

City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 5, 2003
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*
SUBJECT: CONSIDERATION OF TERMINATION OF THE BLIGHTING INFLUENCES PROGRAM

ISSUE: Consideration of termination of the Blighting Influences Program.

RECOMMENDATION: That City Council:

- (1) Remove the following two properties from the currently approved List of Blighting Influences:
2930 Hickory Street
622 ½ North Alfred Street
- (2) Authorize staff to remove the remaining six properties from the Blighting Influences List upon completion of their rehabilitation;
- (3) Approve the termination of the Blighting Influences Program once the remaining six properties are removed from the Blighting Influences List; and
- (4) In preparation for the termination, add no more properties to the Blighting Influences List, but treat all properties that otherwise would have been added to the list as potential candidates for the Spot Blight Program.

BACKGROUND: The Blighting Influences Program (formerly the Vacant and Boarded Program) was first approved by City Council in December 1975 and the first Blighting Influences List was approved in 1976. The purpose of the Blighting Influences Program is to encourage the removal of blight by requiring owners of blighted properties to make needed improvements or, when this is not successful, to remove the blight through City acquisition. The program operates in the Potomac East Conservation District and Southwest Quadrant Rehabilitation District in the Potomac East area of the City, and in the Potomac West Neighborhood Strategy Area (Attachment I). Acquired properties have been 1) rehabilitated by the City under the Blighting Influences Program and sold to low- and moderate-income families under the City's Homeownership Assistance Program; 2) sold to the private sector in "As Is" condition for

rehabilitation-redevelopment; 3) transferred to City agencies for use as a public facility; and 4) sold/leased to non-profit corporations for a City-supported purposes.

Since its inception, 386 residential and commercial properties have been placed on the List of Blighting Influences in the Potomac East and Potomac West areas of the City. As of this docket item, 341 properties have been rehabilitated (or demolished) by the owners, 2 properties have been eliminated by a program or boundary change, 37 properties have been acquired by the City and subsequently removed from the list, and 6 properties are currently being monitored by the City to effect the elimination of blight by their owners.

The following summarizes the disposition of the 37 properties acquired by the City:

- A. Twelve properties acquired under this program fall under the "Rehabilitation for Resale to Low- and Moderate - Income Family" program. These properties were rehabilitated or demolished and rebuilt, and then sold to low- and moderate-income families.
- B. Three properties were subdivided to create a total of eight new or rehabilitated properties. In two cases, two properties were created from one, and in the third case, four properties resulted from one. All were sold to low- and moderate-income families.
- C. Two adjacent former blighting influences were combined and rehabilitated for the City's Battered Women's Shelter.
- D. The site of a former Potomac West gas station was acquired and resold by the City to a developer, who constructed nine housing units on this site.
- E. Seventeen properties acquired under this program fall under the "As Is" resale program. These properties were sold and have been rehabilitated or demolished.
- F. One property was rehabilitated for use as a State licensed home for elderly persons. The City also used program funds to acquire the adjacent structure, which was not on the Blighting Influences List, to create one large home from the two adjoining properties.
- G. The Washington and Old Dominion (W&OD) right-of-way is currently used as a park and recreational area.

Through the Blighting Influences Program, the City has played an important role in the elimination of blight in the Potomac East and Potomac West areas of the City and has increased housing opportunities for low- and moderate-income households and special needs populations in the City. The success and importance of this program has also been recognized by the Virginia Municipal League which chose the Blighting Influences Program as the recipient of its 1980 Annual Achievement Award for the State.

DISCUSSION: The success of the Blighting Influences Program in addressing blighted conditions in the City is reflected in the recent consistent decreases in both the number of properties being monitored and the number of additions to the List of Blighting Influences. During the Blighting Influences Program's first 20 calendar years, 1975 to 1995, an average of 38 properties were on the List of Blighting Influences each year. The highest property count on the List occurred in 1978, when 60 unfit properties were on the List. During the years 1996 through 2000, the average number of unfit properties on the List decreased from 38 to 15 properties. Since 2000, the average number of unfit properties on the List has continued to decrease. There are currently eight unfit properties on the List of Blighting Influences, two of which are currently recommended for removal. A status of the remaining six properties is provided in Attachment II (Status of Properties on the List of Blighting Influences).

