MEDFORD PROPERTY MAINTENANCE CODE/RECEIVERSHIP PROCESS | CITY LEVEL

1 The Building Director or designee notifies the owner of a property *(the homeowner)* in writing of building/housing code violations. ***Owner has 10 days to respond.***

Owner Responds & Makes Repairs. *Matter is settled.*

2 If the owner does not respond/make requested repairs, then the Building Director may select the property as eligible for receivership if it has the following characteristics:

A Is in violation of a housing or building code that threatens the public health, safety or welfare; and...

B The owner did not timely act to correct the violations.

3 The Building Director must then obtain Council approval of the selection by demonstrating that the property meets the criteria listed in section 2 (a)-(b).

4 If the Council approves the selection of a property, the Building Director or designee will then cause a notice to be sent to all interested parties (lienholders) of the City's intention to file an application for the appointment of a receiver.

5 After the notice in section 4 is mailed, an interested party has 60 days to contact the Building Director or designee and forward a plan to abate the violations.

Interested Party Responds & Makes Repairs. *Matter is settled.*

6 If no interested party responds to the notice within 60 days, the Building Director may then select a receiver to abate the violations. The Building Director may choose the JCHA, a city department, an urban renewal agency or private not-for-profit corporation as a receiver.

7 The Building Director must then obtain Council approval of his selection. The Building Director must demonstrate that the selected receiver:

A Has experience in rehabilitating/managing properties like the selected property; and...

B The receivers ability to successfully abate the property.

8 If the Council approves the selection of the receiver, the City may then file an action with the Jackson County Circuit Court seeking the appointment of a receiver for the selected property.

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1 Upon appointment of the selected receiver by the circuit court, the receiver may, per the requirements of the City code, abate the building and housing code violations at the property and make other such improvements or corrections as needed to rehabilitate the property.

2 Within 30 days of being appointed by the court, the receiver shall submit its written plan to the Building Director for abatement. The City will also seek initial court approval of the written plan. Upon approval of the plan by the Building Director and the court, the receiver may commence work.

3 Upon completion of the work, the city will seek final court review of the abatement expenditures. If the court finds the expenses reasonable and necessary, it shall issue an order reciting this fact and the amount deemed to be reasonable and necessary.

4 The City will immediately attempt to obtain payment from the interested party.

If payment is not made, the City will file the court judgment/order with the county recorder, which shall then constitute a lien on the property. The lien shall be deemed prior and superior to an interested party's interest in the property. The lien shall also be entered into the docket of city liens.

Interested Party Responds & Pays
Matter is settled.

Thereafter, the property may be sold as provided for by law.