

PORTLAND POLICE BUREAU  
EAST PRECINCT

# ZOMBIE HOUSES

THE PORTLAND APPROACH TO VACANT  
HOMES

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HERMAN GOLDSTEIN AWARD APPLICATION



CHARLIE HALES, MAYOR  
LAWRENCE P. O'DEA III, CHIEF OF POLICE

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## SUMMARY

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This Goldstein Award submission, *Zombie Houses*, details the City of Portland's response to abandoned properties and the issues associated with them. While present prior to the "Great Recession," this issue became more prevalent as a result of the large number of abandoned homes. These homes, often in state of limbo in terms of ownership, proved difficult to manage using conventional police tactics. In analyzing the problem it became apparent that a more comprehensive strategy would be needed to address this complex issue.

Working with a broad range of partners, Portland's Police Bureau, Bureau of Environmental Services and Office of Neighborhood Involvement developed and implemented a coordinated strategy to mitigate the issues associated with these properties. A subsequent analysis indicated that this strategy was highly effective in addressing the problem.

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## SCAN

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*Zombie Foreclosure - "a property that the homeowner has abandoned and assumed the home has become the property of the lender." Bankforeclosures.com*

In the first quarter of 2001 the United States' 90 day delinquency rate (a measure of homeowners in financial distress) was approximately 0.6% of homes and the foreclosures start rate was approximately 0.4%. By Q1 2009 these numbers has risen to above 3.5% and nearly 1.5% respectively. With more than a five-fold increase in delinquencies and three-fold increase in foreclosure the Unites States began the process of home Zombification.

In Portland Oregon, like many western states, this problem was especially bad. In January of 2009, Oregon was among the top 5 states in foreclosure fillings<sup>1</sup>. Traditionally among the top five states in homelessness rates, the financial crisis created the perfect storm for what has become a nearly decade long struggle to address this issue. Portland was the epicenter for much of this activity. The Portland Police Bureau was soon dealing with hundreds of such homes a year. An increasing number of homes became occupied illegally and many of these began to cause livability issues for the surrounding neighborhoods. Some houses were taken over by squatters from the Occupy movement with assistance from Take Back the Land, an organized effort to occupy vacant homes. The majority of the houses, however, were occupied by squatters with no particular political agenda.

Recognizing the emerging nature of this problem, the Portland Office of Neighborhood Involvement (ONI) and the Portland Police Bureau (PPB) decided to focus their Annual Problem-Solving Summit on addressing vacant properties. This event was held October 27, 2010 (see appendix A for agenda) and included over three hours of guest speaker presentations on the nature of the housing crisis and what could be done to help address the problem. Speakers included attorneys focusing on landlord/tenant issues, civil law related to city zoning and deputy district attorneys discussing the criminal aspects of this issue. Additional speakers included real estate brokers, bank loss mitigation professionals, insurance and title insurances agents as well as the city's code compliance officer.

The event helped begin a dialogue around what the involved parties could do to help each other. It led to greater cooperation between ONI, the PPB and the Portland's Bureau of Developmental Services (BDS), which among other functions was tasked with code compliance. A result of this meeting was a commitment between ONI, the PPB and BDS to start on ongoing series of meetings to analyze how best to address vacant/abandoned properties.

Another significant accomplishment of this summit was the "Resolving safety & livability problems at REO (bank-owned) properties." This guide was compiled by Stephanie Reynolds, the Crime Prevention Program Manager at the City of Portland (for an abbreviated version see: <https://www.portlandoregon.gov/oni/article/519040>, also the

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<sup>1</sup> <http://www.pdx.edu/sites/www.pdx.edu.realestate/files/2Q9-5-Heinicke-Bursting%20Bubbles-wm-4-29-09.pdf>

cover page is provided in appendix B). It contained advice on how to address problem properties, identified important laws and ordinances and helped provide a one-stop location for the information shared at the summit.

This guide began the process of defining the problems caused by vacant, bank-owned houses. These issues included:

- Squatting inside the location/camping in the yard, frequently causing health concerns related to the disposal of bodily wastes
- Looting of the home, frequently causing safety concerns as plumbing and electrical wire etc. are removed
- Young adults/children breaking into the location out of curiosity
- Fire hazards and other safety concerns as the building falls into disrepair
- The location becoming an attractive nuisance and/or eyesore.

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## ANALYSIS

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In late 2011 and early 2012, ONI, BDS, the PPB, the Fire Bureau, and others created the Extremely Distressed Property Workgroup. As the group began to analyze the problem, they identified 523 lender-owned homes (generally foreclosures) and more than 2000 homes with a notice of delinquency (being more than 90-days behind in payments and precursor to foreclosure).

Mapping these homes revealed that the issue extended to nearly all parts of the city (see Figure 1). However, while all areas of the city were impacted, Portland's East Precinct was hit particularly hard with nearly half the homes falling within its boundaries (see Figure 2) and five of the PPB's 60 police districts (beats) containing over  $\frac{1}{4}$  of all lender owned homes. All of these districts were in east/southeast Portland.