Additionally, the number of properties being added to the List of Blighting Influences has also been decreasing. During the period 1975 through 1995, 351 properties - an average of 17 properties a year - were added to the List of Blighting Influences. However, during the calendar years 1996 through 2000, only 32 properties - an average of 6 properties a year - were added to the List of Blighting Influences. Since 2000, only three properties have been added to the List of Blighting Influences.

The nature of the code violations being cited have also changed since the inception of the program. During the period 1975 through 1995, approximately 281 (80%) of the properties added to the List of Blighting Influences were cited with severe structural violations, the result of years of neglect, deterioration and substandard building practices. However, since 1996, only 4 (11%) of the 35 properties added to the List of Blighting Influences were cited with severe structural violations under this definition. Of the other 31 properties added to the List of Blighting Influences since 1996, 17 (49%) properties were cited for fire damage; 11 (31%) properties had code violations not affecting the structural integrity of the building; 2 (6%) properties were cited with fire loading (hoarding) which made the properties unsafe; and, 1 (3%) property was damaged by an automobile.

The improvement of the housing stock in the Blighting Influences Program's target areas of Potomac East and Potomac West since the inception of the program are profound. However, these successes are not the result of the Blighting Influences Program alone. The Office of Code Enforcement, through the Existing Structures Division, employs a system of proactive code enforcement inspections. Proactive code enforcement inspections allow for the early identification of code violations at properties, which encourages property owners to address the violations sooner, arresting issues before they can grow into more significant violations. Also instrumental in improving the housing stock in Potomac East and Potomac West is the Office of Housing's Home Rehabilitation Loan Program. Since the inception of this program in 1976,

419¹ home improvement loans have been provided to Potomac East² and Potomac West property owners to address code violations, weatherization, and accessibility needs in their homes.

As a result of the success of the Blighting Influences Program in meeting the goal of improving the housing stock and eliminating other blighting conditions in the target areas, staff recommends that the City terminate the program at this time. The Office of Code Enforcement administers a City-wide Spot Blight Program that allows the City to repair or demolish properties and place a lien against the property for the amount of the repairs or demolition. The Blighting Influences program is limited to two conservation areas of the City, and it does not have the authority to demolish or make repairs to a property as the Spot Blight Program can. Consequently, the Spot Blight Program is more cost-effective than the Blighting Influences Program, which can only work with owners or pay to acquire the property. Additionally, the Office of Code Enforcement maintains a City-wide list of all properties declared unfit for human habitation, and will continue to monitor properties on that list. Following termination of the Blighting Influences Program, ongoing cooperative efforts of Code Enforcement's Existing Structures Inspectors and the Office of Housing's Home Rehabilitation Loan Program will be strengthened to ensure that owners of properties cited with code violations are made aware of the loan program.

Staff recommends that the Office of Housing continue to monitor the properties on the currently approved List of Blighting Influences, but that no new properties be added to the List. As the properties on the currently approved List of Blighting Influences are cleared of code violations, they will be removed from the List. As described in Attachment II, staff projects that nearly all of these properties can be cleared of code violations within the next three to six months. It is possible that staff may recommend that the City acquire, demolish and replace one of these properties, in which case a budget transfer would be needed to increase the program's budget prior to termination of the program. However, this is unlikely, as the owner is currently inclined to pursue demolition without the City's involvement, as noted in Attachment II.

The Blighting Influences Program is administered by a Real Estate Officer in the Office of Housing. As the responsibilities of administration of the Blighting Influences Program have declined in recent years, the Real Estate Officer has absorbed a range of new duties within the Office. Following termination of the Blighting Influences Program, it is proposed that this position be reclassified to more accurately reflect its current work responsibilities, which include management and oversight of special Office of Housing projects such as City-funded rehabilitation activities of the Alexandria Redevelopment and Housing Authority (ARHA) and any construction or rehabilitation projects that might be funded through the Housing Opportunities Fund, processing of loan payoffs and loan subordination requests for both the homeownership and home rehabilitation programs, maintenance of the department's notes

¹ Some owners have received more than one loan.

