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## City of Detroit CITY COUNCIL

#### LEGISLATIVE POLICY DIVISION

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TO: The Honorable Detrost City Council

FROM: David D. Whitaker

Legislative Policy Division Staff

**DATE:** July 29, 2019

RE: Squatting Report

On July 9, 2019, Council Member Roy McCalister, Jr., requested the Legislative Policy Division (LPD) provide an analysis of the rights' of squatters, property owners and landlords when real property is occupied by persons who lack ownership rights or interest in that property. What follows is our report:

#### **Background**

The housing market collapse of 2007 and subsequent housing foreclosures only exacerbated the problem by producing a bevy of unoccupied homes left in good condition. Squatters targeted bankowned foreclosured and municipally-owned houses which were seized for nonpayment of back property taxes. Many squatters were the original occupants who simply remained in the homes; but most were occupied by individuals who forcibly gained accessibility by breaking in.

Prior to 2014, squatters were protected from criminal prosecution as the worst charge they could receive would be a trespass offense. The Detroit Police Department was often disinclined to become responsible for deciding who has possessory claim in landlord-tenant disputes.

#### Discussion

In 2014, Gov. Snyder signed into law enacted Public Acts 223, 224 and 225, which collectively:

1) licenses property owners to peacefully regain control of their property against a person who

unlawfully occupies an uninhabited building or unused land 2) classifies squatting as an individual who occupies a building that is a single-family dwelling or 1 or both units in a building that is a 2-family dwelling and has not, at any time during that period of occupancy, occupied the property with the owner's consent for an agreed-upon consideration 3) lists squatting as a criminal offense, as either a misdemeanor or a felony and prescribe sentencing guidelines.

- 1) Public Act 223 of 2014 (MCL 600.2918, 600.5711 and 750.553) relieves an owner, lessor, or licensor (or an agent thereof) from liability for damages for unlawful interference when the occupant is squatting. The Act allows an owner to use force to enter the premises (this would not include conduct that is unlawful under Chapter XI of the Michigan Penal Code, entitled "Assaults") to regain possession of premises occupied by a squatter (hereinafter "squatting"). This would include forcible entry onto the premises but not physical force to expel onto the squatter.
- 2) Public Act 224 of 2014 (MCL 750.1 to 750.568)-Explains that squatting is identified as an individual who occupies a building that is a single-family dwelling or 1 or both units in a building that is a 2-family dwelling and has not, at any time during that period of occupancy, occupied the property with the owner's consent for an agreed-upon consideration is guilty of a crime.
- 3) Public Act 225 of 2014 (MCL 750.553)-Mandates the second or subsequent offense of squatting as a class G offense, with a statutory maximum of two years in prison, which yields the offender a felony on his/her record.

The Detroit City Code, under Chapter 38 *Offenses, Miscellaneous Provisions*, Article IV. *Offenses Against Property* Secs. 38-4-1 and 38-65 collectively, codifies that trespassing in public or private vacant property whether it is an occupied dwelling or active commercial buildings is considered illegal. Secs. 38-4-1 and 38-65 does not list a criminal charge or civil liability if a person is found guilty of violating the City code<sup>1</sup>.

Sec. 38-66, which references the state law regarding *Breaking and entering and entering without breaking, but without permission* can earn an individual a misdemeanor charge if found guilty. Nevertheless, within the chapter, "squatting or squatter" is not plainly mentioned, yet can be implied.

Sec. 38-4-1. - Trespassing in vacant buildings, occupied dwellings, and active commercial establishments.

(a) It shall be unlawful for any person, except an officer, employee or contractual agent of a governmental agency in the performance of a public duty, to enter a vacant building, or the property on which the vacant building is located, without the express written authorization of the property owner, lessee, agent or trustee thereof.

<sup>&</sup>lt;sup>1</sup> General Provision Sec-1-1-1 (1a) states "Where no specific penalty is provided therefor, any person, upon conviction for the violation of any such provision of this Code, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the court, for each such offense"

- (b) It shall be unlawful for any person to enter, without permission, the occupied dwelling of another, or the property on which the occupied dwelling of another is located, after having been forbidden to do so by the owner or occupant, or the agent of the owner or occupant.
- (c) It shall be unlawful for any person to remain on an active commercial establishment, or the property on which an active commercial establishment is located, after being requested to leave by the owner or occupant, or the agent of the owner or occupant.

(Code 1964, § 39-1-92; Ord. No. 19-12, § 1, 7-31-12)

Cross reference— Unauthorized entry upon garden plots, § 40-3-3; trespassing by solicitors of fire repair contract, § 41-6-7.

State Law reference— Trespassing, MCL 750.546 et seq., MSA 28.814 et seq.

Sec. 38-65. - Trespassing.

It shall be unlawful for any person to go or trespass upon any public or private property in the city for any purpose, not otherwise authorized by law, without the consent of the owner or owners of such premises.

(Code 1978, § 15-24)

State Law reference— Trespass, MCL 750.546 et seq.

Sec. 38-66. - Breaking and entering without breaking, but without permission.

- (a) Any person who shall break and enter, or who shall enter without breaking, any dwelling house, hotel, office, store, shop, warehouse, barn, factory, or other building, boat, ship, railroad car, automobile, or structure used or kept for public or private use, or any private apartment therein, cottage, clubhouse, boathouse, garage or the outbuildings belonging thereto, or any other structure, whether occupied or unoccupied, without first obtaining permission to enter from the owner, or occupant, agent or person having immediate control thereof shall be guilty of a misdemeanor.
- (b) This section shall not apply to entering without breaking, any place which at the time of such entry was open to the public, unless such freedom of entry has been expressly revoked or refused or terminated by passage of time, or by operation of currently effective regulations applicable to such public place.
- (c) This section shall not apply in cases where the breaking and entering or entering without breaking were permitted by a peace officer or someone under his direction in the lawful performance of his duties as such peace officer.

(Code 1978, § 15-25)

State Law reference—Similar provisions, MCL 750.115.

In addressing the more detrimental behaviors of squatting and trespassing, the Detroit Land Bank Authority (DLBA), the deed holder of nearly 30,000 residential structures<sup>2</sup> in the city launched the Nuisance Abatement Program (NAP) in the spring of 2014. The NAP mitigates blight in order to rebuild dilapidated neighborhoods for the general health, safety, and welfare of the community. These areas, as well as the properties within the areas, have been identified in collaboration with the City of Detroit's District Managers.

For the NAP team to pursue a property, the property must be 1) Privately-owned, 2) Vacant or being used for illegal activity and 3) Located within the defined boundaries. The DLBA evicts some squatters who are suspected of vice crimes; such as prostitution, gambling, maintaining a drug house, but primarily the DLBA has an informal policy of non-interference for handling squatters.

