

Detroit Historic District Commission

RESOLUTION 22-01

Notice to Listing Agents of Unresolved Violations at Properties

BY COMMISSIONER HAMILTON

WHEREAS, the Detroit Historic District Commission (the “Commission”), and its staff, is responsible for the periodic inspection of designated historic districts for violations of Chapter 21, “History”, Article II, “Historic Districts and Landmarks”, per Section 21-2-56(8); and,

WHEREAS, such violating scopes of work run with the property and remain the responsibility of the current owner, even if that current owner was not responsible for performing or contracting the violating scope of work; and,

WHEREAS, the Commission regularly receives communication from new property owners that they were not made aware of pre-existing violations by sellers and/or their agents, some of which may require substantial investment and time by the new owners to resolve. In many cases this leaves the violation unresolved for years, to the continued detriment of the historic character of the historic districts; and,

WHEREAS, the Commission and its staff, from time to time and in the regular course of periodic inspections, may become aware of properties with violations that have recently been listed for sale (“newly listed properties”);

WHEREAS, the Commission finds that notifying the listing agent, in addition to the owner, of the current violations at newly listed properties serves a valid public purpose in the protection of Detroit’s historic districts, encourages those responsible for violations to resolve them promptly, and protects the rights of new owners by encouraging legally required disclosure; and,

BE IT RESOLVED that the Commission hereby directs staff to notify identified listing agents and property owners of such newly listed properties, based on the best available records, of existing property violations for full disclosure to potential new owners. Such notice shall be via letter delivered via email and certified mail, as feasible. Staff shall additionally make a permanent record of the notification in the Commission’s files, for later reference by any subsequent property owners.

Dated: March 9, 2022