² Potomac East rehabilitation loans may be anywhere in the Potomac East Neighborhood Strategy Area, which covers a broader area than the Potomac East Conservation District and Southwest Quadrant Rehabilitation District targeted by the Blighting Influences Program.

receivable, and budget preparation for the division. The position is currently charged to General Fund (60%) and Community Development Block Grant (CDBG) funds (40%); once the program is terminated, staff proposes to reduce the General Fund share to 40%, with 40% paid by CDBG and 20% paid by the federal HOME program.

FISCAL IMPACT: It is anticipated that all properties on the currently approved List of Blighting Influences will be cleared from the List by June 30, 2004. Once that occurs, any monies budgeted for acquisition and rehabilitation (currently approximately \$85,000) will be available for transfer to other activities. Personnel costs will change as noted in the preceding paragraph beginning in FY 05.

ATTACHMENTS:

Attachment I: Map of Target Areas

Attachment II: Status of Properties on the List of Blighting Influences

Attachment III: Letter to Michael Yanock, dated May 21, 2003

STAFF:

Arthur C. Thomas, Real Estate Officer, Office of Housing

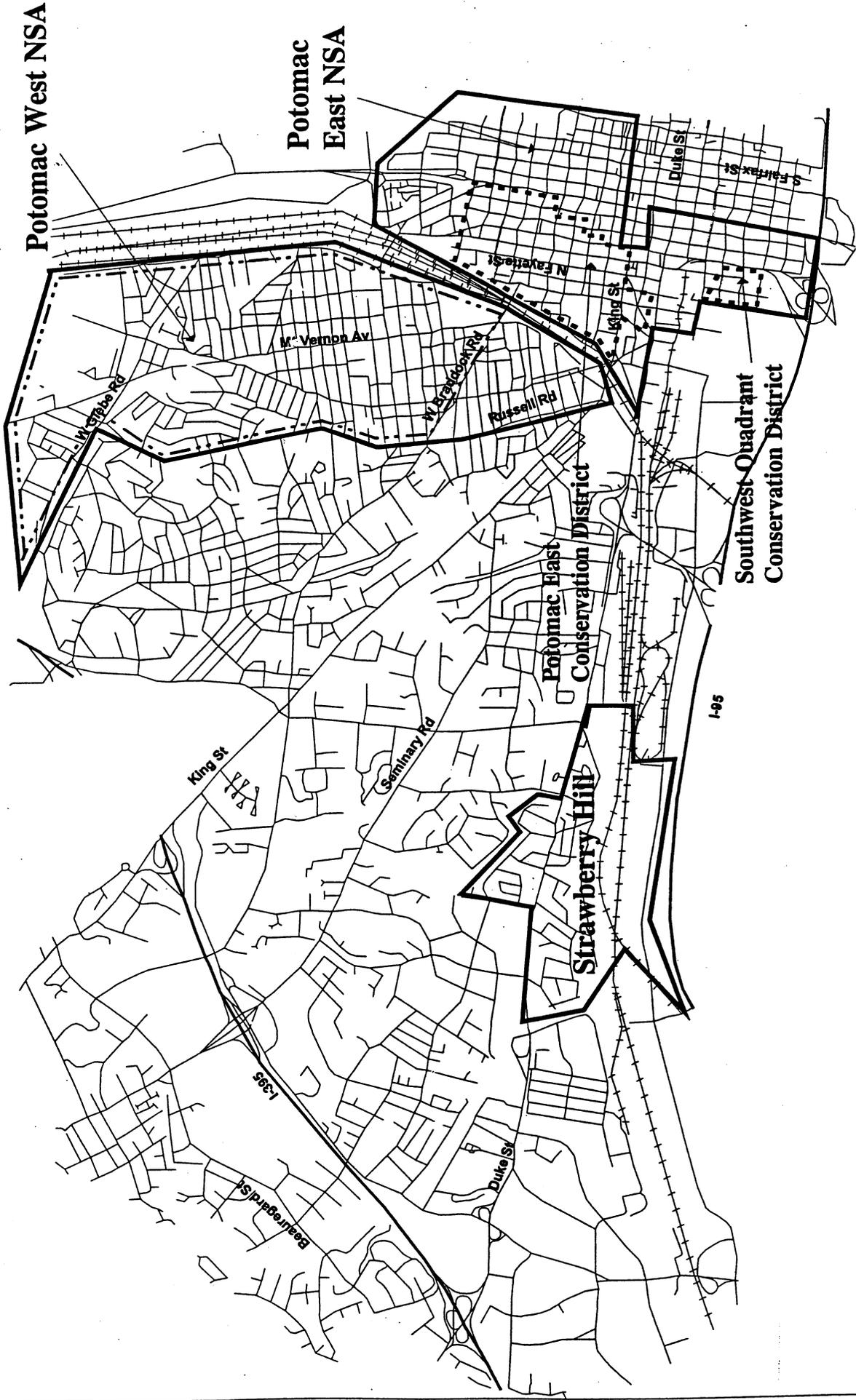
Shane Cochran, Chief, Program Implementation Division, Office of Housing

