



# CITY OF EL MONTE

## COMMUNITY DEVELOPMENT DEPARTMENT FORECLOSURE MANAGEMENT DIVISION FORECLOSED PROPERTY ORDINANCE

### PROGRAM INFORMATION (Revised October 14, 2013)

On July 31, 2012, the El Monte City Council passed the [Revised *Foreclosed Property Ordinance* (Ordinance No. 2800)] to amend the residential property registration program as a mechanism to protect residential neighborhoods from blight resulting from the foreclosure crisis and un-maintained properties.

#### **IF I WANT TO FILE A COMPLAINT ABOUT A PROPERTY, WHO DO I CALL?**

To report blighted properties call the City of El Monte Foreclosure Management Division line at (626) 444-4852 or e-mail at [foreclosure@elmonteca.gov](mailto:foreclosure@elmonteca.gov).

#### **HOW DO I REGISTER A FORECLOSED RESIDENTIAL PROPERTY WITH THE CITY OF EL MONTE?**

The registration requirements of the Revised Ordinance may be satisfied by providing Foreclosure Management with **contact information including: street address and telephone number** of the person(s) directly responsible for the property in foreclosure. If the responsible person(s) are located "Out of Area", the **contact information, including street address and phone number**, for the staff of any property management or property preservation company responsible for the security, maintenance, and marketing of the property must also be provided. Registration can also be performed by registering online at [USANCRS.COM](http://USANCRS.COM) or by downloading and mailing the physical form, and remitting your payment to the City of El Monte. Upon arriving at [USANCRS.COM](http://USANCRS.COM), click forms on the top bar, and then select "El Monte, CA" tab. Under the "Forms" section, select "*Property Registration Application*", and then fill out the form accordingly. The property *will not* be in full compliance with the Foreclosure Registration Program until the registration fee and any other penalties associated with the property have been receipted by the City of El Monte.

Such person(s) must be empowered to:

- (1) Comply with Foreclosure Management orders issued by the City,
- (2) Provide a trespass authorization upon request of local law enforcement authorities if the property is unlawfully occupied,
- (3) Conduct weekly inspections of the property,
- (4) Accept rental payments from tenants of the property if no management company is otherwise responsible for receipt of rents.

Lenders who register a property with Foreclosure Management must report any change of information contained in the registration to Foreclosure Management within ten (10) days.

## **WHAT ARE THE REGISTRATION FEES?**

An annual registration fee in the amount of **\$414.00**, shall be paid to the City of El Monte Foreclosure Management Division at the time of registration. The fee and registration shall be valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations and fees are due twelve (12) months after the initial registration date until the foreclosure is cured or the property is resold by the lender.

## **WHO IS AFFECTED BY THIS ORDINANCE AND WHEN IS THE EFFECTIVE DATE?**

Any lender (or beneficiary or trustee who holds or has an interest in a deed of trust) on a property in foreclosure located within the City of El Monte must register that property with Foreclosure Management. **The Revised Foreclosure Registry Program applies to each notice of default recorded on or after August 1, 2010. Therefore, any lender who issues a Notice of Default after August 1, 2010, must register such property with the City of El Monte within ten days of the recordation of the Notice of Default. A lender who has issued a Notice of Default prior to August 1, 2010, must register the property in foreclosure with the City of El Monte Foreclosure Management Division within ten (10) days following the day when the property becomes vacant or is abandoned by the borrower (trustor).**

## **WHAT ARE THE PENALTIES IF I FAIL TO REGISTER?**

If Foreclosure Management determines that a lender has failed to register the property, Foreclosure Management will provide written notification to the lender of their failure to comply with this ordinance. If the lender fails to comply within ten (10) days of Foreclosure Management's written notification, **the lender shall be liable to pay a penalty in the amount of \$250.00 for the first violation, \$500.00 for the second violation, \$1,000.00 for the third violation and each subsequent violation until the violation is corrected.**