

## MEMORANDUM

To: All Councilmembers  
All Chiefs of Staff and Legislative Aids

From: Stacy Head, Esq.

Date: February 8, 2008

Re: Sheriff Sales

### **I. Introduction**

Blight is one of our City's worst problems. A lack of governmental resources and legal issues are among the traditional explanations for our government's failure to address blight. But we now have a chance to deal with blighted properties with little difficulty. During the 2007 legislative session, I successfully lobbied for amendments to La. R.S. 13:2575 and 2576 sponsored by then Representative Gray. This new law allows the Civil Sheriff of Orleans Parish to seize and sell at public auction blighted properties with long-overdue health-code fines. This process would mirror the seizure and public-sale process that already is carried out hundreds of times per month on behalf of private mortgage holders, and its minimal cost to the City would be recovered after the public auction of blighted properties. In addition, there would be no chance for impropriety or back-room deals, as the well-publicized auctions are held every Thursday and are open to everyone. The public auction of blighted properties would be of tremendous benefit to the City: neglected property would be returned to commerce and placed on our tax rolls, and overdue taxes and assessments would be paid to the City. In neighborhoods with relatively small amounts or "pockets" of blight, this seizure and sale process could eliminate the majority of blight in a short period of time.

Sheriff Valteau is ready and able to put the new blight-reduction law into action for the City. He is willing to do so if the Council adopts a Motion directing the Council President to write a letter to the Sheriff to seize and sell specifically identified properties.

### **II. Test Properties**

This blight-reduction law will not likely be used in a widespread manner. Rather, it is probably best used in areas where the property will have a strong market value and with properties for which the monies owed to the city will not exceed that value (i.e., the auction bids will be relatively high).

My office has identified four properties to use as test cases. These properties are all vacant lots, except 1 uninhabited building, for which no homestead exemption has been filed. Additionally, they are all tax delinquent. Thus, they are non-controversial and good choices to use to try out this new procedure.

| <b>Address</b>                      | <b>Administrative Judgment Date</b> | <b>Lien Filed</b> | <b>Amt of Lien</b> |
|-------------------------------------|-------------------------------------|-------------------|--------------------|
| 4839 Constance AKA<br>803/805 Lyons | 1) 3/24/04                          | 4/10/07           | \$609              |
|                                     | 2) 1/17/01                          | 4/10/07           | \$309              |
| 2342 Chippewa                       | 5/29/02                             | 8/27/02           | \$504              |
| 2815 Annunciation                   | 1) 6/11/03                          | 5/24/05           | \$809              |
|                                     | 2) 1/26/00                          | 4/10/07           | \$509              |
| 2301 Chippewa                       | 1) 1/24/01                          | 4/10/07           | \$709              |
|                                     | 2) 12/14/06                         | 5/18/07           | \$609              |

I have attached photographs of these properties with additional identification information.

### **III. Next Step**

I ask for your support of a Motion directing the Civil Sheriff to seize and sell the above-listed properties.

If your office is interested in moving properties in your districts forward to sale in this manner, Carla Gendusa will gladly go through the process with your staffs and offer any assistance necessary.

I believe that this will be a major victory for our citizens and if we use our public relations team well, the Council will be seen, again, as the only hope for moving the city forward.