

Dear Members of House Local Government Committee,

My name is Jacob Littlejohn. I currently own twenty properties in Lincoln, KS. While most are single-family rentals, my portfolio includes vacant lots, commercial, and vacant houses in need of repair. I write today in opposition of proposed House Bill 2083.

The problems of decay, neglect, and blight are evident as soon as you turn off of K-18 onto Lincoln Ave. Coming into town, the silhouette of a grandiose house comes into view. Unfortunately, the view dims the closer you get. Once in range, you realize the roof has collapsed. If you peek in the windows, you'll see the lath and plaster has fallen into moldy piles of decay. The grand piano, emblematic of the elaborate design that once stood on the corner of First and Lincoln, has busted through the floor.

One house may sound like an anomaly, but this is not a unique case. A recent survey of house exteriors in Lincoln determined that only 69% were "satisfactory" or above. 11% were flagged as dilapidated. 20% had major wear. Decades of low real estate prices, and little done in the way of enforcement of what little city code exists, has created an almost dire situation. Lincoln County has the oldest housing stock in Kansas. Not only is it old, it's neglected. Economic development and population increasing efforts have been stifled by the lack of quality housing.

During the last few years, it has become more financially feasible to renovate the dilapidated housing. Higher demand has caused higher sales prices. Higher sales prices resulted in higher appraisal values. Higher appraisal values prompted local banks to finance renovation efforts of existing housing stock. Rent is finally high enough to justify making necessary repairs; (almost) more importantly, rent is high enough for a bank to lend on such repairs. While everything is headed in the right direction, this has created new problems.

Good candidates for renovation are not being renovated. Roofs are neglected. Grass and trees are overgrown. I often joke that everyone in Lincoln County has three houses: one to live in and two for storage. The truth, however, is that many are not even being used for storage. Storage requires a decent roof and owners are not willing to spend the money on one.

So how does a community, crippled by lack of housing, turn the eyesores into assets? Unfortunately, the folks who caused the problem to begin with cannot be counted on to solve the problem. Forcing owners to register their property and eventually fining or taxing the owners of vacant properties causes them to question the "storage" house or dilapidated "passive investment" (doing nothing and hoping one day the value will increase). In short, it causes owners to seek the current "highest and best use" of their property, rather than the easiest.

In addition to causing current owners of vacant housing to question their property's "highest and best use," owners with occupied properties will see a registration/tax as a disincentive to leave their property vacant in the future. After all, the vast majority of non-habitable property

would not be so had it been occupied. Folks replace the roofs on houses they are living in. Landlords paint the siding in houses with tenants. Someone who has stopped seeing the value in a house they are using for storage does neither.

While large cities have code enforcement departments, small towns have to handle code enforcement in their spare time. A vacant property registration system allows towns to quickly and efficiently comb through utility records and add an assessment to the ones not being used. While not a cure-all, it is an important tool for a community that cannot afford a code enforcer.

The rights of private property owners are important, however, as is the case with all rights, mine end when they begin to infringe upon yours. The state of decay of my house has a strong correlation with the sales price of my neighbor's well-kept house. The level of service my neighbor receives from the local municipality is impacted by how much time they have to spend telling me to clean up my yard. New infrastructure and other community investments are impacted by how much housing is available and at what value the housing is taxed. Vacant properties still require some of the same services from the city, like roads, but they are taxed at a lower value due to their state of neglect. It is only fair that owners begin to feel the sting of their disrepaired properties as their neighbors do.

Additionally, government regulation is most just when imposed upon a subject with their consent. While I do not anticipate everyone in Lincoln, KS supporting the vacant property registration, I do know that every citizen has more of an opportunity to voice their opinion when such a change is made at the local level. The State of Kansas regulating the role municipalities play in their own self governance is a blow to local rule. Kansas is diverse. What works for a population of 500,000 does not necessarily work for a population of 1,200.

Lastly, the folks affected by city code (including the possibility of a vacant house registration rule) chose a property in the city limits. They understood that municipalities often come with more regulation than a property in the rural parts of the county. Nonetheless, they chose to give up some "rights" in exchange for the common good and a level of service they would not receive in more rural parts of the state. This is a social contract on the most basic level and one that each person agrees to when buying a property in the city limits--just as some choose to be regulated by a home owners' association.

The state of Kansas usurping power from local communities, taking away an important tool to fight blight, and implementing another one-size-fits-all regulation, hurts rural communities and the people living in them. It adds to the problem of finding adequate housing in rural communities. It causes economic development issues. It undermines self governance. If all of the above is not enough, it creates and adds to problems that the state and federal government will have to subsidize to fix later.

I urge you to stop HB 2083 in committee.

Sincerely,

Jacob Littlejohn