



---

# Neglected and Derelict Buildings (NADB)

Community Planning and Development  
Zoning and Neighborhood Inspection Services  
*LUTI Committee, June 18, 2024*

# NADB Program Current State

- Case severity and occurrences
- Addition of an Administrator I position January 2024
- Refreshing docs and process
- Show Cause Hearings

# Pipelines

With the new administration, we are plugging into additional workgroups

- Encampment Task force
- Place Network Investigation (PNI) Task Force
- Department of Public Health and Environment (DDPHE)
- Department of Excise and Licenses (EXL)

# Code Overview – NADB Assessment

The Denver Revised Municipal Code (DRMC) regulates the process through which the City and County of Denver determines and manages neglected and derelict buildings.

A property is neglected or derelict when any one or more of the following circumstances exist on the property:

1. The property is unsafe;
2. The property is, for any three consecutive months, not lawfully occupied, wholly or partially boarded up, and does not show evidence of substantial and ongoing construction activity;
3. The property is not lawfully occupied and has been in violation of any provision of city or state law on three separate occasions within a two-year period;
4. The property is not lawfully occupied and the tax on the premises has been due and unpaid for a period of at least one year; or
5. The property is a neighborhood nuisance as that term is defined in subsection (b)(11) of this section;
6. Historic property that is not being preserved in accordance with Chapter 30 of the Code.

DMCA §10-138 (c)

# Code Overview – Nuisances Defined

*Neighborhood nuisance* means a property that, by reason of inadequate maintenance, dilapidation, obsolescence or other similar reason:

- is a danger to the public health, safety or welfare;
- is structurally unsafe or unsanitary;
- is not provided with adequate safe egress;
- constitutes a fire hazard;
- is otherwise dangerous to human life; or
- in relation to the existing use constitutes a danger to the public health, safety or welfare.

DMCA §10-138 (b) (11)

# INTAKE AND ASSESSMENT

## INTAKE

- Complaint is received via:
  - 311
  - Police
  - Other Agencies

## ASSESS

- Does property meet Neglected and Derelict Building definition?
- Should emergency abatement actions be ordered?

## POST NOTICE

- Post and mail notice and packet
  - Remedial plan requirements
  - Trespass Agreement

# REMEDATION /DEMOLITION PATH

## APPROVED PLAN

- Applicant submits remedial plan including maintenance plan
- Plan is reviewed
- Property is registered

## ENFORCEMENT

- Inspections scheduled
- Failure to maintain plan deadlines will result in fees set by Code\*

## COMPLIANCE

- Property is either occupied or demolished
- NADB case is closed

# SHOW CAUSE / RECEIVERSHIP

## Assess Penalties

- If no approved plan or no compliance with plan: \$1k penalty
- No registered agent: \$500/day up to \$15k

## Show Cause Hearing

- 30-day notice provided
- Property owner makes their case at admin hearing
- City may assess fees of up to \$999/day

## Enforcement → Receivership

- Continue enforcement, inspections and monitoring until compliance
- Last resort is Receivership



# Show Cause Hearings – Example Timeline

- 2/23: Opened NADB case
- 2-11/23: Re-boarded 6x, working with homeowner and CAO
- 12/23: Final Packet Posted
- 2/24: No Packet, give Notice to Show Cause
- 4/24: Hearing Held
- 5/24: Fines of \$799 per day imposed



# Fines and Fees

## \$1000

- Yearly fine
- No approved remedial plan within 30 days
- Defaulting on an approved remedial plan

