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OAKLAND

AGENDA REPORT

2012 OCT 11 PM 5:50

**TO: DEANNA J. SANTANA
CITY ADMINISTRATOR**

**FROM: Fred Blackwell
Assistant City Administrator**

**SUBJECT: Supplemental Report on
Newly Purchased Non-Owner
Occupied Residential Buildings**

DATE: October 10, 2012

City Administrator
Approval

Date

10/10/12

COUNCIL DISTRICT: City-wide

RECOMMENDATION

Staff recommends that the City Council adopt the following legislation proposed by Councilmember Brooks:

AN ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO ESTABLISH A NEW CHAPTER 8.58 REQUIRING THE REGISTRATION AND INSPECTION OF TRANSFERRED, IMPROVED RESIDENTIAL REAL PROPERTY OF ONE TO FOUR UNITS THAT IS NOT OCCUPIED BY THE NEW OWNER AND THE ABATEMENT OF HEALTH AND SAFETY VIOLATIONS AND AMENDING THE MASTER FEE SCHEDULE TO PROVIDE NEW FEES FOR THIS ORDINANCE

ANALYSIS

At its meeting October 2, 2012, the Council considered a substitute motion with the following proposed changes to the ordinance:

1. Exempting short sale properties that have not received a mortgage Notice of Default (NOD) from the ordinance; and
2. Not exempting small investors who own six (6) non-owned occupied properties or less from the ordinance.

Councilmembers also discussed the need to pilot the new ordinance and return to Council in a year with program review information.

Item: _____
City Council
October 16, 2012

Staff is providing the following information to help inform Council policy-making:

Oakland Short Sale Properties: The majority of Oakland properties sold through short sales do NOT have a NOD issued on them.

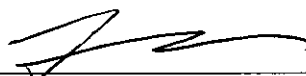
2011 short sale properties total: 644
2011 short sale properties with a NOD: 211 (33%)
2011 short sale properties without a NOD: 433 (67%)

2012 short sale properties total, to date: 536
2012 short sale properties with a NOD, to date: 219 (41%)
2012 short sale properties without a NOD, to date: 317 (59%)

Review of Ordinance Performance: Unless the proposed ordinance includes specific properties, such as all short sale properties or properties owned by small investors, staff will not have comparable information on the conditions of these types of properties as part of a one year implementation review to the Council. City inspectors generally do not have access to inspect the interior of properties without a complaint or evidence of a problem with interior conditions.

For questions about this report, please contact Margaretta Lin, Strategic Initiatives Manager, at 510-238-6314.

Respectfully submitted,



Fred Blackwell
Assistant City Administrator

Reviewed by:
Ray Deranja, Building Official

Prepared by:
Margaretta Lin, Strategic Initiatives Manager
Department of Housing and Community Development &
Department of Planning, Building, and Neighborhood
Preservation

Item: _____
City Council
October 16, 2012