

Why New Bedford Needs a Problem Properties Ordinance



Press release from the New Bedford Mayor's office:

What it is:

A powerful tool to hold accountable the small number of property owners who neglect their responsibility to neighbors and the city by allowing criminal activity to persist at their property. It will force those owners to bear the cost of excessive police intervention at their property—rather than shifting the burden to all taxpayers.

Responsible property owners are welcoming this ordinance because they see it as an important tool. Responsible property owners are maintaining their property, screening their tenants etc. and yet absentee landlords are running nearby properties into the ground, lowering every other homeowner's property values and negatively impacting the quality of life in the neighborhood.

How it works:

The Problem Properties Ordinance enables the City to charge a property owner for the cost of police response to his/her property with eight (8) or more valid police complaints in the previous 12 months at the property.

The focus of the City's effort is on "the worst of the worst." Data suggest the properties that will end up making the list will far exceed the standard set by the ordinance. There are a substantial number of properties with a dozen or more police calls within very short time periods. Those are the properties that the City and neighborhood leaders are concerned about.

The measure is specifically designed so that a well-intentioned property owner will not become unfairly penalized. That is why the ordinance includes

1. an exemption for all property owners pursuing evictions against problem tenants
2. a special appeal process by an independent panel
3. a very narrow and clear definition of what complaints will count
4. written notice to the property owner once 5 valid complaints have registered
5. appeal option to Superior Court available to the property owner.

How the Eviction exemption will work:

If property owner has commenced an eviction proceeding against the tenants responsible for the incidents, any enforcement action will be stayed until that process has concluded.

How appeals process will work: Designation as a problem property and cost assessment is appealable to the Problem Properties Appeals Panel. A decision by the Appeals Panel may be appealed to Superior Court.

Mayor Mitchell and his staff have spent two and half years

working closely with the City Council to make changes they have requested. This is the fourth version of the ordinance that has been submitted to the Council. There is a broad consensus in the City that this version strikes the right balance and will be a major step forward in addressing the problem.