## \$500 (Up to \$15,000)

- No owner Registration on file

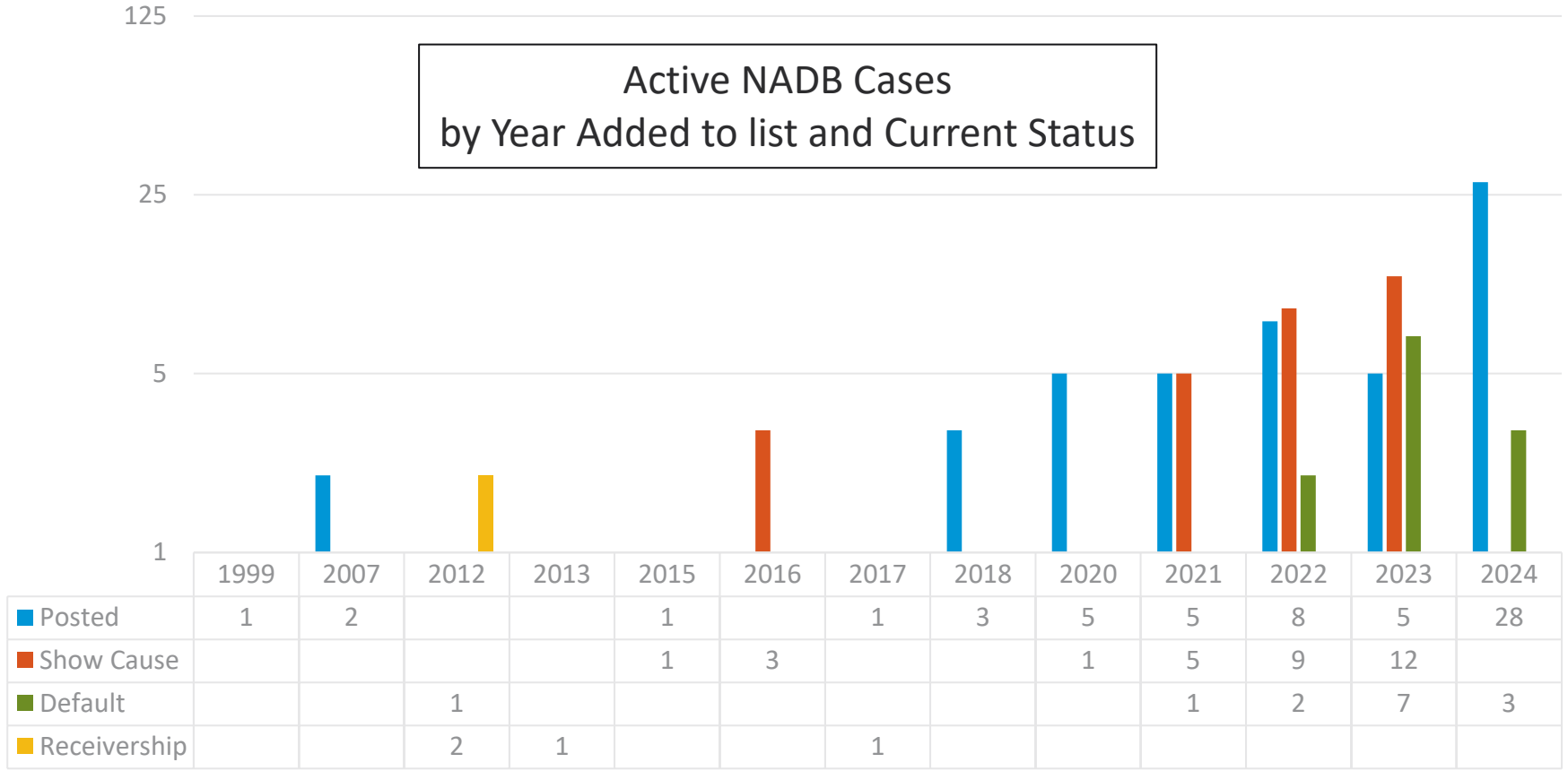
## Up to \$999 per day

- Must go through a show cause hearing to issue
- CPD is exploring new ways to expedite this backlog