Figure 1. Portland's Lender Owned Homes

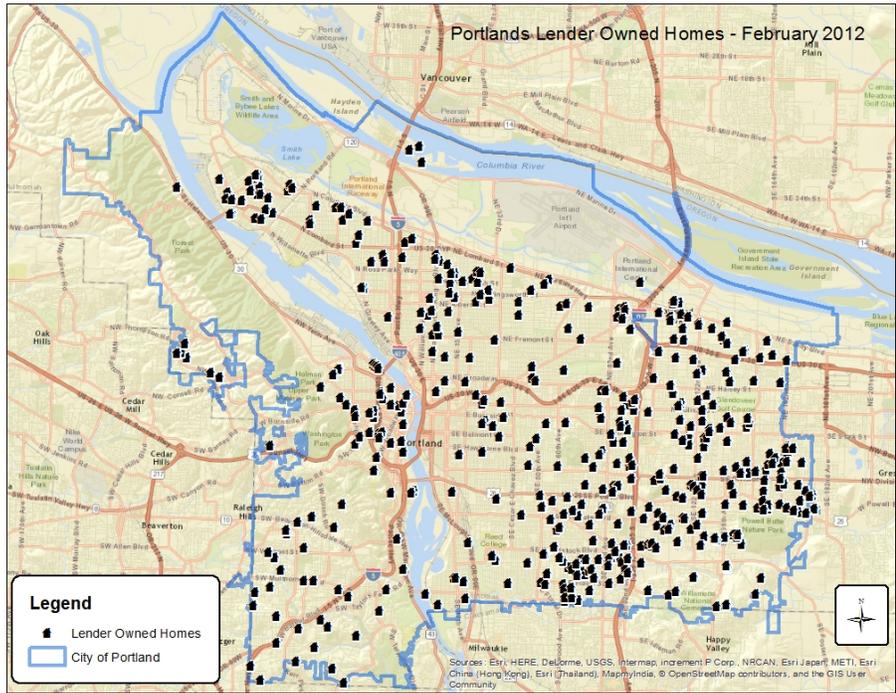
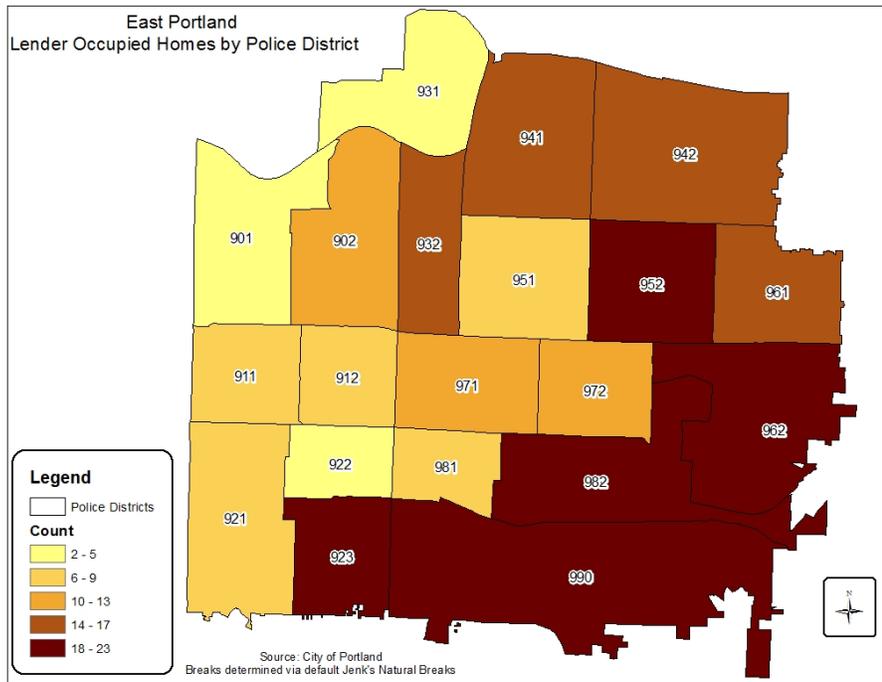


Figure 2. East Portland Lender Owned Homes by Police District



The property crime rate in Portland, which had been at record lows as late as 2009, was beginning to rebound. These crimes had risen from 269 per 1,000 residents in 2009 to 291

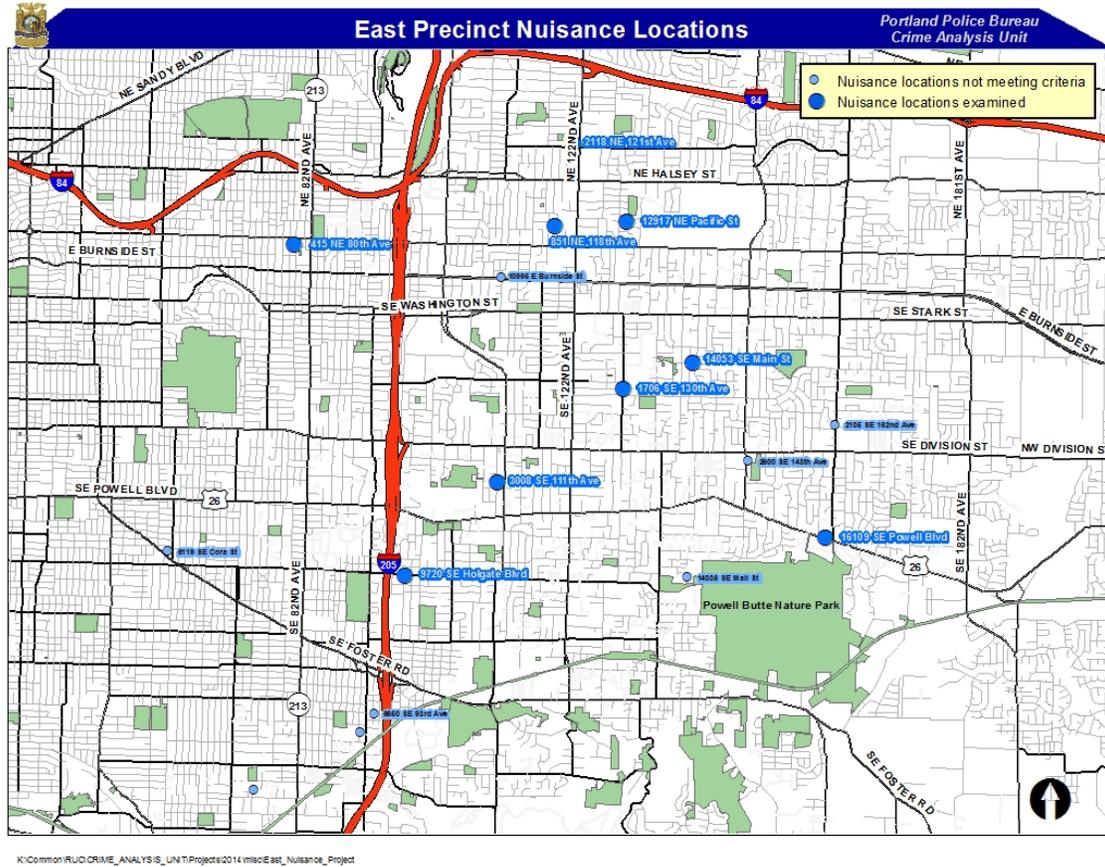
per 1,000 residents in 2011. While no analysis had yet been conducted tying the two phenomena there were concerns and anecdotal reports that at least some portion of the increased crime was being driven by these homes.