#### Conclusion

PA 223, 224 and 225 simultaneously aims to defend property owners and punish the action of squatting. Public Act 226 (MCL 554.581 and 554.583), known as the *Trespass Liability Act*, accredit premises liability to landlords and property owners. A possessor of real property *may* be held liable for injury or death to a trespasser under certain conditions listed within the Act: "Notwithstanding subsection (1), a "possessor of land may be subjected to liability for physical injury or death to a trespasser. The language speaks to willful and wanton misconduct of the property owner *and* if a child is injured by an artificial condition on the land". The full content for PA 226 of 2014 and the aforementioned laws are included in the attachments.

Many people are squatting because they feel forced to do so. Instead of placing people in jail or forcing family separations when minors are involved, the state could provide resources to individuals and families that need affordable housing so they can get back on their feet. If an individual/ family can't pay rent, then it is likely they won't be able to pay a fine or restitution. More importantly, vigilance is a property owner or landlord's best protection against squatters. Boarding up windows and doors immediately after damage or a break-in along with regular inspections and maintaining neighbor relations, are essential in securing a property.

#### Attachments

- Public Acts 223, 224, 225, 226
- Chapter 38 Offenses, Miscellaneous Provisions, Article IV. Offenses Against Property Article IV. Secs. 38-4-1, 38-65 and 38-66
- Chapter 1 General Provisions Sec. 1-1-9
- Free Press article from July 19, 2018
- Detroit Land Bank Authority Nuisance Abatement Program and map

<sup>&</sup>lt;sup>2</sup> https://www.freep.com/story/news/local/2018/07/19/squatters-detroit-land-bank-properties/609387002/

## REVISED JUDICATURE ACT OF 1961 (EXCERPT) Act 236 of 1961

#### 600.5711 Entry.

- Sec. 5711. (I) A person shall not make any entry into or upon premises unless the entry is permitted by law.
- (2) Subject to subsection (3), if entry is permitted by law, the person shall not enter with force but only in a peaceable manner.
- (3) If the occupant took possession of the premises by means of a forcible entry, holds possession of the premises by force, or came into possession of the premises by trespass without color of title or other possessory interest, the owner, lessor, or licensor or an agent thereof may enter the premises and subsection (2) does not apply to the entry. However, any forcible entry shall not include conduct proscribed by chapter XI of the Michigan penal code, 1931 PA 328, MCL 750.81 to 750.90h.

History: Add. 1972, Act 120, Eff. July 1, 1972, -- Am. 2014, Act 223, Eff. Sept. 24, 2014.

## REVISED JUDICATURE ACT OF 1961 (EXCERPT) Act 236 of 1961

- 600.2918 Damages for forcible entry and detainer; damages for unlawful interference with possessory interest; exceptions; opening of probate estate; forcible entry or possession by occupant; action for possession; claim for injunctive relief; joinder; waiver; commencement of action; limitations; "owner" defined.
- Sec. 2918. (1) Any person who is ejected or put out of any lands or tenements in a forcible and unlawful manner, or being out is afterwards held and kept out, by force, is entitled to recover 3 times the amount of his or her actual damages or \$200.00, whichever is greater, in addition to recovering possession.
- (2) Any tenant in possession of premises whose possessory interest has been unlawfully interfered with by the owner is entitled to recover the amount of his or her actual damages or \$200.00, whichever is greater, for each occurrence and, if possession has been lost, to recover possession. Subject to subsection (3), unlawful interference with a possessory interest includes 1 or more of the following:
  - (a) Use of force or threat of force.
  - (b) Removal, retention, or destruction of personal property of the possessor.
- (c) Changing, altering, or adding to the locks or other security devices on the property without immediately providing keys or other unlocking devices to the person in possession.
  - (d) Boarding of the premises that prevents or deters entry.
  - (e) Removal of doors, windows, or locks.
- (f) Causing, by action or omission, the termination or interruption of a service procured by the tenant or that the landlord is under an existing duty to furnish, which service is so essential that its termination or interruption would constitute constructive eviction, including heat, running water, hot water, electric, or gas service.
  - (g) Introduction of noise, odor, or other nuisance.
  - (3) An owner's actions do not unlawfully interfere with a possessory interest if any of the following apply:
  - (a) The owner acts pursuant to court order.
- (b) The owner interferes temporarily with possession only as necessary to make needed repairs or inspection and only as provided by law.
- (c) The owner, or a court officer appointed by or a bailiff of the court that issued the court order or the sheriff or a deputy sheriff of the county in which the court is located, believes in good faith that the tenant has abandoned the premises, and after diligent inquiry has reason to believe the tenant does not intend to return, and current rent is not paid.
  - (d) All of the following requirements are met:
- (i) The owner informed the tenant in writing of the tenant's option to provide contact information for an authorized person the owner could contact in the event of the tenant's death. The owner is not responsible for incorrect contact information provided by the tenant or for the tenant's failure to provide contact information.
  - (ii) Current rent has not been paid.
- (iii) The owner believes in good faith that the tenant has been deceased for at least 18 days and that there is not a surviving tenant.
- (iv) After the requirements of subparagraph (iii) are met and not less than 10 days before the owner reenters to take possession of the premises and dispose of its contents, each of the following occurs:
- (A) If the tenant provided contact information under subparagraph (i), the owner makes a reasonable attempt to contact the authorized person using the contact information provided and to request him or her to open a probate estate for the tenant within 28 days after the tenant's death. The owner is not responsible for the authorized person's failure to respond to the notification before the owner's reentry into the premises.
- (B) The owner places on the door of the premises a notice indicating the owner's intent to reenter, take possession of the premises, and dispose of its contents after 10 days have elapsed.
- (C) The owner notifies the public administrator for the county where the premises are located or, if none, the state public administrator that the owner believes that the tenant is deceased and intends to reenter to take possession of the premises and dispose of its contents if a probate estate is not opened. On request by the public administrator before the 10-day period under this subparagraph has elapsed and presentation to the owner of proper credentials and identification, the owner shall give the public administrator access to the premises.
- (v) A probate estate has not been opened for the deceased tenant by the public administrator, authorized contact person, or any other person in the county in which the premises are located and the owner has not been notified in writing of the existence of a probate estate opened in another county and of the name and address of the personal representative.

## THE MICHIGAN PENAL CODE (EXCERPT) Act 328 of 1931

#### 750.553 Occupancy of building without consent; violation; penalty; exception.

- Sec. 553. (1) Except as provided in subsection (2), an individual who occupies a building that is a single-family dwelling or 1 or both units in a building that is a 2-family dwelling and has not, at any time during that period of occupancy, occupied the property with the owner's consent for an agreed-upon consideration is guilty of a crime as follows:
- (a) For a first offense, a misdemeanor punishable by a fine of not more than \$5,000.00 per dwelling unit occupied or imprisonment for not more than 180 days, or both.
- (b) For a second or subsequent offense, a felony punishable by a fine of not more than \$10,000.00 per dwelling unit occupied or imprisonment for not more than 2 years, or both.
  - (2) Subsection (1) does not apply to a guest or a family member of the owner of the dwelling or of a tenant. History: Add. 2014, Act 224, Eff. Sept. 24, 2014.