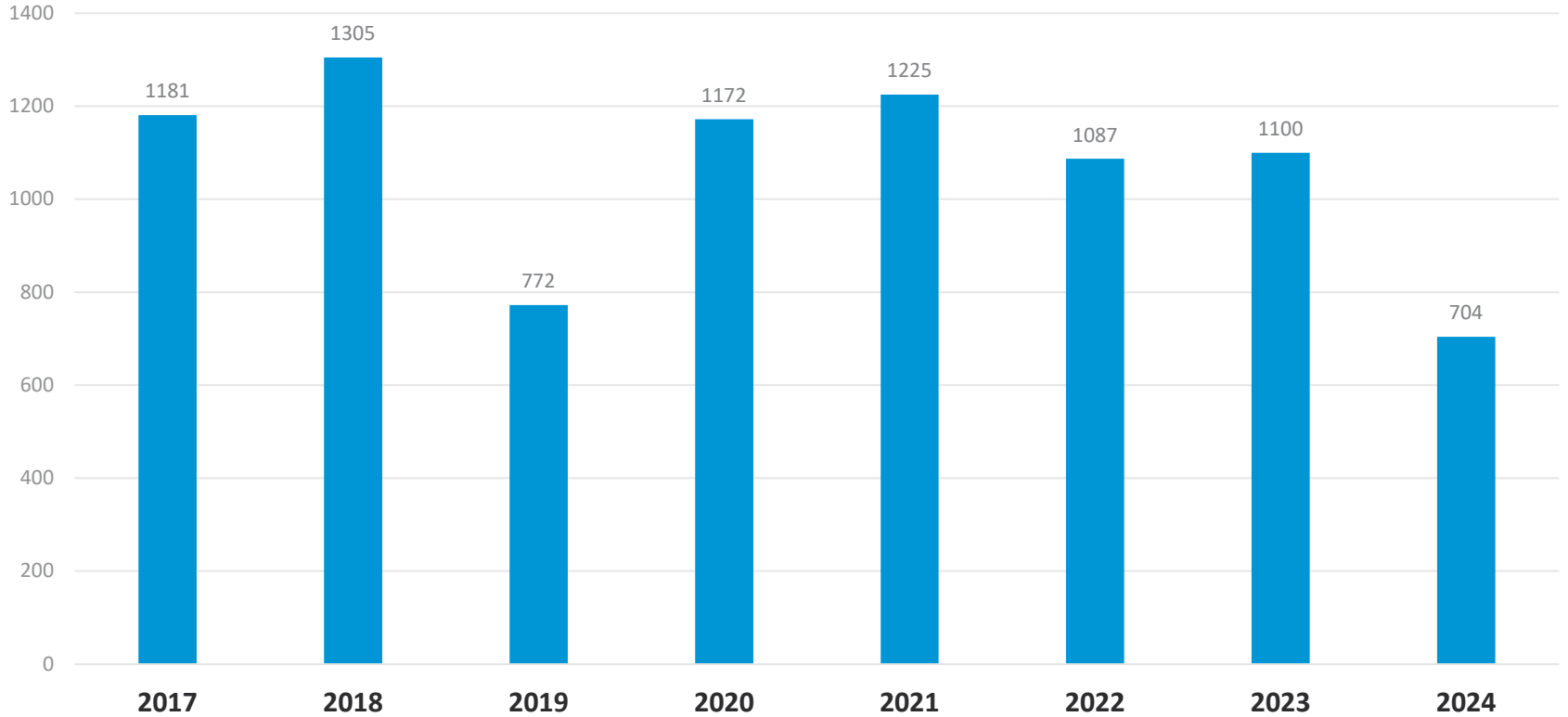
# Pain Points

- Lack of leverage at the start of the process
- Show Cause Hearing – bottleneck and costs
- Zoning and Neighborhood Inspections (ZNIS) staffing levels
- Receivership – City Attorney’s Office bandwidth

