

Cleveland Housing Court



Judge Raymond L. Pianka

**FEDERAL RESERVE BANK of CLEVELAND
Getting Back In Gear: Better Ways To Move
Stalled And Vacant Foreclosures Forward**

**Barbara A. Reitzloff, Chief Magistrate
Cleveland Municipal Court Housing Division
March 11, 2014**

Housing Court Foreclosures

- Short time to disposition;
- Orientation sessions for owners, tenants;
- Lender/counsel w/authority at every appearance;
- Attention to condition of property – local rule requires PSR.



Property Status Report (“PSR”)

- Identifies whether owner-occupied, tenant-occupied, or vacant;
- Must include current photograph of property;
- Court may issue order to plaintiff based on PSR.

CLEVELAND HOUSING COURT
Judge Raymond L. Pianka
Property Status Report

06CV029240

Address: 7921 Amos St.

Titled Owner(s): Joe Davis and Nattie Davis

Number of Units: one Use: Residential

Occupied: NO If YES, by whom:

Current code violations: YES If YES, explain: Board-up (B06049745)

Observed to be open to weather & dilapidated # 1

Ward #: 6 Abandoned/Unlicensed Vehicles: YES


Is this property the subject of litigation in any other court? YES NO

If YES, explain:

How long has current owner owned property: Since before 1975, perhaps 1945, per easemen

If less than 5 years, list previous owners for last five years:

Is this action being brought pursuant to R.C. § 5721.39? NO



Zombie Liens/Toxic Titles



- Caused by:
 - ✓ Abandonment of foreclosure without cancellation of lien;
 - ✓ Motion vacate and dismiss foreclosure;
 - ✓ Withdraw of property from Sheriff's Sale.

- In Housing Court:
 - ✓ Manifestation;
 - ✓ Managing collateral damage;
 - ✓ Clearing.

Managing Collateral Damage: Letter to Common Pleas Foreclosure Defendants

- Sent to all primary defendants in foreclosures filed in Common Pleas with property in Cleveland or Bratenahl;
- Outlines property maintenance obligations and owners' right to occupy during foreclosure process;
- Provides information for contacting Housing Specialist and County Foreclosure Prevention Programs;
- Information used to refer unoccupied properties to Common Pleas Accelerated Foreclosure Docket for Vacant and Abandoned Properties.



Managing Collateral Damage: Placard Program

- **Bailiff posts placards at vacant, abandoned property before the Court.**
- **Includes contact info for:**
 - ✓ Owner;
 - ✓ Bank/lending institution if in foreclosure;
 - ✓ Assigned Housing Specialist.

NOTICE:

This property is the subject of a case in the Cleveland Housing Court:

**11500 GRAY AVENUE
CLEVELAND, OHIO 44108**

Trespassers found on this property may be prosecuted or charged with contempt of court.

ORC §§2705.01, 2911.21

The telephone number of the titled owner, **MARK WHITE**, is **(216) 323-5611**. The telephone number for **HSBC BANK** is **(909) 397-3372**.

For the current status of this case, you may contact Housing Specialist **HODGE** at **(216) 664-3120**, and reference Case No. 05-CRB-038253. Foreclosure information about Case No. 2006-CV-584506 may be obtained by contacting the Court of Common Pleas at (216) 443-8505.

**JUDGE RAYMOND L. PIANKA
CLEVELAND MUNICIPAL COURT
HOUSING DIVISION**

Clearing Toxic Titles



- Quiet Title Action
- Receivership —
R.C. 3767.41

Clearing Toxic Titles

- **Donations to:**
 - County Land Bank
 - City Land Bank
 - CDCs
- **Court-Issued Subpoenas**
 - ✓ Obtain information helpful to the administration of case
 - ✓ Brings all necessary parties to the table to make decision re: lienholder's interest



Additional Issues

Service Issues

- Not formally organized;
- No longer in business;
- Not licensed to do business in Ohio.



Business Entities

- ❑ Out of State Owners (virtually every state in the country);
- ❑ International corporations: HSBC, Deutsche Bank
- ❑ Individuals overseas.

Ensuring Livability in Cleveland's Neighborhoods



www.clevelandhousingcourt.org