Compiler's note: Former MCL 750.553, which pertained to unfair discrimination, was repealed by Act 274 of 1984, Eff. Mar. 29, 1985.



## Michigan Legislature

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NAVIGATE SECTIONS

MCL Chapter Index
Chapter 554

Act 226 of 2014

Section 554.583

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## TRESPASS LIABILITY ACT (EXCERPT) Act 226 of 2014

#### 554.583 Duty of care to trespasser; liability.

Sec. 3.

- (1) A possessor of a fee, reversionary, or easement interest in land, including an owner, lessee, or other lawful occupant, owes no duty of care to a trespasser and is not liable to a trespasser for physical harm caused by the possessor's failure to exercise reasonable care to put the land in a condition reasonably safe for the trespasser or to carry on activities on the land so as not to endanger trespassers.
- (2) Notwithstanding subsection (1), a possessor of land may be subject to liability for physical injury or death to a trespasser if any of the following apply:
- (a) The possessor injured the trespasser by willful and wanton misconduct.
- (b) The possessor was aware of the trespasser's presence on the land, or in the exercise of ordinary care should have known of the trespasser's presence on the land, and failed to use ordinary care to prevent injury to the trespasser arising from active negligence.
- (c) The possessor knew, or from facts within the possessor's knowledge should have known, that trespassers constantly intrude on a limited area of the land and the trespasser was harmed as a result of the possessor's failure to carry on an activity in that limited area involving a risk of death or serious bodily harm with reasonable care for the trespasser's safety.
- (d) The trespasser is a child injured by an artificial condition on the land and all of the following apply:
- (i) The possessor knew or had reason to know that a child would be likely to trespass on the place where the condition existed.
- (ii) The possessor knew or had reason to know of the condition and realized or should have realized that the condition would involve an unreasonable risk of death or serious bodily harm to a child.
- (iii) The injured child, because of his or her youth, did not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it.
- (iv) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child.
- (v) The possessor failed to exercise reasonable care to eliminate the danger or otherwise to protect the child.
- (3) This section does not increase the liability of a possessor of land and does not affect any immunity from or defenses to civil liability established by or available under the statutes or common law of this state to which a possessor of land is entitled.

History: 2014, Act 226, Imd. Eff. June 26, 2014

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#### Section 554.583

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Sec. 38-4-1. - Trespassing in vacant buildings, occupied dwellings, and active commercial establishments.

- (a) It shall be unlawful for any person, except an officer, employee or contractual agent of a governmental agency in the performance of a public duty, to enter a vacant building, or the property on which the vacant building is located, without the express written authorization of the property owner, lessee, agent or trustee thereof.
- (b) It shall be unlawful for any person to enter, without permission, the occupied dwelling of another, or the property on which the occupied dwelling of another is located, after having been forbidden to do so by the owner or occupant, or the agent of the owner or occupant.
- (c) It shall be unlawful for any person to remain on an active commercial establishment, or the property on which an active commercial establishment is located, after being requested to leave by the owner or occupant, or the agent of the owner or occupant.

(Code 1964, § 39-1-92; Ord. No. 19-12, § 1, 7-31-12)

Cross reference— Unauthorized entry upon garden plots, § 40-3-3; trespassing by solicitors of fire repair contract, § 41-6-7.

State Law reference— Trespassing, MCL 750.546 et seq., MSA 28.814 et seq.

Sec. 38-65. - Trespassing.

It shall be unlawful for any person to go or trespass upon any public or private property in the city for any purpose, not otherwise authorized by law, without the consent of the owner or owners of such premises.

(Code 1978, § 15-24)

State Law reference— Trespass, MCL 750.546 et seq.

Sec. 38-66. - Breaking and entering and entering without breaking, but without permission.

- (a) Any person who shall break and enter, or who shall enter without breaking, any dwelling house, hotel, office, store, shop, warehouse, barn, factory, or other building, boat, ship, railroad car, automobile, or structure used or kept for public or private use, or any private apartment therein, cottage, clubhouse, boathouse, garage or the outbuildings belonging thereto, or any other structure, whether occupied or unoccupied, without first obtaining permission to enter from the owner, or occupant, agent or person having immediate control thereof shall be guilty of a misdemeanor.
- (b) This section shall not apply to entering without breaking, any place which at the time of such entry was open to the public, unless such freedom of entry has been expressly revoked or refused or terminated by passage of time, or by operation of currently effective regulations applicable to such public place.
- (c) This section shall not apply in cases where the breaking and entering or entering without breaking were permitted by a peace officer or someone under his direction in the lawful performance of his duties as such peace officer.

(Code 1978, § 15-25)

State Law reference—Similar provisions, MCL 750.115.

Sec. 1-1-9. - General penalty, municipal civil infractions, blight violations; continuing violations; denial, suspension, and revocation of licenses and permits; abatement of violations; issuance and service of appearance tickets, citations, complaints, and notices by public servants.

- (a) In accordance with Section 4i(k) of the Michigan Home Rule Cities Act, being MCL 117.4i(k), whenever in this Code, any act is prohibited or is made or declared to be unlawful or an offense, or whenever the doing of any act is required or the failure to do any act is declared to be unlawful:
  - (1) Where no specific penalty is provided therefor, any person, upon conviction for the violation of any such provision of this Code, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the court, for each such offense; or
  - (2) Where the violation substantially corresponds to a violation of state law that is a misdemeanor for which the maximum period of imprisonment is ninety-three (93) days, the ordinance may provide that any person, upon conviction for the violation of any such provision of this Code, shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment not to exceed ninety-three (93) days, or by both such fine and imprisonment in the discretion of the court, for each such offense.
- (b) Notwithstanding Subsection (a) of this section and in accordance with Chapter 87 of the Michigan Revised Judicature Act, being MCL 600.8701 et seq., and as specifically authorized by this Code, the city may determine that a violation of this Code, or any rule or regulation promulgated pursuant thereto, be decriminalized, cease to be a misdemeanor, and be deemed a municipal civil infraction that is subject to the assessment of a civil monetary fine.
- (c) Notwithstanding subsection (a) of this section and in accordance with Section 4I(4) of the Michigan Home Rule Cities Act, being MCL 117.4I(4), and as specifically authorized by this Code, the city may determine that a violation of this Code be decriminalized, cease to be a misdemeanor, and be designated a blight violation that is subject to the assessment of a civil monetary fine.
- (d) Each day that any violation of any provision of this Code, or any rule or regulation promulgated pursuant thereto, continues shall constitute a separate offense.
- (e) The denial, suspension, or revocation of a City license or City permit pursuant to this Code shall not bar the imposition of any penalty provided for in this section.
- (f) In addition to penalties provided for in this section, the condition which constitutes a violation of this Code, or any rule or regulation promulgated pursuant thereto, may be abated by the city.
- (g) (1) Where any city department or agency that is specifically authorized by the Charter or by this Code to administer and enforce any provision of this Code, or any rule or regulation promulgated pursuant thereto, such city department or agency shall designate public servants employed by the city, who shall have concurrent authority with police officers, to enforce any provision of this Code, or any rule or regulation promulgated thereto, with respect to the particular class of offenses that the subject City department or agency is authorized to enforce.
  - (2) Any public servant employed by the city who is designated by a city department or agency to enforce any provision of this Code, or any rule or regulation promulgated thereto, is hereby specially authorized to issue and serve upon a person an appearance ticket, a citation, a complaint, or other written notice with respect to a particular class of offenses of less than felony grade where the public servant has reasonable cause to believe that the person has committed an offense.

