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CITY OF CORTLAND
COMMON COUNCIL
RESOLUTION IN SUPPORT OF NEW YORK STATE ABANDONED PROPERTY NEIGHBORHOOD RELIEF ACT OF 2014

WHEREAS; the City of Cortland is coping with the growing problem of vacant and abandoned residential properties known as "zombie houses",

WHEREAS; these zombie houses fall into disrepair and contribute to neighborhood blight,

WHEREAS; these properties cause a decline in the City's real estate market and increase the likelihood of crimes such as vandalism and arson, and pose a financial hardship to the City and its taxpayers,

WHEREAS; these properties represent a clear and present threat to the safety, health, and welfare of the entire community,

THEREFORE BE IT RESOLVED; that the City of Cortland Common Council, meeting in special session this tenth day of June, 2014 due to the severity of the problems these proprieties cause the community hereby supports the adoption and enactment of the New York State Abandoned Property Neighborhood Relief Act of 2014. (A9341, S7350)

Adopted this tenth day of June, 2014 in Special Session.

Honorable Dean Skelos
Temporary President, New York State Senate
Room 330, Capitol
Albany, NY 12247

Honorable Jeffrey Klein
Temporary President, New York State Senate
Room 432, Capitol
Albany, NY 12247

Honorable Sheldon Silver
Speaker, New York State Assembly
Room 932, Legislative Office Building
Albany, NY 12248

Dear Co-Coalition Leaders Skelos and Klein, and Speaker Silver:

On behalf of Mayors from across the state, we respectfully ask you to support the **New York State Abandoned Property Neighborhood Relief Act of 2014** (A9341, S7350). The communities we represent are facing the growing problem of vacant and abandoned residential properties, otherwise known as zombie homes. According to recent data from RealtyTrac, almost 15 percent of all New York State residential mortgages could be classified as zombie properties.

These zombie properties fall into disrepair and contribute to neighborhood blight. These properties also cause a decline in the community's real estate market and increase the likelihood of crimes, such as vandalism and arson. As a result, cash strapped municipalities are forced to expend local taxpayer funds to prevent vacant and abandoned homes from becoming public hazards.

The New York State Abandoned Property Neighborhood Relief Act of 2014 will address the problem of vacant and abandoned residential properties in a comprehensive fashion. First, homeowners will be provided with early notice that they are legally entitled to remain in their homes until ordered to leave by a court. This will ensure that families know their rights, and aren't coaxed into vacating their residences prematurely.

Once enacted, this Act will require mortgagees and their loan servicers and agents to identify, secure and maintain vacant and abandoned properties much earlier in the mortgage delinquency timeline. Current law imposes a duty on mortgagees to maintain vacant residential property, but only after a Judgment of Foreclosure and Sale has been entered. Unfortunately, this law has created a loophole and allowed mortgagees and loan servicers to drag their feet. There is evidence that lenders are slowing down the foreclosure process, and in some cases, seeking court orders to cancel the foreclosure action in the middle of the process. This bill would close the current loophole, changing state law to make lenders responsible for delinquent properties soon after they are abandoned.

The Act will also create a Vacant and Abandoned Property Registry to be established and maintained by the Attorney General. It will require that mortgagees and their loan servicers and agents electronically register these properties with the newly-created registry. The registry, in turn, will provide a much needed and readily available source of information on vacant and abandoned residential properties to local officials throughout the State. The registry will also be supplemented

Gary R. McCarthy,
City of Schenectady

Stephanie A. Miner,
City of Syracuse

Louis A. Rosamilia,
City of Troy

Attorney General
Eric T. Schneiderman

Translate to Another Language

ATTORNEY GENERAL

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A.G. Schneiderman Launches Statewide Effort To Combat Zombie Properties

City Council Resolutions In New York, Albany, Poughkeepsie, Elmira, Beacon, Jamestown And Hornell To Call For Passage Of Zombie Property Bill Sponsored By Senate Co-Leader Klein And Assemblymember Weinstein

Schneiderman: Zombie Properties Threaten Neighborhoods Across New York State

NEW YORK – Attorney General Eric T. Schneiderman today launched a statewide effort to encourage the State legislature to pass the Abandoned Property Neighborhood Relief Act he proposed earlier this year. As part of the effort, New York City Councilmember Ritchie Torres announced that he will introduce a council resolution encouraging the legislature to pass the bill. Attorney General Schneiderman also announced that the city councils of Albany, Poughkeepsie, Elmira, Beacon, Jamestown and Hornell are scheduled to pass resolutions on Monday urging passage of the bill. The city councils of Newburgh, Binghamton and Schenectady passed similar resolutions already.