Given the civil nature of this problem there was legal analysis required to determine the options available. This required working closely with both city and county attorneys. A number of challenges were identified:

- Establishing ownership was often difficult. Often these properties were in a sort of legal “limbo” where the owner (defined as the person who had loan on the home) had abandoned them but the loan holder had not asserted property rights.
  - This could be further complicated by the fact that seizing the home often took more than a year, even if the loan holder was involved.
- Even after establishing ownership, it was often difficult to convince the responsible party to participate in resolving problems. Banks and other lenders had become flooded with properties and were often unable and/or unwilling to take responsibility for the property. The opacity associated with the foreclosure process provided an excuse for not addressing the issue.
- The largely civil nature of the issue. This prevented the PPB from using many of the tools they were accustomed to. This required a re-thinking of how to address this problem.
- Individuals and groups actively working to use the situation to address housing issues. This ranged from individuals and groups taking a principled stance that these homes should be used to address homelessness to others simply seeking a free place to sleep (See Appendix C for the cover and introduction of a pamphlet which provided instructions on how to obtain free housing using these homes).

In February of 2014, the PPB Strategic Services Division conducted a follow-up analysis of a number of these locations which East Precincts Neighborhood Response Team had been working. Seventeen properties had been identified as nuisance properties and had an abatement strategy implemented. The initial analysis consisted of examining crimes and calls for service for one year prior to finishing the abatement strategy (generally this date consisted of a final board-up date) and one year post abatement. Nine properties met these criteria. Figure 3 shows these locations.

Figure 3. East Precinct Nuisance Locations



The nine locations were looked at individually for both crimes and calls for service. Five of the nine locations saw a decrease in dispatched calls and five of the nine locations saw a decrease in Part I and II crimes. Overall, dispatched calls fell by 4.6% in the year after abatement and crimes fell by 28.0%. These decreases occurred during the 2012 to 2014 period where both crimes and calls for service were raising citywide. Table 1 shows the crimes and dispatched calls by location for the year prior to and the year after abatement.

Table 1. Changes in Calls and Crimes

Location	Dispatched calls prior to abatement	Dispatched calls after abatement	Part I & II crimes prior to abatement	Part I & II crimes after to abatement
16109 SE Powell Blvd	100	111	19	26
415 NE 80th Ave	226	241	71	37
12917 NE Pacific St.	44	32	7	14
851 NE 118th Ave.	86	68	11	14
2118 NE 121st Ave	68	86	17	9
14053 SE Main St.	39	41	7	8
1706 SE 130th Ave	49	46	19	13
3008 SE 111th Ave	70	37	22	7
9720 SE Holgate Blvd	102	86	34	21
Total	784	748	207	149

As Table 1 indicates, these locations were associated with a large number of both dispatched calls and crimes in the surrounding area. It appeared that existing tactics were having some impact as evidenced by the reduction in crime and calls for service.

However, these efforts were not structured, exposing the city to potential liability, and the agency partners believed that implementing a more structured process would improve the outcomes on these calls while also reducing potential liability. Having identified the necessary tools, partnerships and legal standing the program moved into its response phase.

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## **RESPONSE**

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The issues being caused by these homes led to the introduction of state laws such as Oregon House Bill 2662 (see Appendix D). This law declared a state of emergency and allowed for local governments (with appropriate notifications and due process) to a remedy specific health and crime related conditions and then place lien on the property to recover the money spent fixing the issues.

When responding to extremely distressed properties, BDS was already using their authority based in Chapter 29.40 “Dangerous and Derelict Structures” of the Portland City Code, which provided a useful tool to address this issue. In addition to addressing issues of safety, this ordinance had a public nuisance clause. This clause allowed the city to take action when a structure had “...become so dilapidated or deteriorated as to become: a. an attractive nuisance, or b. a harbor for vagrants or criminal.” City Ordinance 29.40.30 further empowered the city to abate this issue by “repair, rehabilitation, demolition, or warehousing of the structure.” (see Appendix E) The challenge that BDS faced in using 29.40 was that extremely distressed properties are also extremely time-consuming. BDS inspectors didn’t have time to do the in-depth work necessary to more easily resolve these locations from the angle of code enforcement.

To help overcome this limitation the group of agencies coordinating their efforts had grown beyond PPB, BDS, and ONI, to include the Bureau of Environmental Services, Multnomah County Health, Portland Water Bureau, Multnomah County Corrections, and utility providers. A key development was that BDS was able to convince City Council to set up a pilot of the Extremely Distressed Properties Enforcement Program (EDPEP), which dedicated one senior code inspector to these properties full time. This gave the partners’ efforts much needed coordination.