(Code 1964, § 1-1-7; Ord. No. 20-97, § 1, 7-9-97; Ord. No. 22-04, § 1, 7-2-04; Ord. No. 15-07, § 1, 5-23-07)

# Dead bodies, wild dogs, squatters in governmentowned Detroit houses

THE DETROIT LAND BANK AUTHORITY'S PROBLEM WITH UNAUTHORIZED OCCUPANTS IS LIKE NO OTHER IN THE NATION

Jennifer Dixon (/staff/27799/jennifer-dixon), Detroit Free Press

Published 7:00 a.m. ET July 19, 2018 | Updated 4:49 p.m. ET Nov. 16, 2018

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At one end of Alpine Street, near Joy Road on Detroit's west side, Georgeia Elder and a friend live in a leaky trailer, their yard cluttered with a boat and a Cadillac Escalade with four ladders on the roof, a shopping cart and a lawn mower, a folding chair and a metal headboard. A pit bull, Lady, laps up spaghetti and gravy from a takeout container.

At the other end of this short stretch of Alpine, near Tireman Avenue, a woman known as Spankie lives in a house with a dog she calls "my baby." A heart-shaped sign hangs from the front door that says "Bless Our Home." A handwritten sign instructs the postal carrier to put her mail in a box tucked into a milk crate next to the porch stairs. A scent of straw and animals hangs in the air.

These occupants don't own the properties where they live. They're not paying rent to the owner either. Their homes on Alpine Street, a Free Press analysis shows, bookend one of the City of Detroit's highest concentrations of squatters, people who live in homes owned by the Detroit Land Bank Authority.

There are as many as 4,300 houses just like these across the city.

Many squatters once were the homeowners, but lost the houses to foreclosure. Others simply broke in and stayed. Along this four-block stretch of Alpine, squatters occupy 20 land bank properties, according to its records.

Ordell and Wardell Belt, twin brothers in their 60s, live in a small frame house without water or heat, but they have a pup, Scandalous, chained up outside for protection. Wardell did time in federal prison for armed bank robbery; Ordell said he was shot by police as a teenager and is too embarrassed today to describe what happened, other than he regrets what he did.

The twins have lived on Alpine most of their lives, and Ordell once owned their house.

#### More:

> The Free Press finds an actual working business that is squatting (https://www.freep.com/story/news/local/2018/07/19/dry-cleaners-squatting-detroit-land-bank-building-gratiot/463485002/)

> This guy grows these plants on acreage he doesn't own (https://www.freep.com/story/news/local/2018/07/19/detroit-land-bank-negotiating-sale-

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(https://www.treep.com/story/news/local/2018/07/19/milwaukee-kalamazoo-find-solutions-squatters-and-their-problems/678197002/)

> <u>Here's how the Detroit land bank counts this elusive population</u>
(https://www.freep.com/story/news/local/2018/07/19/how-does-detroits-land-bank-predict-occupancy/783733002/)

LaVerta Washington also lives on Alpine, next to a scorched house and across from a skeleton of another house. She cries about the uncertainty of living in a place she doesn't own, and prays she can stay in the bungalow, decorated with pinwheels and flower baskets, wind chimes and an American flag, until she dies.

Aquin Hill took over a vacant land bank house three years ago, adopted it as her own and recently bought it for \$1,000 under a program called "buyback." She doesn't need a car to visit family, who live nearby on Alpine, too, or to go to the corner store.

Welcome to the worst squatter problem in the nation.

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### Alpine Street in Tocus

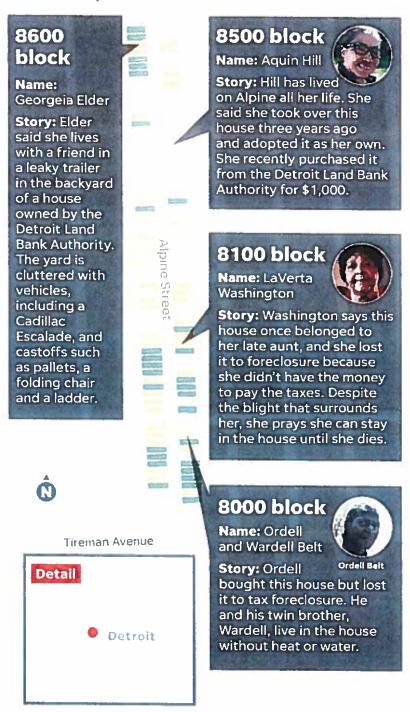
20 of 38 houses owned by the Detroit Land Bank are occupied by squatters





Detroit Land Bank residential structure

Joy Road



SOLECE Detroit Limit Bank Authority

Brian McNamara, Kristi Tanner, Jennifer Golon/Detroit Free Press

The Detroit Land Bank owns nearly 30,000 residential structures in the city, and with as many as 4,300 of them occupied — it's a magnitude unlike any other place.

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and its massive inventory of abandoned buildings. Let them stay, and the land bank is summoned often to investigate what some of its occupants may be up to: dog fighting, prostitution, drug dealing, overdoses, gambling, gun possession or running a chop shop.

Detroit police also are called regularly to land bank properties to investigate dead bodies
— at least 50 homicides over the last four years.

In one case, remains were found in a garbage can in a garage. At another house, police found the bodies of a mother and her 4-year-old daughter stashed in a basement.

Since Mayor Mike Duggan took office in 2014, the Detroit Land Bank has taken in thousands of foreclosed properties, demolished blighted houses and auctioned others. The land bank has also tried to solve its squatter problems but progress has been slow.