Introduced in the Senate by Co-Leader Jeff Klein and in the Assembly byAssemblymember Helene Weinstein, the Attorney General's Abandoned Property Neighborhood Relief Act would provide critical support to communities that have been plagued with vacant properties. Among other measures, the bill would make lenders responsible for delinquent properties soon after they are abandoned – not at the end of a lengthy foreclosure process - and pay for their upkeep.

"Zombie properties threaten neighborhoods across New York State, from big cities to small towns," said Attorney General Schneiderman. "Abandoned homes become magnets for crime, drag down property values and drain municipal coffers. Our bill will keep communities safer and lessen the burden of municipalities still struggling to recover from the housing crisis."

"The ripple effect of abandoned properties due to foreclosure are clear – property values plummet and neighborhoods become hotbeds for criminal activity," said Senate Co-Leader Jeffrey D. Klein. "One foreclosure can threaten the safety, well-being and quality of life for an entire community. In 2009, I was happy to work with Assemblywoman Weinstein and then State Senator Schneiderman to pass legislation requiring the maintenance of properties upon foreclosure. Attorney General Schneiderman's legislation is the next common sense step in holding banks responsible at the outset andcurtail a neighborhood crisis before it's begun. This bill will ensure we not only keep our communities safe, but our neighborhoods beautiful and strong."

"In too many neighborhoods all across New York State, lending institutions have permitted vacant and abandoned residential properties that are delinquent in payments to fall into disrepair," said Assemblymember Helene E. Weinstein, Assembly Judiciary Committee Chair. "Such properties are a blight on neighborhoods and bring down the property values in communities. I commend New York State Attorney General Eric Schneiderman for proposing this bill that I am proud to sponsor. It is a balanced measure that will help protect our neighborhoods by identifying and ensuring maintenance of properties early on."

"Abandoned and distressed homes are an eyesore for the community, and have real safety and financial implications for neighboring residents," said Bronx Council Member Ritchie Torres. "I commend Attorney General Schneiderman and Senator Klein for advancing legislation that places responsibility for these properties where it belongs- with the banks and lenders that put them into foreclosure."

"As we begin to address New York City's housing crisis, it is important to make sure abandoned residential properties are taken care of," said Council Member Jumaane D. Williams (D-Brooklyn), Deputy Leader and chair of the Council's Housing and Buildings Committee. "Too often buildings will fall in disrepair once a homeowner has moved out because of a foreclosure

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A.G. Schneiderman Busts International Cocaine Pipeline In "Operation Snowfall"

NYPD Partners With COP Program To Combat Heroin Epidemic

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enforcement and public safety officers an important tool for our continued neighborhood revitalization efforts. I encourage the New York State Senate and Assembly to pass this legislation, and the Governor to sign it to help protect our neighborhoods which are the heart and soul of our communities. We cannot have robust economic development if our neighborhoods are in trouble with vacant and abandoned properties that have to endure a long and protracted foreclosure process leaving the city taxpayers to take care of these properties."

"Today, the Attorney General has brought attention to an issue that those of us who work in foreclosure prevention are, unfortunately, all too familiar with," said Christie Peale, Executive Director of the Center for NYC Neighborhoods. "Following the financial crisis, vacant and abandoned properties have been a blight on neighborhoods across the state. We commend the Attorney General for championing this legislation and we look forward to continuing to work together to make our communities safer and stronger."

Meghan Faux, Acting Project Direction of South Brooklyn Legal Services, said, "Vacant and abandoned properties have a destabilizing effect on communities exacerbating the housing crisis and depressing economic recovery. Thanks to Attorney General Schneiderman's legislation we will be able track vacant and abandoned properties, and implement mechanisms to ensure these properties are maintained preventing neighborhood blight, stabilizing home values and preserving affordable housing.

Homeowners who are in need of assistance are encouraged to call the Attorney General's statewide foreclosure hotline at 855-HOME-456 and visit www.AGHomeHelp.com to connect with organizations and agencies in their area that can provide foreclosure prevention services.