



**ABOVE AND BEYOND. BY DESIGN.**

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**To: House Committee on Commerce, Labor & Economic Development**  
**Fr: City of Overland Park**  
**Re: Testimony in Support of HB 2314**  
**Dt: February 20, 2019**

Honorable Chair Tarwater and Members of the Committee:

The City of Overland Park supports HB 2314, an Act relating to the rehabilitation of abandoned property in cities. The bill will streamline and expedite the process for local governments and neighborhood organizations to address blight from abandoned and foreclosed properties. Abandoned properties erode property neighborhood property values, erode the tax base and/or property tax collections, generate numerous code enforcement complaints, create public nuisances, and increase city staff and municipal court work loads and costs. Abandoned properties further create opportunities for increases in criminal activities, to include theft, drug issues, intruders, squatting and even accidental fires and squatting.

The bill revises provisions of current Kansas law and grants both cities and nonprofit organizations the ability to file a petition with the district court for an order for temporary possession of abandoned property for rehabilitation purposes and then grants the nonprofit organization the ability to thereafter file a petition for title once the rehabilitation is complete. The bill further revises the definition of “abandoned property” to include residential real estate that has been unoccupied for 365 days and that has a blighting influence on surrounding properties (with exceptions for property being maintained and which is subject to a probate action, quiet title action or other ownership dispute, or when subject to a mortgage). The bill further revises the definition of “blighting influence.”

This bill will create both an important tool and provide more flexibility for cities in Kansas to address unmaintained and abandoned housing that is causing a detrimental impact on surrounding properties and neighborhoods in our communities. It will allow cities in Kansas to initiate action against these abandoned properties; and, after sufficient due process to the absentee owner, engage a nonprofit organization to commence rehabilitation of the blighted structure. It is the City of Overland Park’s position that the bill will be beneficial and will supplement local governments’ ability to do basic property code enforcement on abandoned structures. The bill will accordingly help safeguard our neighborhoods and adjacent properties owners from blight. For these reasons, the City of Overland Park supports HB 2314.

Thank you for the opportunity to comment on this legislation.