#### A Free Press investigation finds:

- The land bank has turned only a fraction of its occupants into homeowners, and has only two initiatives to make that happen.
- The land bank treats its squatters inconsistently. Some are allowed to stay after the land bank finds them, others are pushed out.



Detroit Land Bank Authority Chair Erica Ward Gerson in 2015. (Photo taken June 8, 2015.)

(Photo: Salwan Georges. Detroit Free Press)

- The land bank doesn't have the money to maintain and secure all 30,000 of its residential structures, so neighbors have taken on the job of keeping squatters out of some of these houses.
- The land bank's estimates of its squatter population are a moving target. Erica Ward Gerson, chair of the land bank authority, said the number is somewhere between 3,400 and 4,300.
- Other land banks and cities avoid squatter problems by preventing them in the first place. They either evict illegal occupants or refuse to take possession of occupied houses.

Life as a squatter is a struggle: Some are extremely poor, their only income a federal disability check. Some have no heat or water.

#### Related:

How did it come to this? An explainer on squatters (https://www.freep.com/explainer/what-is-a-squatter-let-us-explain/147/)

The squatter population includes people who have jobs, senior citizens and parents with children. They mow their lawns, plant flowers, keep their lots tidy.

There also are ex-cons, drug or alcohol abusers and mentally ill people. Some can't work,

On Quincy Street, several miles north of Alpine's concentration of squatters, there's the mother and her four young sons, whose land bank house is next to a vacant commercial parcel with a population of foxes and piles of discarded tires. The smell of rubber drifts to

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killed their dog. The mother and the boys blamed the foxes, but a state Department of Natural Resources official said a feral dog attack is more likely.

Life isn't easy for the squatters' neighbors, either, those who do pay their taxes, rent or mortgage. They live next to overgrown tawns, yards stuffed with boats, cars and junk, and chained, barking dogs, And, for one neighbor, the stench of a decaying body in the grass behind a land bank house.

## No responsibility

Gerson, the land bank chair, said it has no responsibility for its occupants.

"They're not renters. They're occupying homes that they don't own."

Gerson said the land bank also does not have a policy on whether to allow people to live in its properties.

But U.S. Rep. Dan Kildee, D-Flint Township, said Detroit's land bank must find a way for its occupants to reside in their houses legally, and if that's not possible, vacate the premises "because the gray area is really dangerous and the properties often are not up to code for occupants to live in them."

"Without legal occupancy, they can't get water, they can't get utilities. What you end up with then is the most dangerous situation — people hijacking neighborhood utilities. especially in the winter, which is dangerous to occupants and the neighborhood."

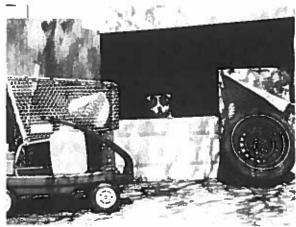
Kildee — founder of the Genesee County Land Bank, which has been a model for land banks around the country - added, "No one wants to explain why someone died in a fire in one of those houses they weren't supposed to be in, and knew they were in, and didn't do anything about it."

The Free Press found the Detroit land bank is inconsistent in how it deals with its squatters. Some are removed from the houses they've taken over, but not others.

In 2017, for example, the land bank found a man, who had been living in one of its houses for three years. using illegal electricity and a woodburning fireplace for heat. His daughter told the land bank he was using and distributing crack cocaine, but the land bank decided that while the allegations were serious "they are simply allegations," records show.

The occupant admitted to using marijuana, which the land bank does not allow in its properties. But it didn't run him off.

Another occupant of a different house could not provide any proof to land bank investigators that she had been a legitimate renter, and despite its own notes that the situation "seems suspect," the land bank let her stay, according to a summary of its 2017 investigation into the matter.



Bullet, a dog belonging to a man squatting in a house on Fairmount Drive in Detroit, looks out from the garage in April. (Photo taken April

(Photo: Junfu Han, Detroit Free Press)

complained to the land bank about them for more than a year in phone calls and emails.

One called it a "house of blight" with five cars in the backyard and grass up to the fence line, according to an email to the land bank in November 2017,

The Free Press obtained the correspondence through an open records request. The land bank blacked out the names of the letter writers.

In a June 2017 email, a neighbor said the occupants were "working on cars in the driveway and selling them. Right now, they are sanding a car down to prep for paint in the driveway. The lack of management of your property and accountability is so unprofessional and wrong."

Another neighbor reported seeing residents of a house on the block "summarily" move into the Forrer property in summer 2016. "It was clear this was an illegal entry as they were observed moving in furniture late at night, running extension cords from house to house to steal electricity, etc. Thus began a pattern of unsightly and dangerous developments, which continue to the present day."

Among one neighbor's concerns: bonfires on the front lawn, loud parties, screeching tires, and car repair and resale business at the house. The neighbor said the occupants had chipped at the curb with sledgehammers to make room for a bigger driveway.

"They have cemented half of the front yard," a neighborhood resident of 22 years said in a handwritten note. "Flat bed trucks come in + out dropping off cars, ... They drag race up + down Forrer, ... The backyard is nothing but cars, trash + dog waste."

And what did the land bank do? It's selling the house to the occupants for \$1,000.

The Free Press visited the house multiple times, but no one came to the door. The exterior of the house has three security cameras and a warning sign that says: "All activities are recorded to aid in the prosecution of any crime committed against this facility."

The land bank said the situation was simply a disagreement between neighbors that it could not resolve.

Sources familiar with the land bank's practices, who requested anonymity for fear of reprisals, said it often decides what to do with its squatters based on the location of the property. Squatters are told to get out when a neighborhood can attract new development or the house can attract a buyer. But they're left alone in the forgotten corners of the city.



Surveillance cameras and a warning sign at a house in the 6300 block of Forrer. (Photo taken May 17, 2018)

(Photo: Junfu Han, Detroit Free Press)

The Free Press presented the atlegations to the land bank, and in a written response, the authority said it removes occupants for two reasons: illegal activity or when the occupant does not qualify for the buyback program. Location, the land bank said, is not a factor.

Since 2014 through May, the land bank has filed a total of 82 eviction cases,

Josh Akers, an assistant professor of urban and regional studies at the University of Michigan-Dearborn, said the land bank's approach to squatters is both good and bad.

"It allows flexibility in these cases, where the idea of occupancy is better than vacancy," said Akers, whose research includes land banks. "At the same time, it becomes kind of arbitrary." And if occupants are treated capriciously, he said, "it doesn't encourage anyone in similar situations to engage the land bank."

## Squatter to homeowner

The land bank has developed two programs to turn its occupants into homeowners. But they have been slow to make a difference.