Coordinating closely with EDPEP, PPB East Precinct created a database of houses that were subject to intervention by the team. This allowed them to better track the locations and provided a tool by which to evaluate their effectiveness.

East Precinct Neighborhood Response Team (NRT) officers, in partnership with the other involved government agencies as well as neighbors being impacted by the derelict properties, developed a specific response for addressing these houses. The following steps were taken

when an extremely distressed property was identified. PPB and EDPEP executed most of these steps, with assistance as needed from the partner agencies

- A. Identify the party responsible for the property (if possible).
  1. Let the responsible party know the property is the subject of complaints.
  2. Determine if the responsible party is willing or able to abate the problem(s).
  3. Obtain formal trespass agreements if appropriate.
  4. Inform the responsible party that they are liable for the cost of city interventions required to make the property safe.
  5. Inform the responsible party they may be fined for inaction and be subject to liens against any sale of the property.
- B. Identify the impact on neighborhood livability and the threat to community safety.
  1. Visually inspect the property from the street.
  2. Talk with neighbors to determine if they are aware of crimes committed on the premises, or other unsafe conditions that may require intervention.
- C. Investigate the condition of the property and determine if the property is occupied.
  1. Access the property to determine if there is illegal dumping or other situations creating dangers to the health and safety of the community.
  2. Clear the structure of squatters who may be trespassing and committing crimes on the premises.
  3. Examine the interior of the property for conditions that are a threat to the health and safety of the community.
  4. Determine if the property is being damaged by criminal acts.
- D. Examine the property for evidence that it have been vacated by its legal owners.

The property must not have a legal occupant, and then one of the following must apply:

1. Subject to foreclosure, or
2. Windows and or doors are boarded up, or glass broken out of the windows, or
3. The doors are smashed, broken, or unhinged, or
4. The water, gas or electricity has been shut off, or

5. There are accumulations of trash, rubbish or other debris within the structure or on the surrounding property, or
  6. There are police reports documenting crimes on the premises or crimes to the property (i.e. vandalism, trespass), or
  7. There has been at least one documented Title 29 violation cited.
- E. Examine the reported history of the property through VCam, the Portland Police Bureau's Computer Automated Dispatch (CAD) system and PPDS (the Portland Police Data System).
- F. Photo document the condition of the property
1. Photograph conditions that represent a threat to the health of the community.
    - a. See Appendix E for photographs illustrating the condition of some of these properties.
  2. Photograph dangerous structural elements (i.e. bare electrical wires).
  3. Photograph evidence of criminal conduct on the premises (drugs paraphernalia, stolen property, and graffiti).
- G. Secure the location with a board up to prevent ongoing criminal damage to the property, deny access by trespassers to public health hazards contained inside the building, and prevent trespassers from exposure to dangerous building conditions.
- H. Post the location with an informational bulletin that informs neighbors and responsible parties that the location has dangerous conditions present at the location and provides contact information for East Precinct Neighborhood Response Team officers (see Appendix F). Depending on the situation this could include ONI crime prevention specialists canvassing the neighborhood and working with neighbors to monitor the situation.
- I. Document both conditions and actions taken by police concerning the property.
1. Write police reports documenting conditions and actions taken at the location to protect the community and the property.
  2. Enter the address in the East Precinct Neighborhood Response Team database for problem locations.
  3. If known, contact the responsible party and notify them of the dangerous conditions and potential consequences of inaction.
  4. Place all photographic evidence into the NRT/BDS shared folder.

5. Notify the Bureau of Development Services of the conditions and circumstances surrounding the subject property.
- J. Assist the BDS in using their civil authority to help manage the situation.
1. Cooperate with documenting dangerous conditions at the property.
  2. Accompany BDS officers during inspection, clean-up, and vacate warrants.
  3. Meet with BDS officials to discuss strategies and ways to improve actions.
- K. Notify the neighbors and district officers of actions taken at the property.
- L. Utilize Strategic Services to monitor the effectiveness of tactics.
1. Monitor crime trends before and after securing locations (500 to 1000 foot radius).
  2. Obtain periodic graphic documentation to for district officers to utilize neighborhood meetings.

In addition to the police presence other partners would take an active role in helping to manage the property. East Neighborhood Response Team officers and other team members utilized the strategy above<sup>2</sup> and finally saw themselves making headway with the issue of zombie houses

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## ASSESSMENT

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This issue is still ongoing and addressing “Zombie Properties” is still a necessary function of the East Precinct Neighborhood Response Team. For purposes of this award the assessment covers the work performed by the team in 2014 and 2015.

During this time the team worked three-hundred and fourteen vacant and distressed properties. This work was recorded in an Access database which included information such as address, the date the house was entered into the system, text regarding the nature of the complaint and other information.

An assessment plan was developed which would measure calls to within 250’ (approximately one city block) of 90 randomly selected homes which had been worked using the protocol outlined in the Response section. These calls would include calls commonly associated with distressed houses (i.e. disturbances, premise checks, vandalism etc. See Appendix G for a full list). Calls would be measured from 90 days prior to being input into the extremely distressed properties database to the day the house was input in to the system. These calls

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<sup>2</sup> Not all aspects of the response strategy were adopted initially. The described response evolved overtime as the partners recognized opportunities to improve their response.

would be used as a proxy for the measure of distress the home was causing the neighborhood prior to intervention. A 90-day window following entry would be used as the assumed time it took the team to resolve the situation<sup>3</sup>. The post-intervention time period would be measured from day 91 to 180.

If the program was successful the hope was that residents near the distressed property would call the police less frequently (so officer initiated calls were excluded from the analysis). Crimes could not be measured as the PPB switched to a new records management system as well as moving from UCR crime reporting to NIBRS crime reporting. Thus crime data was not comparable across the times being measured.