Robert Eiffert, Deputy Director, Office of Housing

Mildrilyn Stephens Davis, Director, Office of Housing

City of Alexandria

TARGET AREAS



(NSA: Neighborhood Strategy Area)

STATUS OF PROPERTIES CONTINUING ON THE LIST OF BLIGHTING INFLUENCES
FROM FORMER YEARS

I. POTOMAC EAST CONSERVATION DISTRICT PROPERTIES

1733 Cameron Street

Added to BI List: Fall 2001
 Current Status: In Compliance
 Progress: The owner is completing the rehabilitation of this property. The electrical rough-in has been completed, as has a new roof and significant framing repairs. Rehabilitation is projected to be completed in March 2004.
 Projected Clearance: March 2004
 Items to Complete: Complete repairs to plumbing and HVAC systems. Installation of interior finishes. Obtain trade finals and certificate of occupancy for the property.

437 Earl Street

Added to BI List: March 1997
 Current Status: In Compliance
 Progress: The owner has obtained rough-in inspections on electrical, plumbing, HVAC and framing work. Interior finishes are being installed. Rehabilitation is projected to be completed in November 2003.
 Projected Clearance: November 2003
 Items to Complete: Complete interior finishes, obtain trade finals and obtain certificate of occupancy for the property.

1024 Queen Street

Added to BI List: September 1989
 Current Status: In Compliance
 Progress: Acquisition proceedings have been suspended against this property. The owner continues to make rehabilitation progress at this property. Rehabilitation is projected to be complete in December 2003.
 Projected Clearance: December 2003
 Items to Complete: Owner to obtain final inspections and certificate of occupancy.

1018 Wythe Street

Added to BI List:

March 1989

Current Status:

In Compliance

Progress:

Acquisition proceedings against this property have been suspended. Patrick Monahan has obtained building permits to complete the rehabilitation of this property. Rehabilitation of this property had been delayed pending the demolition of 1022 Wythe Street. 1022 Wythe Street has been demolished and rehabilitation of 1018 Wythe Street has resumed and is expected to be completed in late November 2003.

Projected Clearance:

November 2003

Items to Complete:

System finals and interior finishes.

1020 Wythe Street

Added to BI List:

March 1989

Current Status:

In Compliance

Progress:

Acquisition proceedings against this property have been suspended. Patrick Monahan has obtained building permits to complete the rehabilitation of this property. Rehabilitation of this property had been delayed pending the demolition of 1022 Wythe Street. 1022 Wythe Street has been demolished and rehabilitation of 1020 Wythe Street has resumed and is expected to be completed in late November 2003.

Projected Clearance:

November 2003

Items to Complete:

System finals and interior finishes.

