



# Office of the County Manager

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## NOTIFICATION OF PROPOSED ORDINANCE TO AMEND TITLE 11

To Whom It May Concern:

The Board of County Commissioners (BCC) will consider an ordinance to amend Title 11 of the Clark County Code by adding a new Chapter that relates to the registration of abandoned residential property. The new ordinance, modeled after the Las Vegas Municipal Code Chapter 16.33, requires a mortgagee to inspect, maintain and register abandoned properties. A mortgagee means any person or firm who holds a first-priority mortgage or other first priority security interest in real property to secure a loan, whether as the mortgagee of a mortgage or the beneficiary of a deed of trust.

Vacant and abandoned homes created as a result of the economic downturn and foreclosure crisis have become an increasing problem in Southern Nevada. Several local entities around the country have attempted to address this issue through a registry of vacant and abandoned homes that also requires the inspection, maintenance of the abandoned home or face fines. This new ordinance will establish such a registry and assist Clark County in addressing this problem. The ordinance is almost identical to the one recently adopted by the City of Las Vegas.

The County introduced a similar ordinance in September 2011, but due to questions raised by the real estate industry, the Board requested that discussions be held again with industry representatives to address their concerns. A representative from the Greater Las Vegas Association of Realtors (GLVAR) was involved in all of the original and subsequent meetings and the new ordinance addresses and resolves all of GLVAR's issues.

If adopted, the ordinance will:

- Require a mortgagee who holds a mortgage on a specified property to inspect that property no later than fifteen calendar days following the occurrence of the notice of default event regarding the property.
- Require the mortgagee to register the property, within ten calendar days of the inspection, if the inspection reveals that the property is not being occupied by the mortgagor or by the persons who are occupying the property with the mortgagor's consent.
- Establishes requirements for the information needed on the registration
  - The registration shall include the mortgagee mailing address, physical address and a direct contact name and phone number for contacting the mortgagee.
  - The registration must also include the name, address, telephone number and email address of the property manager as well as the current disposition and occupancy status of the property.

#### BOARD OF COUNTY COMMISSIONERS

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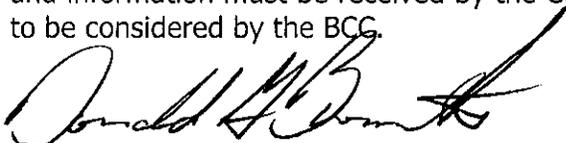
- Establishes requirements for a property manager designated under the registry
  - The property manager designated under the registry must be located within Nevada and must be a duly licensed property management company or property preservation company, a department or section of a mortgagee that is devoted to property management or preservation; or a service provider specifically employed by a mortgagee to provide property management or preservation within the County.
- Imposes a charge to a mortgagee a fee not to exceed two hundred dollars for each initial property registration and a modification fee not to exceed fifty dollars for each modification to a registration.
- Allows the County, by means of a contract, to assign and delegate the maintenance of the registry and the collection of the registration fees to an independent contractor.
- Establishes maintenances standards for each registered property which shall be the joint responsibility of the mortgagee and the property owner to ensure compliance.
  - Properties shall be maintained in accordance with applicable codes and ordinances.
  - Existing landscaping, all visible landscaping in front and side yards shall be maintained to the neighborhood standard at the time registration was required.
  - Pools and spas located on specified property shall comply with county security requirements and be kept in working order so the water remains clear and free of pollutants and debris or drained and kept dry
  - Specified property shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

It is anticipated that the proposed ordinance will be introduced at the BCC meeting on March 6, 2012, with a recommendation that a public hearing be scheduled for the BCC meeting on April 3, 2012.

The ordinance is available for review on the Clark County website under the Department of Administrative Services, Policy & Analytical Services division at [http://www.ClarkCountyNV.gov/Depts/admin\\_services/paas/Pages/Title11Ordinance.aspx](http://www.ClarkCountyNV.gov/Depts/admin_services/paas/Pages/Title11Ordinance.aspx). To request a copy via email or alternative means, please send an email to the email address provided below.

Comments regarding the proposed ordinance are invited and appreciated. In accordance with NRS 237.080, persons and businesses are also invited to submit data and/or arguments as to whether the proposed ordinance will: 1) Impose a direct and significant economic burden on a business; or 2) Directly restrict the formation, operation, or expansion of a business.

Please send your comments in writing in care of the County Manager's Office at the address shown above (ATTN: Jennifer Lances) or by email to [jbl@clarkcountynv.gov](mailto:jbl@clarkcountynv.gov). All comments and information must be received by the County Manager's Office on or before March 23, 2012, to be considered by the BCC.



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