties associated with the property creates confusion and delay in tax enforcement procedures. This article suggests a better approach that relies on a single, short enforcement proceeding that informs all parties of impending tax collection procedures.

13. **Title:** *Vacant Buildings: Redevelopment Plan*

**Author:** City of Jersey City: Division of City Planning

**Date:** 1999

**Publication Title/Source:** Report from Division of City Planning

**Publisher:** City of Jersey City, New Jersey – Division of City Planning

**Description:**

The Municipal Council of the City of Jersey City adopted the redevelopment plan presented in this package in January of 1999. The Jersey City redevelopment plan's overall objectives were to redevelop or rehabilitate each individual vacant property with regard to the environment, land use, density and design. Additionally, it addressed the need for a coordinated proposal to target rehabilitation of vacant properties scattered around the city. The plan included a detailed inventory of vacant properties located in the rehabilitated area. With stated goals, objectives and a strategic plan in place that sought to not only acquire but dispose of land to designated developers, Jersey City attempted to make a comprehensive redevelopment plan that worked for residents, the City and private developers. The land use design in the redevelopment plan sought to ensure that the character of rehabilitated or new construction properties blended with the already-existing facade of the neighborhood.

## CASE STUDIES

1. **Title:** *Atlanta Case Study & Summary*

**Author:** Lisa Mueller

**Date:** 1999

**Publication Title/Source:** Case Study

**Publisher:** Local Initiatives Support Corporation (LISC), New York, NY

**Description:**

This case study focuses on model practices on property disposition and tax foreclosures. The City of Atlanta and Fulton County have implemented several legislative measures in the last decade to streamline a cumbersome property disposition process. For instance, Fulton County has created an inventory of properties with numerous tax problems that permits organizations and interested individuals to search a computer database and map on tax-delinquent properties. A Land Bank Authority for Fulton County and the City of Atlanta serves as an intermediary and expedites the process for clearing titles on properties, etc. Legislation improving the tax foreclosure process was enacted in 1995 that shortened the redemption period to expedite the acquisition process and increased notice requirements prior to tax sales. This has made it less time consuming for developers to obtain tax sale titles on properties.

2. **Title:** *Cleveland Case Study & Summary*

**Author:** Keri Blackwell

**Date:** 1999

**Publication Title/Source:** Case Study

**Publisher:** Local Initiatives Support Corporation (LISC), New York, NY

**Description:**

The Cleveland case study presents model practices with respect to the Cleveland Land Bank, which is responsible for acquisition and disposition of tax-delinquent properties in the city. A state bill passed in 1988 enabled Ohio municipalities to streamline the foreclosure process by setting aside five percent of collected delinquent taxes to fund new technology and a research department that would expedite the process and cut costs associated with the acquisition and disposition process. Tax abatements are offered on delinquent property taxes on properties that are kept in the land bank. In addition, this legislation eliminates *in rem* proceedings by requiring that the county send mail notification of foreclosure procedures to all identified all parties involved and/or those with title to the property. With the establishment of a land bank and stronger legislation, Cleveland was able to acquire and dispose of properties that were later effectively reused by many CDC's and private entities.

3. **Title:** *Indianapolis Case Study & Summary*

**Author:** Keri Blackwell

**Date:** 1999

**Publication Title/Source:** Case Study

**Publisher:** Local Initiatives Support Corporation (LISC), New York, NY

**Description:**

This case study focuses on expedited tax sale procedures and statutes that transfer properties from the City of Indianapolis to local community development corporations (CDC's). The acquisition of property by the City or County can occur through a number ways, such as receiverships, intergovernmental transfers, and through county tax sales for interested parties seeking properties to redevelop. In addition, a "spot" eminent domain procedure permits the city to acquire property not located directly in a redevelopment area but is distressed and unsafe in a community. In some instances, CDC's are also able to purchase properties directly from tax-delinquent owners before a tax sale occurs. Properties are transferred to CDC's through an expedited tax sale that allows a fast and easy method of assembling properties for transfer by placing tax-delinquent properties on a list, which is submitted to the county auditor. CDC's inquire about properties on the list and are then able to approach city officials after providing a redevelopment plan.

4. **Title:** *New York City Case Study & Summary*

**Author:** Lisa Mueller

**Date:** 1999

**Publication Title/Source:** Case Study

**Publisher:** Local Initiatives Support Corporation (LISC), New York, NY

**Description:**

The Third Party Transfer Initiative is the core program of this case study model in New York City. Legislation enacted in 1996 enabled the City of New York to permit the Department of Finance to begin *in rem* proceedings on tax-delinquent properties. If the tax-delinquent owner fails to pay, the city is then able to transfer the property over to a third party that is willing to rehabilitate the building. LISC assisted the city with helping to create a nonprofit organization, Neighborhood Restore, to act as an intermediary between the city and neighborhood-based organizations. The functions handled by Neighborhood Restore are: acting as an interim owner for twelve months so the City can meet transfer of ownership deadlines; setting up management agreements for properties with new owners; offering agency support during the rehabilitation period; preparing legal documents; and, stabilizing properties before a third party transfer occurs. The Third Party Initiative provides lien forgiveness, low acquisition and rehabilitation costs, tax incentives and city funding to encourage new owners to participate in rehabilitating buildings and transforming neighborhoods.