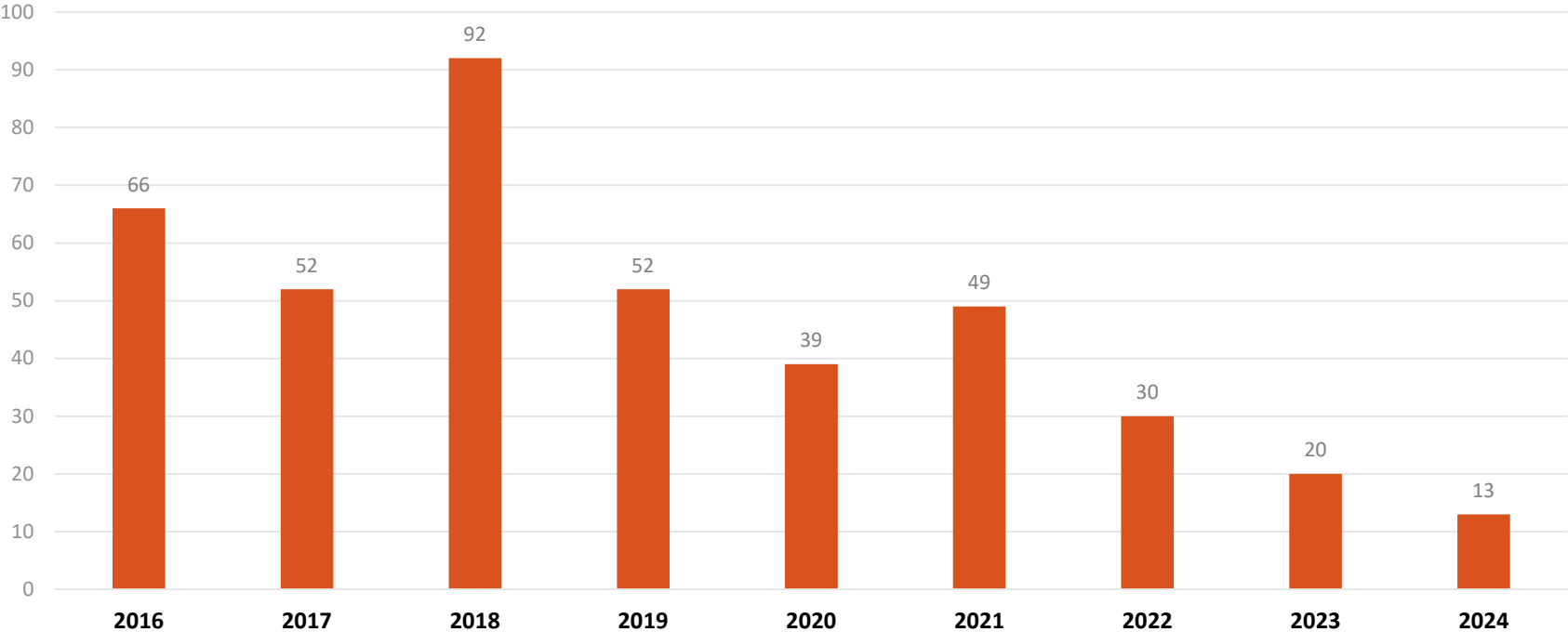
## Active NADB Cases by Year Added to list and Current Status



## NADB Inspections by Year



### NADB Cases Closed in Compliance by Year



# What's Next

## Already Completed/Underway

- Filled Admin I position to oversee NADB program
- Updated remedial plan forms
- Added maintenance plan requirements
- Bringing NADB properties into Accela for better tracking

## To Be Initiated in 2024

- Looking to standardize “impact assessment” to help with prioritizing properties
- Exploring internal pilot program to eliminate Show Cause Hearing backlog
- In discussions with City Attorney’s Office to standardize/simplify receivership process
- Researching options to change ordinance to require property owner to board up.
- Revisiting \$ amounts for fines

Looking forward to feedback and partnership with City Council on this program.



