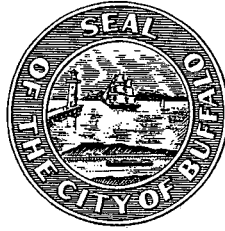


The Buffalo Common Council

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September 25, 2017

Carl Heastie, Speaker
New York State Assembly
LOB 932
Albany, NY 12248

Dear Speaker Heastie:

Like many municipalities throughout New York State, the City of Buffalo is locked in a daily battle against slum, blight, and the deterioration of properties in our neighborhoods, perpetrated by irresponsible, predatory, profit-driven property owners and their gross negligence. Many of these property owners reside outside of the city, state, and even country.

Currently, individuals and entities whose properties are in violation of the City of Buffalo Charter and Code face fines and the risk of being brought before a Buffalo Housing Court judge. This method of penalizing irresponsible property owners becomes ineffective when the owner resides outside of the jurisdictional limitations of city authorities. Currently, property owners can accumulate an infinite amount of property code violations and housing court fines with virtually no repercussions.

In January of 2014, I cosponsored a resolution to "Apply Fees, Fines, and Penalties Directly to the City of Buffalo Property Tax Bill" as a solution to end predatory property owning practices. It was unanimously adopted by the Buffalo Common Council.

Since then, I have worked tirelessly with my colleagues in the New York State Legislature to pass a Home Rule Message allowing the City of Buffalo to amend our tax code to permit the application of fees, fines, and penalties directly to the property tax bill. In May of 2016, I was informed by Assemblymember Sean Ryan that there are many bills directed at individual municipalities attempting to change their tax law, but that the Assembly would rather pass one all-encompassing bill than piecemeal by municipality. I wholeheartedly support this approach.

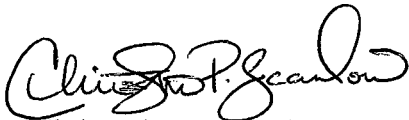
Speaker Heastie
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Bill No. A05633A, which was last addressed during the 2016 session, was a good start at addressing predatory property owning practices, but had one major flaw: it only included building code and fire code violations, not NYS Property Maintenance Code violations. The vast majority of violations the City of Buffalo sees (broken gutters, excessive garbage and debris etc.) are covered under the NYS Property Maintenance Code. It is imperative that Property Maintenance Code violations are also included in any future legislation or the City of Buffalo, and many other municipalities, will be left in the same position as before, virtually powerless in enforcing quality of life code violations.

Any Assembly legislation authorizing municipalities statewide to treat unpaid fines for building, fire, and NYS Property Maintenance Code violations as unpaid real property taxes has my full endorsement. However, if such statewide legislation does not seem plausible in the near future, I ask for your support in assisting the City of Buffalo with the passage of a Home Rule Message allowing us to enact it locally. I cannot overstate the significant impact this legislation would have on our neighborhoods.

I truly appreciate your time and attention to this matter. I welcome the opportunity to discuss it in further detail and can be reached at 716-851-5169 or cscanlon@city-buffalo.com.

Sincerely,



Christopher P. Scanlon
President Pro Tempore, Buffalo Common Council
South District Councilmember

cc: Mayor Byron Brown, City of Buffalo
Assemblymember Crystal Peoples-Stokes, Assembly District 141
Assemblymember Sean Ryan, Assembly District 149
Assemblymember Michael P. Kearns, Assembly District 142