During this time period (because of the 90-day pre intervention date the period stretched from late 2013 to early 2016) calls for service in the City of Portland rose by approximately 15%<sup>4</sup>. Two control groups were established to help control for this rise and also improve the overall quality of the evaluation.

The methodology for selection of the control groups was as follow:

- 90 houses were randomly selected from the 314 houses worked.
- These houses were matched with an additional 90 houses not being worked at that time. These homes would eventually become vacant homes worked by the team. This was done to establish a control group of similar homes.
  - In the case of duplexes the unit was used only once.
  - Condominiums and other large multi-unit buildings were excluded.
  - Two address would not geo-code correctly and were excluded
  - Total seven locations were excluded for the above reasons
- In addition to the matched home, a second control was established 500' to the northwest of the home being worked by NRT. This created a control area near the home being worked. The goal was to have two controls, one of a similar area near the home and another control being a home which was similar in that it would become a vacant location worked by the team.
- By using both control homes and an adjacent area the goal was to get both a better set of controls, one measuring the impact of the program controlling for the area and the second measuring a randomly selected and hopefully similar home which was not being worked. Additionally, the matched homes would be farther from the treatment home than the areas pushed to the northwest (they averaged just under 14,000' from their matched house). This should allow for at least a rudimentary measure of diffusion of benefits/displacement.

Having selected the control and treatment locations the following criteria were set to determine if the program was successful:

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<sup>3</sup> Unfortunately, the database did not have a closing date to indicate when the house was no longer being worked and upon checking with the officers maintaining the database it was discovered that although there was a status which included open, closed, being worked etc. this was not regularly maintained.

<sup>4</sup> Estimated using fiscal year calls from: <https://www.portlandoregon.gov/cbo/index.cfm?&a=567873>. This estimate is likely on the conservative side.

- Treatment houses should have higher initial calls for service than either the control areas or homes. This would indicate that these homes were causing neighbors more distress than similar homes or areas.
- Treatment houses should see a larger percentage drop or smaller percentage increase in calls for service than either the control area or homes. This would indicate that having been addressed by team, these locations were causing neighbors proportionately fewer concerns.
- Control locations should see a larger percentage drop or smaller percentage increase in calls for service than either the control homes. This would indicate either no displacement (if the areas had comparable outcomes) or diffusion of benefits (if being near the treated homes actually reduced concerns).
- In the event descriptive statistics indicated one of the positive outcomes above a follow-up analysis would be conducted to determine the likelihood that the outcome was due to chance.
  - Failure to meet the  $p > .05$  would not necessarily mean the program was unsuccessful as the test is not being used to determine causation in the scientific sense but is merely being applied to better understand the probability that the program succeeded in its goals.

Having developed the assessment strategy the necessary data were collected<sup>5</sup>. Table 2 displays the mean pre-calls, post-calls, percent change, as well as, average, minimum and maximum distance between the treatment and controls.

Table 2. Descriptive Statistics for Pre/Post Assessment

	Pre-Calls	Post-Calls	% Change	Average Distance	Min. Distance	Max Distance
Treatment	5.6	4.7	-19.1%	N/A	N/A	N/A
Area Control	3.6	3.4	-5.9%	500.0	500.0	500.0
Matched Control	4.6	5.9	22.0%	13981.6	480.2	28468.3

Based on the above descriptive statistics it appears that in our sample the mean of the treatment houses prior to the intervention was higher than either the control areas or the matched homes. This would be consistent with those houses causing the neighborhood more distress at that point in time than either of the control areas. Additionally, the treatment area observed a larger percentage drop in calls than either of the control areas. This is consistent with the intended effects of the treatment. It appears possible that there was a diffusion of benefits as the control areas, adjacent to the treated homes, observed a slight decrease (5.9%) in mean calls. This occurred while calls rose for both the city as a whole and also for the matched control homes.

Finally, to gain a sense of likelihood that these changes were due to chance several regression analyses<sup>6</sup> were run to determine if there were significant differences between the treatment and control areas.

<sup>5</sup> Call data pulled between April 20 and May 3, 2016.

- All three factors (i.e. treatment, control areas and matched control) with the co-variate being the pre-calls and dependent variable being the post-calls.
- Comparing both treatment and area control.
- Comparing both treatment and match control.

In the regression predicting post intervention calls with treatment, area control and matched control, our predictors were statistically significant at the  $p < .05$  level. This indicated the controls and treatment homes differed from each other, controlling for the initial calls. In the model predicting post intervention calls with treatment and the area control as predictors, the predictors were marginally significant at  $p = .052$ . The model post intervention calls with treatment and the matched control as predictors, the predictors were not significant.

While not all the models proved significant the program appears to have been successful at improving the areas nearby to these homes. The assessment determined that a nearly 20% drop occurred in the immediate vicinity of homes after the program and that this benefit continued into the adjoined 250' area. One factor of note (not included in the analysis) was the high degree in variability both pre and post treatment in calls for all locations. Several locations experienced no calls before or after and a number of others experienced a small number of calls<sup>7</sup>. For all 225 locations the mode pre-intervention was 3 and post-intervention 2. In contrast with this a number of locations experienced in excess of 20 calls and one had 89 calls.

This highlights one weakness of this analysis. In reviewing the calls it appears that some locations were still receiving calls even after 91 or more days. This could be due to the locations still being actively worked as the 90 days represented an estimate of the time taken to close a location. However, while a weakness in terms of the overall assessment, the impact of this weakness would to increase the calls post intervention and would actually cause the positive impact of the program to be underestimated. The variability in calls represents a second weakness. A future assessment examining only high volume call locations could prove informative.

