

HB 3210 -- COMPENSATION FOR PROPERTY OWNERS UNDER CERTAIN CIRCUMSTANCES

SPONSOR: Hinman

This bill establishes the "Safe Neighborhoods Act". The bill applies to property owners located in a city with more than 100,000 inhabitants.

Once per tax year, such property owners can submit claims for compensation if the city in which the property is located adopts a policy or practice of declining to enforce certain kinds of existing laws or ordinances, as provided in the bill, or maintains a public nuisance, and the property owner either incurs documented expenses to mitigate the effects of the policy, practice, or nuisance, or if the fair market value of the property is reduced by the policy, practice, or ordinance.

The amount of compensation to which the owner is entitled will be equal to the documented expenses or the reduction in fair market value of the property. The compensation cannot exceed the amount the owner paid for the prior tax year in primary property taxes to the city.

Within 30 days after a property owner submits a claim for compensation, the city must accept the claim and compensate the property owner, or reject the claim. The questions of whether a property owner is entitled to compensation and whether the amount of the claim is reasonable are justiciable questions. A prevailing property owner will be awarded reasonable attorney's fees.

A property owner and city are permitted to enter into a knowing and voluntary settlement for an amount less than the property owner's claim.