A buyback program allows certain squatters — including those who were the former owners or tenants or their family members — to buy the house, as is, for \$1,000. For some, that's more than they can afford.

Others are disqualified if they can't prove a legitimate connection to the property.

Since launching the buyback program in late 2015, occupants of 465 houses have paid \$1,000 to the land bank for their houses. To stave off future foreclosures, participants must save \$100 a month for a year, pay their first property tax bill, and complete home ownership classes.

They don't get the deed to the property until they've paid their taxes and finished the classes.

As of mid-July, occupants of 278 houses had received their deed, while three dropped out. The land bank expects the occupants of another 50 houses will get their deeds in August.

The land bank said it's working with the occupants of another 323 properties who have started the process but haven't paid the \$1,000.

"Of all the programs we run, buyback is the one I'm the proudest of," Gerson said in an interview. "To me, the most remarkable thing is we've only taken back three properties from people who signed agreements, started putting money aside."

Her goal is to identify all of the land bank's occupants, get their houses back into productive use, and to "turn them into homeowners with stability."

This summer the land bank began what will be a years-long effort to find its squatters by knocking on doors, neighborhood by neighborhood. It won't be easy.

"If you've been in a house for a while and nobody's bothered you, the safe thing you've learned is don't answer the door," Gerson said.

As of early July, the land bank had surveyed more than 400 properties and expected to survey another 600 in the coming months.

A second program for land bank occupants, Bridges to Homeownership, is sputtering along (https://www.freep.com/story/news/local/2018/04/27/evictions-flipping-reform-squatters-detroit/404703002/). The Black Caucus Foundation of Michigan, a politically connected charity, originally created Bridges to buy land bank houses, fix them up, and sell them to the occupant on a land contract. It was billed as another way to nudge squatters toward legitimacy.

Since 2016, when Bridges bought its first houses from the land bank for \$1,000 each, it had completed repairs at 21 houses, as of late May. Bridges at one point said it would acquire and sell up to 1,800 houses a year.

The Free Press reported in April that Bridges wrongly evicted some squatters and flipped houses to developers for thousands more than it paid for those properties. Bridges, in turn, accused the land bank of undercutting its progress by not selling it enough houses.

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Occupied Non-Profit Program. After reviewing the four responses it is negotiating agreements with two groups.

Akers, the University of Michigan-Dearborn professor, called the land bank's programs for occupants progressive and innovative.

But Akers said there are several reasons they haven't converted more squatters into homeowners: Some squatters don't want to be found. Others can't afford the \$1,000 price tag under the buyback program, And saving \$100 a month for a tax bill could be pointless if a squatter qualifies for a property tax exemption because of poverty.

For Willliam Love, the buyback program will end the uncertainty in his life since he bought his two-story house on Hull Street near I-75 and 7 Mile Road from a family friend in 2013. Love said he later found out the seller hadn't paid the property taxes.

Love lost the property to foreclosure and the land bank became the owner in early 2015.

This spring, Love had a job at an auto parts manufacturer, had taken a financial literacy class and was on his way to buying the house for \$1,000.

"Things are looking up for me," he said. "I feel better.
A great deal of relief."

When he's once again the owner, Love is going to tackle an expensive plumbing problem: the cause of the water that seeps into his basement when it rains. And the ramshackle garage with the collapsed roof will be torn down.



William Love poses in May for a photo in the flooded basement of the house on Hull Street in Detroit that he is purchasing from the land bank. (Photo taken May 31, 2018)

(Photo Junfu Han, Detroit Free Press)

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## Neighbors pick up the load

As Free Press reporters crisscrossed the city looking for squatters, they found neighbors of land bank houses taking it upon themselves to prevent squatters from moving in.

One woman, who did not want to be identified, claimed that for two years she has been maintaining the exterior of the two-story brick house next door to her west-side place on Petoskey Avenue near Livernois and the Lodge Freeway. The last occupant died,

The grass is mowed, there's no sodden pile of mail on the porch, no discarded flyers everywhere, no litter on the lawn. The neighbor said she thinks that if the house looks occupied, squatters will stay away.

On Lauder Street, near Hubbell and Grand River avenues on the west side, Anna Hollins lives next to a land bank house that she said is popular with squatters. Until recently, they were able to sneak in through a window she can't see from her house, by climbing a fallen tree limb.

The branch is now gone. But the squatters may still be getting inside.

As she showed a reporter the window, she glimpsed something in the grass: pennies.

"You know someone's been around," she said. "Ain't no way in the world should be money over here."

She said she wants the land bank to tear down the house and sell her the lot.

A longtime member of the National Guard, Hollins keeps a close watch on the house because "I never know what I'm coming into."



Anna Hollins in May mows the yard of her Lauder Street home, which sits across from a land bank house investigated for possible dog fighting. (Photo taken May 25, 2018)

(Photo Junfu Han, Detroit Free Press)

## One house, five overdose deaths

Since 2014 through late January, the land bank opened 1,406 squatter investigations — the equivalent of almost one a day.

According to summaries of its 2017 investigations, obtained by the Free Press under the Freedom of Information Act, the land bank or the Detroit Police Department were called out 456 times to investigate suspected drug houses, illegal dumping, dog fighting, a chop shop, gang activity, prostitution and other questionable activity.

While one of the investigators was at a house on Charlevoix Street near Van Dyke and Mack on the east side, "an older man rode up on a bike looking for Toto," the terrier from Wizard of Oz. "He was trying to buy some drugs."

Another time on the east side, documents show, the investigator asked the occupant of a house on Maryland Street near Warren Avenue and Alter Road whether there was drug activity in the house. The occupant stated he just had a lot of friends.

"As I was standing there talking to him a car pulls up and asked for a bag of weed. I looked at him (and) laughed." the investigator wrote.

When police went to ticket a suspected drug house on Westphalia Street on the east side near State Fair and Schoenherr, the squatters ran out and officers found "dogs in basement, marijuana and stolen cars."

Last year across the city, police or the land bank also found guns, ammunition, illegal utility hookups, cash and lots of drugs — marijuana, heroin and cocaine, and scales to weigh it all.

One house, on Collingham Drive near Gratiot and 8 Mile on the northeast side, was the subject of 16 police runs during the first three months of 2017. And the property was the site of five fatal overdoses in five months.

In an April 2017 email to the land bank, Police Officer Brad Hawkins complained that the house was open to trespass.

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ne pleaded with the land bank to secure the house.

A month later, Hawkins called the land bank to report the fifth overdose resulting in death at the house since the first of the year. That same afternoon, the land bank dispatched a crew to secure the house.

"Great," responded a land bank lawyer in an email to colleagues. "Not sure what more can be done other than getting it sold & occupied."