Despite these weaknesses, the assessment is relatively strong being a quasi-experiment with pre/post assessment and two controls. Given this strength it is likely that the documented benefits of the approach are not due to chance.

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<sup>6</sup> Due to the data being both count data and over-dispersed a negative binomial regression was used for the model. Model fit was significant.

<sup>7</sup> Many of these homes were referred to NRT directly by neighbors and/or patrol officers. Some of these had not generated 911 type dispatched calls but were causing concern in the neighborhood.

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**AGENCY AND OFFICER INFORMATION**

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**Key Project Team Members**

Officer Robert Brown  
Officer Joseph Young  
Senior Housing Inspector Mitch McKee  
Crime Prevention Program Manager Stephanie Reynolds  
Sergeant Randy Teig

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APPENDIX A

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**3rd Annual Problem-Solving Summit**

**AGENDA**

Wednesday, October 27th, 8am to 5pm

Welcome; settle in; get coffee & materials .....	7:45-8:00am
Discussion between NRTs and Chief Mike Reese .....	8:00-10:00am
BREAK and Crime Prevention staff arrives .....	10:00am
Working with social service agencies .....	10:20am-12:00pm
<i>Panel discussion</i>	
Questions to be addressed by panelists: Have your services changed in the past couple of years? Are you noticing any trends in your target population? Is there anything you want all of the NRTs/CP staff to know?	
Panelists:	
Marc Jolin, JOIN	
Ed Blackburn, Central City Concern	
Doreen Binder, Transitions Project	
Jay Auslander, Cascadia Behavioral Health	
Guests:	
Austin Raglione and Officer Stacy Dunn—PPB SCT	
Lunch with social service partners .....	12:00-12:45pm
Next generation CAD and ESCC .....	1:00-1:30pm
BREAK .....	1:30-1:45pm
Discussion of problem solving on foreclosed/vacant properties .....	1:45-5:00pm
<i>Guest experts:</i>	
Mike Liefeld, BDS, code compliance manager	
Amber Moser, SE Neighborhood Deputy District Attorney	
Jeffrey S. Bennett, Landlord attorney	
David Woboril, Deputy City Attorney	
Margot Murphy, real estate broker	
Jane Leo, Portland Metro Association of Realtors	
Matthew Hay, Umpqua Bank, loss mitigation group	
Amanda Manning, Gales Creek Insurance, insurance agent	
Sean Mele, First American Title	
Cindy Swick, Multnomah County Records	
Deputy Marshall Ross, Multnomah Co. Sheriff's Office Civil Unit (tentative)	
Close of Summit .....	5:00pm

## **Resolving safety & livability problems at REO (bank-owned) properties**

*December 2010*

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**introduction: ion and contacts:**

The recent "housing crisis" is neither new as a social phenomenon nor is it an isolated instance of poor decision-making or "risky investment strategies" on the part of captains of the financial and housing industries. We cannot look for blame in the financial choices of working- and middle-class people attracted by deceptively low mortgage rates who sought to find stability in home-ownership in the recent housing boom. Rather, these incidents—the creation and "collapse" of the housing "bubble," the implosion of leading and mortgage companies, and the mass home foreclosures and disenfranchisement of the poor—are the most recent chapters in a long history of systematic oppression of the majority populous by an elite ruling class.

*One in two Oregonians live on incomes 200% below the federal family poverty line.*

*One in four Oregonians spends more than 1/3 their income on rent or mortgage payments.*

*64% of Portland residents living in poverty work full-time jobs.*

*Between 1990 and 2000, mean home values in Portland rose from \$61,800 to \$157,900, while median family income increased from \$26,928 to \$41,278.*

Unfettered access to land and housing is essential to any meaningful individual or collective liberty, autonomy, or self-determination.

The time has come to end reliance upon governmental and non-governmental programs to provide affordable housing. This book is a step-by-step guide on how to provide free housing for communities through the use of vacant land.

With the belief that the solution to housing problems is community control of the land/community determination of housing, this book was created to facilitate autonomous reclamation of unused land, providing access to safe shelter for all members of the community.

Visit the following websites for more information:

Oregon's law code, including landlord/tenant law, can be found at: <http://www.oregon.gov/SOLL>

Additional information and suggestions for those interested in housing occupation can be found at <http://www.squat2own.com>

For a database of properties nationwide undergoing foreclosure proceedings, visit: <http://www.usa-foreclosure.com>

Take Back The Land is an organization in Florida with substantial resources for those interested in reclaiming housing: <http://www.takebacktheland.org>

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**APPENDIX D**

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77th OREGON LEGISLATIVE ASSEMBLY--2013 Regular Session

Enrolled

House Bill 2662

Sponsored by Representative FREDERICK; Representative VEGA PEDERSON (Presession filed.)

CHAPTER .....

AN ACT

Relating to the neglect of foreclosed residential real property; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section:

(a) "Foreclosed residential real property" means residential property, as defined in ORS 18.901, that an owner obtains as a result of:

(A) Foreclosing a trust deed on the residential property; or

(B) Receiving a judgment that forecloses a lien on the residential property.

(b) "Neglect" means:

(A) To fail or a failure to maintain the buildings, grounds or appurtenances of foreclosed residential real property in such a way as to allow:

(i) Excessive growth of foliage that diminishes the value of adjacent property;

(ii) Trespassers or squatters to remain on the foreclosed residential real property or in a structure located on the foreclosed residential real property;

(iii) Mosquito larvae or pupae to grow in standing water on the foreclosed residential real property; or

(iv) Other conditions on the foreclosed residential real property that cause or contribute to causing a public nuisance.

(B) To fail or a failure to monitor the condition of foreclosed residential real property by inspecting the foreclosed residential real property at least once every 30 days with sufficient attention so as to prevent, or to identify and remedy, a condition described in subparagraph (A) of this paragraph.