II. POTOMAC WEST NEIGHBORHOOD STRATEGY AREA PROPERTIES

3821 Elbert Avenue

Added to BI List:

September 1999

Current Status:

In Compliance

Progress:

A guardian has been appointed for the owner of this property. The guardian's application for a City sponsored Home Rehabilitation Loan Program loan was denied because the property cannot be rehabilitated and must be razed. He and staff have discussed various alternatives, and it appears likely that the guardian will proceed to demolish the property.



CODE ENFORCEMENT

P. O. Box 178

Alexandria, Virginia 22313

May 21, 2003

Arthur D. Dahlberg
Director

Phone (703) 838-4360

Fax (703) 838-3880

ci.alexandria.va.us

Michael Yanock
5300 Holmes Run Parkway #809
Alexandria, VA 22314

Dear Mr. Yanock:

ORDER OF THE CODE OFFICIAL

I hereby declare that the structure located at 904 Commonwealth Avenue in the City of Alexandria, Virginia, is unfit for human habitation. This dwelling constitutes an immediate serious danger and hazard to the life, health, and safety of the occupants, and it does not meet the requirements of the City Code of Alexandria in the following respects:

CODE SECTIONS:**ADDRESS/VIOLATIONS:**

PM-304.14 Window and door frames:

Every window, door and frame shall be kept in sound condition, good repair and weather tight.

PM-305.1 General:

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

PM-306.1 Accumulation of rubbish or garbage:

All exterior property and premises, and the interior of every structure shall be free from any accumulation of rubbish or garbage.

PM-505.1 General:

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

* Sewage back up in bath tub

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PM-603.4 Flue:

All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

* Disconnected Gas Heater Flu

City Code 5.1.82 Accumulation of trash and debris on exterior

City Code 5.9.3 Tall grass and weeds

City Code 5.8.62 Vehicle in disrepair- No tags

PM = Uniform Statewide Building Code, Volume II, **P**roperty
Maintenance Code

F = Statewide **F**ire Prevention Code

* = Repair or replacement may require a building permit.

IT IS THEREFORE ordered that the above described premises be placarded. Said premises shall be maintained in a safe, clean, sanitary and rodent proof condition and secured against the entry of unauthorized persons. The property shall remain vacant until such time as repairs are made that will bring the structure into compliance with the applicable codes and ordinances and render it fit for human habitation. Failure to comply with this notice may result in this property being added to the City's Blighting Influences List. Any person violating this order may be fined up to \$2500 and/or be enjoined by appropriate proceedings. (Virginia Uniform Statewide Building Code (USBC) PM-106.2 and 106.3).

It is the responsibility of each property owner to comply with the Uniform Statewide Building Code and all applicable ordinances of the City of Alexandria, Virginia. The list of defects includes, but may not be limited to, those defects listed above, and the City reserves the right to note additional defects and to require their correction whenever such defects are observed.

Under Section PM-111.1 of the Uniform Statewide Building Code (USBC), the owner of a building or his agent may appeal from a decision of the Code Official to the Local Building Code Board of Appeals as established by the USBC when it is claimed that:

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1. The Code Official has refused to grant a modification of the provisions of this code;
2. The true intent of this code has been incorrectly interpreted;
3. The provisions of this code do not fully apply;
4. The use of a form of compliance that is equal to or better than that specified in this code has been denied.

All appeals shall be made in writing, on the appropriate completed form, and be filed with the Code Official within 20 calendar days after this notice has been served.

Sincerely,



Art Dahlberg
Director

cc: Cynthia Smith-Page, Director, Real Estate Assessments
Rose Boyd, Director, Citizen Assistance
Mildrilyn Davis, Director, Office of Housing
Michael Conner, Chief Fire Marshal
Robert Lockett, Chief Deputy Fire Marshal
Mary Bryant, Supervisor, Existing Structures
Quentin Tabscott, Inspector, Existing Structures

Tony Menjivar
(Deputy Fire Marshal)
703-519-3300

CERTIFIED MAIL # 71176344539000008835