In May 2017, a complaint about a chop shop — a place where stolen cars are taken apart for parts — took an investigator to a house on Bradford near 7 Mile and Groesbeck. The Free Press went there and found a man in a car in the driveway on a Friday afternoon. "Hell no," he said, no such thing happened at the house.

"I ain't doing that," the man said.

But he acknowledged that police seized 10 cars from him and his father and he got half of them back.

The man said he was fixing some of the cars, but others were sitting idle.

He said his father lives next door — but not at the moment. The father was actually somewhere else; the Macomb Correctional Facility, a state prison, for carrying a concealed weapon.

Back across town, across the street from Anna Hollins, the land bank investigated dog fighting on Lauder Street.

Hollins said she could hear the sounds of dogs fighting at the house, saw a dog wandering her street with rope around its neck and "all these marks." She said some nights, cars would line her street, which is pockmarked with vacant houses and empty tots.

"I've actually seen dogs going in and out of there, like it was their house," she said.

## Squatters have their own stories

When the land bank dispatches its investigators to check on squatter complaints, they ask the occupants how they came to be in the house. Were they former renters, owners?

Some squatters give suspicious answers.

During one such check, an occupant of a house on Wisconsin Street on the west side said he had permission to be there from the aunt of a friend named Will. Later, the occupant said it was Will's mother who gave the OK. But he didn't know the women's names. He said he didn't know Will's last name, either.

Another occupant on Saratoga Avenue near 7 Mile and Gratiot said she couldn't remember the name of her landlord and when she spoke with a land bank employee on the phone, she paused before answering each question "as if someone was feeding her the answers. ... Her story seems suspect."

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### 50 bodies

From 2014 through January, Detroit police have investigated the homicides of at least 50 people whose bodies were found on or near land bank properties. They've found bodies inside land bank houses, on a front porch, hidden in overgrown grass and weeds, slumped over in vehicles, and one concealed by branches and brush — a woman with a hole in her chin.

They investigated the case of a demolition contractor who tipped over a foul-smelling garbage can at a land bank property and saw the body of a man fall out. They found a body burned head to toe, the injuries so severe they weren't initially sure whether the victim was male or female. They found a man's body, dressed in multicolor boxer shorts, "in a state of decomposition" with miscellaneous flies and larvae.

Victims were shot, stabbed, strangled. One 7-year-old malnourished boy, Immanuel Foster, was tortured and later died. The land bank house where police found the boy beaten and burned is still standing — and it's occupied.

The child's mother and her boyfriend were convicted of child abuse and involuntary manslaughter in the 2014 death. She was also convicted of torture and sentenced to a maximum of 50 years in prison; he got up to 15 years.

A woman who said she was the boyfriend's sister was in the house in December when the Free Press knocked on the door. Pauletta Lawrence said she thought her father owned the house. She said she had lights and heat, but no water, which she brings to the house in jugs.

She said she moved in to protect the house more than two years ago, "because a crackhead tried to break in and burn it down."

A squatter is also living in the house on Mendota Street where 45-year-old John Payne drove his Suburban onto the property after he had been shot in the middle of the night in October 2016.



Pauletta Lawrence talks to the Free Press in December from the door of a land bank house on Richton where Immanuel Foster, 7, was found tortured in 2014. The boy died, (Photo taken Dec. 20, 2017)

(Photo: Junfu Han, Detroit Free Press)

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When the Free Press visited the house near Grand River on the city's west side in May, a man named Reginald said the occupant was hospitalized, and he was just keeping an eye on the property for his friend, also Reginald.

The first Reginald said he was at the house the night he heard gunshots down the street, saw Payne's SUV roll straight through the bushes that cloak the front yard, onto the front steps and into "the porch I'm sitting on right here."

As he described the night of the killing, a dog named Sugar leaped onto the roof of the porch through a second-story window, which was covered with a dingy sheet.

"That's an attack dog," he said. "Keeps people out."

Reginald said he doesn't have electricity or water — but he fills juice bottles with water at a friend's house. He has kerosene lamps, too.

A sign on the porch warns that "steps are bad" and "dog will bite!" It advises visitors to "stand at curb and vell."

"It's a bad neighborhood."

On Garland Street, south of I-94 on the east side, all that's left of the land bank house where Jevonta Malone, 26, was shot in July 2016 is the brick foundation, charred wooden planks and a shrine.

Empty liquor bottles and glass candles sit in the grass beneath the shrine's heart of flowers on a stand, the kind displayed at funerals. Two pheasants alight in an empty lot.

Malone was killed during an argument "over a female," said his cousin, Enrico Davidson, who lives across the street, "Crazy."

Police found LaDiamond Myers' body, nude and stabbed multiple times, on a mattress on the floor of a land bank house on Braille Street near Lahser and Fenkell in June 2017, "There was old and new trauma to her body," according to the police report.

Neighbors told officers that Myers had four small children who had been in the west-side house with her body. The children, officers said in their report, "were in and out of the house unsupervised."

Prosecutors charged a neighbor, Willie Wilborn, with first-degree murder, but a judge dismissed the case, citing insufficient evidence.

On a May afternoon, the door to the house was wide open, revealing the detritus of a household: a mattress, bottles of pills, dishes, a laundry basket, diapers, an empty Faygo bottle, baby formula. Flies everywhere.



Sugar, a dog that belongs to an occupant of a land bank house in the 11400 block of Mendota, stands on a roof after jumping out of the second floor window in May. (Photo taken May 10, 2018)

(Photo: Junfu Han, Detroit Free Press)



A shrine outside of 5797 Garland Street, where Jevonta Malone, 26, was shot and killed in July 2015. (Photo taken May 9, 2018) (Photo Junfu Han, Detroit Free Press)

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## Alpine, the center of it all

Back on Alpine. 119 residential parcels line the four blocks between Joy and Tireman. Land bank records show it owns 67 of them: 29 vacant lots and 38 houses. Twenty of its houses are occupied.

Alpine is squatter central. Once filled with families and children, it's a tattered neighborhood of small houses, many deserted, and vacant lots. There's hoarding and heartbreak on Alpine.

Twins Ordell and Wardell Belt share their house on Alpine with Scandalous, the lab-pit bull they adopted when they found him wandering the street. They said they have no central heat, no water. Both get federal disability checks.

The first time the Free Press met the Belts was the day before Thanksgiving, when Ordell came to the door with a cigarette in one hand, a bottle of Wild Irish Rose wine in the other. outside.

"He won't let anyone in the house when I'm in it,"
Ordell said.

Ordell has lived on Alpine almost all his life. He said he was shot by police when he was a teen. Shot in the chest, the side, his right leg, his left wrist (five times).

"I was doing s--t I shouldn't have been doing" on that day, Jan. 12, 1972. He won't elaborate.

Later that same year, Wardell went to state prison.