(c) “Owner” means a person, other than a local government, that forecloses a trust deed by advertisement and sale under ORS 86.735 or by suit under ORS 88.010.

(d) “Reasonable costs” means actual and demonstrable costs that are commensurate with and do not exceed the market rate for services necessary to remedy a condition of neglect, plus the actual and demonstrable costs of administering a contract for services to remedy a condition of neglect or the portion of the costs of a program to remedy conditions of neglect that are attributable to remedying a condition of neglect for specific foreclosed residential real property.

(2)(a) An owner may not neglect the owner’s foreclosed residential real property during any period in which the foreclosed residential real property is vacant.

(b) An owner shall provide the owner’s name or the name of the owner’s agent and a telephone number or other means for contacting the owner or agent to:

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(A) The neighborhood association for the neighborhood in which the foreclosed residential real property is located; or

(B) An official that the local government designates to receive the information described in this paragraph.

(c) An owner shall post a durable notice in a conspicuous location on the foreclosed residential real property that lists a telephone number for the owner or for the local government that a person may call to report a condition of neglect. The owner shall replace the notice if the notice is removed from the foreclosed residential real property during a period when the foreclosed residential real property is vacant.

(d) An owner or the agent of an owner shall identify the owner of the foreclosed residential real property to the local government and shall provide to, and maintain with, the local government current contact information during a period when the foreclosed residential real property is vacant.

(3)(a) If a local government finds a violation of subsection (2)(a) of this section, the local government shall notify the owner in writing of the foreclosed residential real property that is the subject of the violation and in accordance with paragraph (b) or (c) of this subsection, as appropriate, shall specify a time within which the owner must remedy the condition of neglect that is the basis for the local government’s finding.

(b) The local government shall allow the owner not less than 30 days to remedy the violation unless the local government makes a determination under paragraph (c) of this subsection and shall provide the owner with an opportunity to contest the local government’s finding at a hearing. The owner must contest the local government’s finding within 10 days after the local government notifies the owner of the violation.

(c) If the local government determines that a specific condition of the foreclosed residential real property constitutes a threat to public health or safety, the local government may require an owner to remedy the specific condition in less than 30 days, provided that the local government specifies in the written notice the date by which the owner must remedy the specific condition. A local government

may specify in the written notice different dates by which the owner must remedy separate conditions of neglect on the foreclosed residential real property.

(4)(a) After a local government allows an owner the time specified in subsection (3)(b) of this section or makes a determination under subsection (3)(c) of this section, the local government may remedy or contract with another person to remedy neglect or a specific condition of neglect on foreclosed residential real property and require the owner to reimburse the local government for reasonable costs the local government incurs under this paragraph.

(b) A local government that has incurred costs with respect to foreclosed residential real property under paragraph (a) of this subsection has a lien on the foreclosed residential real property for the sum of the local government's unreimbursed costs. A lien created under this paragraph is prior to all other liens and encumbrances, except that the lien has equal priority with a tax lien. The lien attaches at the time the local government files a claim of lien with the county clerk of the county in which the foreclosed residential real property is located. A local government may bring an action in the circuit court to foreclose the lien in the manner provided for foreclosing other liens on real or personal property.

SECTION 2. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

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**APPENDIX E**

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Chapter 29.40 Dangerous and Derelict Structures

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29.40.005 Generally.

No property shall contain any dangerous structure or derelict building as described in this chapter. All such structures shall be repaired or demolished.

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29.40.010 Derelict Buildings.

(Amended by Ordinance Nos. 176381 and 181699, effective April 25, 2008.)

A. A derelict building shall be considered to exist whenever any building, structure, or portion thereof which is unoccupied meets any of the following criteria or any residential structure which is at least 50% unoccupied meets any of the following two criteria:

1. Has been ordered vacated by the Director pursuant to Chapter 29.60;
2. Has been issued a correction notice by the Director pursuant to Section 29.60.050;
3. Is unsecured;
4. Is boarded;
5. Has been posted for violation of Chapter 29.20 more than once in any two year period; or
6. Has, while vacant, had a nuisance abated by the City pursuant to this Title.

B. Any property which has been declared by the Director to include a derelict building shall be considered in violation of this Title until:

1. The building has been lawfully occupied;
  2. The building has been demolished and the lot cleared and graded under building permit, with final inspection and approval by the Director; or
  3. The owner has demonstrated to the satisfaction of the Director that the property is free of all conditions and in compliance with all notices listed in the definition of a derelict building in this Section.
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29.40.020 Dangerous Structures.

Any structure which has any or all of the following conditions or defects to the extent that life, health, property, or safety of the public or the structure's occupants are endangered, shall be deemed

to be a dangerous structure and such condition or defects shall be abated pursuant to Sections 29.60.050 and 29.60.080 of this Title.

A. High loads. Whenever the stress in any materials, member, or portion of a structure, due to all dead and live loads, is more than 1-1/2 times the working stress or stresses allowed in the Oregon Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location.

B. Weakened or unstable structural members or appendages.

1. Whenever any portion of a structure has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability is materially less than it was before such catastrophe and is less than the minimum requirements of the Oregon State Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location; or

2. Whenever appendages including parapet walls, cornices, spires, towers, tanks, statuary, or other appendages or structural members which are supported by, attached to, or part of a building, and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Oregon State Structural Specialty and Fire and Life Safety Code.

C. Buckled or leaning walls, structural members. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

D. Vulnerability to earthquakes, high winds.

1. Whenever any portion of a structure is wrecked, warped, buckled, or has settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction; or

2. Whenever any portion of a building, or any member, appurtenance, or ornamentation of the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the Oregon Structural Specialty Code and Fire and Life Safety Code for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the Oregon State Structural Specialty Code and Fire and Life Safety Code for such buildings.

