LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1363

Sponsor:

Printer's No. 1962

1 Amend Bill, page 3, line 26, by striking out "4" and 2 inserting 3 4(b) and (d)(1) Amend Bill, page 3, line 26, by inserting after "act " 4 5 are amended and the section 6 Amend Bill, page 3, by inserting between lines 29 and 30 7 (b) Contents. -- The petition submitted to the court shall include a sworn statement that, to the best of the petitioner's 8 knowledge, the property meets the conditions for conservatorship 9 set forth in section 5(d) and to the extent available to the 10 11 petitioner after reasonable efforts to obtain such information: (1) A copy of any citation charging the owner with being 12 in violation of municipal code requirements or declaring the 13 14 building to be a public nuisance. (2) A recommendation as to which person or entity should 15 16 be appointed conservator. 17 (3) A preliminary plan with initial cost estimates for 18 rehabilitation of the building to bring it into compliance 19 with all municipal codes and duly adopted plans for the area in which the building is located and anticipated funding 20 sources. 21 22 (4) A schedule of mortgages, liens and other 23 encumbrances on the property. * * * 24 (d) Notification of owner, political subdivisions and 25 lienholders. --26 27 (1) Upon filing the petition with the court, the 28 petitioner shall notify the current owner of the property, all political subdivisions in which the property is located, 29 30 all municipal authorities known to have provided service to the property and all lienholders of the filing by registered 31 32 or certified mail to the last known address of each and by

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Amend Bill, page 4, line 7, by inserting after "5(a), "

posting a copy of the notice on the building.

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(c),
1
       Amend Bill, page 4, by inserting between lines 14 and 15
 2
       (c) Hearing. -- At the hearing, any party in interest shall be
 3
   permitted to present evidence to support or contest the
 4
   petition, including, but not limited to, the schedule of
 5
   encumbrances.
 6
       Amend Bill, page 5, line 1, by inserting after "HAS"
 7
         actively marketed the property during the preceding 60-
 8
         day period and
 9
       Amend Bill, page 5, line 2, by striking out ", DURING THE
10
    PRECEDING 60-DAY PERIOD, "
11
12
       Amend Bill, page 7, line 2, by inserting after "conservator"
         , certify the schedule of encumbrances
13
       Amend Bill, page 7, line 3, by inserting after "appropriate."
14
     The certification shall be binding with respect to all
15
    mortgages, liens and encumbrances, including municipal liens,
16
    arising or attaching to the property prior to the date of the
17
   petition.
18
19
       Amend Bill, page 8, lines 15 through 19, by striking out " A
    CONTRACT FOR SALE ENTERED INTO SUBSEQUENT TO THE" in line 15 and
20
21
    all of lines 16 through 19 and inserting
22
           Upon a finding that:
           (1) the petition states conditions for conservatorship;
23
24
       or
           (2) the owner elects to either:
25
               (i) remedy all violations and nuisance or emergency
26
           conditions; or
27
               (ii) sell the property subject to the
28
           conservatorship,
29
       the owner shall reimburse the petitioner for all costs
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       incurred by the petitioner in preparing and filing the
31
       petition in accordance with the requirements of section 4.
32
       Amend Bill, page 10, line 19, by striking out "AND (C)"
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       Amend Bill, page 11, lines 8 through 12, by striking out all
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7 8 9 10	(b) ContentsThe petition submitted to the court shall include a sworn statement that, to the best of the petitioner's knowledge, the property meets the conditions for conservatorship set forth in section 5(d) and to the extent available to the
11	petitioner after reasonable efforts to obtain such information:
12 13 14	(1) A copy of any citation charging the owner with being in violation of municipal code requirements or declaring the building to be a public nuisance.
15	(2) A recommendation as to which person or entity should
16	be appointed conservator.
17	(3) A preliminary plan with initial cost estimates for
18	rehabilitation of the building to bring it into compliance
19	with all municipal codes and duly adopted plans for the area
20	in which the building is located and anticipated funding
21 22	sources.
23	(4) A schedule of mortgages, liens and other encumbrances on the property.
24	* * *
25	(d) Notification of owner, political subdivisions and
26	lienholders
27	(1) Upon filing the petition with the court, the
28	petitioner shall notify the current owner of the property,
29	all political subdivisions in which the property is located,
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(d) Notification of owner, political subdivisions and lienholders.--

(1) Upon filing the petition with the court, the petitioner shall notify the current owner of the property, all political subdivisions in which the property is located, all municipal authorities known to have provided service to the property and all lienholders of the filing by registered or certified mail to the last known address of each and by posting a copy of the notice on the building.

Amend Bill, page 4, line 7, by inserting after "5(a), "

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