According to the twins, Wardell jumped a schoolteacher as a juvenile, escaped a state prison — he walked away from his inmate's job in a potato field — and robbed a bank with a gun.

How much did that robbery net?

"I ain't talking about it," he said.

Ordell and Wardell were born in June, under the zodiac sign of Gemini, the twins. This year, they turned 65.

Ordell knows almost everyone on his block: the animal lover at the end of the street, the brothers who live in their family home when they're not in jail, the young man who moved into his father's old house with dreams of bringing Alpine back to life, the goddaughter who helps him and Wardell with water.

Ordell bought his house in 1997 for \$5,000, but stopped paying taxes and lost it to foreclosure in 2015. The land bank has owned it since 2016.

Yes, Ordell acknowledged, life is rough on Alpine. He said it was cold last winter. He stays in bed a lot.

"I don't have too much to do. Life is a struggle. Ain't got no water; it's hard to wash your body."

But he finds enjoyment, too, on Alpine. Reading his horoscope on his phone — "It told me I would be fortunate today," he said. Visiting with the young people who stop by the house.

"They all show me respect and love," he said.

Life isn't easy for Wardell either.

"I don't even wash up no more," Wardell said, showing the dirt on his forearms, "Just when I get my injection. I got to take the shot. It keeps me out of prison,"

Ordell said there are days when Wardell talks a lot, others not so much. Some days Wardell might be feeling guilty that "he didn't get a chance to accomplish anything," Ordell said.

Wardell said he doesn't feel guilty about anything. He finds enjoyment on Alpine too, in going to the store for pound cake and candy, soda pop and bologna, and just sitting and relaxing.

He takes it easy, he said, because "I'm a sickly person. I have seizures."

Aquin Hill has lived on Alpine all her life, too.



Twins Wardell and Ordell Belt pose in November outside their home on Alpine Street in Detroit. (Photo taken Nov. 22, 2017)

(Photo. Juniu Han, Detroit Free Press)

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street that, she said, someone had boarded up while she was living in it. Just this April, the land bank sold Hill her house for \$1,000.

The Free Press ran into Hill on a sunny May morning, walking down Afpine on her way to buy lottery tickets.

"I've got to hit those numbers right quick," she said.

Her mother gave Aquin her name after seeing "A Quinn Martin Production" on her TV screen. Her father gave Aquin her nickname: "It's me." She has it tattooed on her arm.

Not far from Hill's home is the place where Georgeia Elder stays. She said she's living in a trailer, its roof draped with a blue tarp, with a man she met at a restaurant.

It's not romantic, between those two.

"I haven't been in a relationship for 15 years," she said, "We're just friends. My ex-husband is in Alabama."

The trailer sits behind a house the land bank has owned since 2016. The yard is filled with things: a Cadillac Escalade loaded with ladders, a truck, a boat, pallets, trash cans, a bench seat from a vehicle, a shopping cart, a lawn mower, a hot water heater. The grass in front of the house is waist high. A TV waits at the curb for the trash collectors. Tiny chips of broken glass are scattered across the sidewalk, catching the sunlight.



Alpine Street resident Aquin Hill in May shows off a tattoo of her nickname on her right arm. (Photo taken May 17, 2018) (Photo: Junfu Han, Detroit Free Press)

Georgeia said people give her roommate things. She said she hasn't been in the land bank house.

"I don't know what all they've got in it."

LaVerta Washington said she has been part of the neighborhood since childhood, when she spent time with her aunt, who lived on Alpine. After her aunt died 17 years ago, Washington moved in.

She said she didn't have "any extra money" to pay the taxes and lost the house to foreclosure. The land bank took possession in early 2016.

"I was paying all the other bills but I just couldn't get it together when it was tax time," she said.

She said it's an uneasy feeling, knowing that she doesn't own the house. She worries she could lose it.

"I think about it when I go to sleep at night. I get down on my knees and pray about it. When I wake up I pray about it again. I say to myself, 'Lord, please don't let nobody put me out this house, find a way that I might be able to keep it,' " she said, overcome with emotion.

"I know the neighborhood isn't that good," she said in an interview in her small living room, decorated with family photos, a cross on the chain around her neck.



LaVerta Washington poses in November inside the house she calls home on Alpine Street in Detroit. (Photo taken Nov. 22, 2017)

(Photo. Junfu Han. Detroit Free Press)

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"Straight across the street is vacant. The one next door is vacant, they just walked out of that house. ... This one somebody firebombed it about a year ago," she said, pointing to another.

"I'm comfortable over here, and everybody knows me and I know everybody," she said.

Alpine is home.

"I really want to stay here until I die. I really do."

More: Evictions, flipping tarnish effort to turn squatters into homeowners



A burned house next to LaVerta Washington's place on Alpine Street in Detroit. (Photo taken May 25, 2018) (Photo: Junfu Han, Detroit Free Press)

(https://www.freep.com/story/news/local/2018/04/27/evictions-flipping-reform-squattersdetroit/404703002/)

More: Detroiter sues, says his lifelong home demolished in ambush-style eviction (http://www.Freep.com/story/news/local/2017/06/19/ambush-evictiondemolition/378899001/)

More: Free Press probe of asbestos violations across Michigan prompts lawmakers to crack\_down (https://www.freep.com/story/news/local/michigan/2018/02/20/asbestostegislation-michigan/351124002/)

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#### DLBA NUISANCE ABATEMENT PROGRAM

The Detroit Land Bank Authority launched its improved Nuisance Abatement Program (NAP) in the Spring of 2014. Since its revival, NAP has made strides in reaching its ultimate goal: Combating blight in order to rebuild dilapidated neighborhoods for the general health, safety, and welfare of the community.

- The DLBA works with District Managers to identify areas for our Nuisance Abatement Program;
- In addition to information from the DMs, DLBA uses vacancy data to strategically target neighborhoods;
- The DLBA district attorney also canvas their districts to update the vacancy data to ensure that the maps reflect the actual state of the neighborhoods;
- •DLBA posters houses in identified area.

## Community

## Compliance

- Owners have 3 days to contact the DLBA to enter into consent agreement to fix up home;
- If owners do not respond,
   DLBA files a nuisance lawsuit in Wayne County Circuit Ct.
- At any time up until final judgment, the Owner can come forward and enter into an agreement to abate the nuisance on the property.
- Owners have 28 days to respond to the lawsuit.
   Failure to respond results in the DLBA seeking Default Judgement.
- •A default judgment gives the DLBA title to the property.
- After DLBA quiets title on the property, the property is placed in our regular programs (Auction, Demo)

Court

#### **Nuisance Abatement Contacts**

- To report a house for the NAP program, please contact your District Manager
- To report illegal drug activity please call (313) 224-DOPE.
- To reach the Detroit Land Bank Authority Legal Department call (313) 502-5280.