E. Insufficient strength or fire resistance. Whenever any structure which, whether or not erected in accordance with all applicable laws and ordinances:

1. Has in any non-supporting part, member, or portion, less than 50 percent of the strength or the fire-resisting qualities or characteristics required by law for a newly constructed building of like area, height, and occupancy in the same location; or

2. Has in any supporting part, member, or portion less than 66 percent of the strength or the fire-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.

This subsection does not apply to strength required to resist seismic loads. For application of seismic requirements see Chapter 24.85.

F. Risk of failure or collapse.

1. Whenever any portion or member of appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property; or

2. Whenever the structure, or any portion thereof, is likely to partially or completely collapse as a result of any cause, including but not limited to:

a. Dilapidation, deterioration, or decay;

b. Faulty construction;

c. The removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such structure; or

d. The deterioration, decay, or inadequacy of its foundation.

G. Excessive damage or deterioration. Whenever the structure exclusive of the foundation:

1. Shows 33 percent or more damage or deterioration of its supporting member or members;

2. 50 percent damage or deterioration of its non-supporting members; or

3. 50 percent damage or deterioration of its enclosing or outside wall coverings.

H. Demolition remnants on site. Whenever any portion of a structure, including unfilled excavations, remains on a site for more than 30 days after the demolition or destruction of the structure;

I. Lack of approved foundation. Whenever any portion of a structure, including unfilled excavations, remains on a site, including:

1. Where a structure is not placed on an approved foundation and no valid permit exists for a foundation for that structure: or

2. For more than 90 days after issuance of a permit for a foundation for a structure, where the structure is not placed on an approved foundation.

J. Fire hazard. Whenever any structure is a fire hazard as a result of any cause, including but not limited to: Dilapidated condition, deterioration, or damage; inadequate exits; lack of sufficient fire-resistive construction; or faulty electric wiring, gas connections, or heating apparatus.

K. Other hazards to health, safety, or public welfare.

1. Whenever, for any reason, the structure, or any portion thereof, is manifestly unsafe for the purpose for which it is lawfully constructed or currently is being used; or

2. Whenever a structure is structurally unsafe or is otherwise hazardous to human life, including but not limited to whenever a structure constitutes a hazard to health, safety, or public welfare by reason of inadequate maintenance, dilapidation, unsanitary conditions, obsolescence, fire hazard, disaster, damage, or abandonment.

L. Public nuisance.

1. Whenever any structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence; or

2. Whenever the structure has been so damaged by fire, wind, earthquake or flood or any other cause, or has become so dilapidated or deteriorated as to become:

a. An attractive nuisance, or

b. A harbor for vagrants or criminals.

M. Chronic dereliction. Whenever a derelict building, as defined in this Title, remains unoccupied for a period in excess of 6 months or period less than 6 months when the building or portion thereof constitutes an attractive nuisance or hazard to the public.

N. Violations of codes, laws. Whenever any structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such structure provided by the building regulations of this City, as specified in the Oregon State Structural Specialty Code and Fire and Life Safety Code or any law or ordinance of this State or City relating to the condition, location, or structure or buildings.

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29.40.030 Abatement of Dangerous Structures.

All structures or portions thereof which are determined after inspection by the Director to be dangerous as defined in this Title are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures specified herein. If the Director determines that a structure is dangerous, as defined by this Title, the Director may commence proceedings to cause the repair, vacation, demolition, or warehousing of the structure.

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APPENDIX F

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171XX SE Division St.



165XX SE Stephens St.



161XX SE Powell St (including drug paraphernalia and firearm)



144XX E Burnside St. (Marijuana Grow)



Jury-rigged power station



137XX SE Rhone St



123XX SE Schiller St



APPENDIX G

Dispatch Code	Description	Dispatch Code	Description
'AREACK'	Area Check	'PARTY'	Party
'ARSONP'	Arson Priority	'PREMCK'	Premise Check
'ASSIST'	Assist	'PROWLP'	Prowler Priority
'BURG'	Burglary	'SUSPP'	Suspicious Priority
'BURGP'	Burglary Priority	'SUSPW'	Suspicious Weapon
'CIVIL'	Civil Issue	'SUSP'	Suspicious
'EVICT'	Eviction	'SUSPPW'	Suspicious Weapon
'SEIZE'	Seizure	'THEFT'	Theft
'SERVE'	Civil Order Service	'THEFTP'	Theft Priority
'STNDBY'	Standby	'THEFTC'	Theft Cold
'DOM'	Domestic Disturbance	'THRET'	Threat
'DOMP'	Domestic Priority	'THRETP'	Threat Priority
'DOMW'	Domestic Weapon	'THRETW'	Threat Weapon
'DISTP'	Disturbance Priority	'UNWNT'	Unwanted
'DISTW'	Disturbance Weapon	'UNWNTP'	Unwanted Priority
'DSTRB'	Disturbance	'UNWNTW'	Unwanted Weapon
'DSTRBP'	Disturbance Priority	'VAND'	Vandalism
'DSTRBW'	Disturbance Weapon	'VANDP'	Vandalism Priority
'HARASP'	Harassment in Progress	'VEHREC'	Stolen Vehicle Recovery
'HARASS'	Harassment	'VEHST'	Stolen Vehicle Report
'TRASH'	Trash Complaint	'VEHSTP'	Stolen Vehicle Priority
'TRASHP'	Trash Complaint Priority	'VICE'	Vice
'JUV'	Juvenile Issue	'WELCK'	Welfare Check
'JUVP'	Juvenile Issue Priority	'WELCKP'	Welfare Check Priority