---

# Hole in the Wall

## – Contract Extension

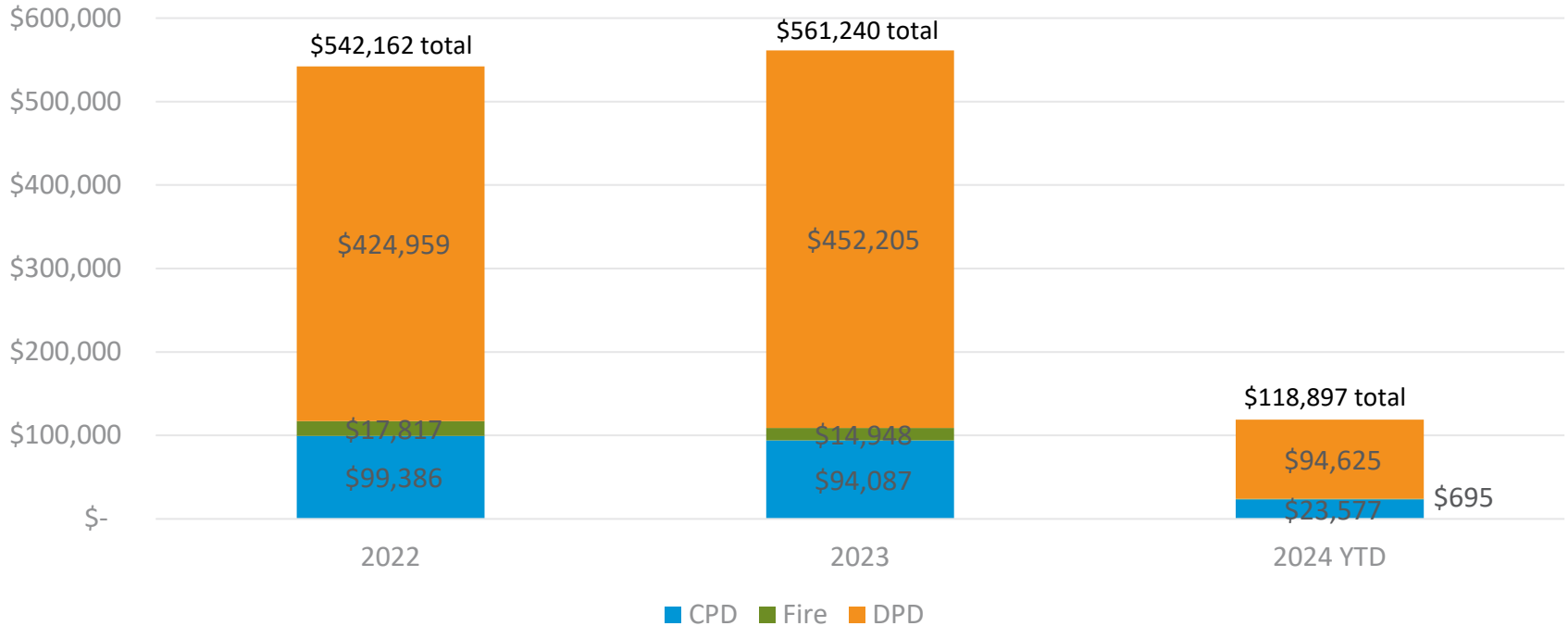


# A Hole In The Wall – Contract Extension

Services provided: Board ups and emergency fencing for CPD and Safety

	Current Contract	Requested Extension
\$ Amount	\$1,550,000	\$1,300,000 additional <ul style="list-style-type: none"><li>• \$500,000/year for Safety</li><li>• \$150,000/year for CPD</li></ul>
Duration	3-year contract Expires August 2024	2 additional years To expire in August 2026

# A Hole In the Wall - Spending by Agency, by Year





---

# Appendices

## Appendix A: Remedial Packet

A1: Notice of Placement on the NADB List

A2: Remedial Packet Instructions

A3: Remedial Plan

A4: Property Registration

## Appendix B: Show Cause Form

B: Notice of Show Cause Hearing

# A1: Notice of Placement on the NADB List



Community Planning and Development  
 Zoning and Neighborhood Inspection Services  
 201 W Colfax Ave, Dept 303  
 Denver, CO 80202

## NOTICE OF PLACEMENT ON THE NEGLECTED AND DERELICT BUILDING LIST

DATE			
NAME			
MAILING ADDRESS			
CITY	STATE	ZIP	

PROPERTY ADDRESS: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_

I have, on the date written above, inspected the above-specified property ("Property"), and found violation(s) of the Denver Revised Municipal Code (DRMC), as amended by the City and County of Denver ("City"), specifically the Neglected and Derelict Buildings ("NADB") ordinance at DRMC § 10-138 et seq. You are hereby notified that the Property has been placed on the NADB List according to DRMC § 10-141(b).

### A. NATURE OF VIOLATION - DRMC 10-138(c):

- The property is unsafe as that term is defined in DRMC 10-138(b)(19) referencing the Denver Building Code Section 105.1;
- The property is, for any three (3) consecutive months, not lawfully occupied, wholly or partially boarded up and does not show evidence of substantial and ongoing construction activity;
- The property is not lawfully occupied and has been in violation of city or state law on three (3) separate occasions within a two (2) year period;
- The property is not lawfully occupied and the tax on the premises has been due and unpaid for a period of at least one year;
- The property is a neighborhood nuisance as that term is defined in DRMC 10-138(b)(11); or
- Historic property that is not being preserved in accordance with Chapter 30 of the DRMC.

### B. ASSESSMENT OF FEES – DRMC 10-141(e):

The NADB list fee will not be assessed against the owner so long as the owner meets all of the requirements below. Upon failure to meet any of the three conditions below, however, a non-refundable yearly fee of one thousand dollars (\$1,000.00) will be assessed against the owner. The initial fee will be assessed upon failure to:

- (A) Submit an approvable remedial plan in accordance with section 10-139(b) or failure to comply with any of the deadlines set forth in an approved remedial plan;
- (B) Comply with any property related provision of the Code; or
- (C) Pay all other fees and penalties related to or arising out of any violation of section 10-138(c) within the prescribed time period.

Submit the Remedial Plan via email to [neighborhoodinspection@denvergov.org](mailto:neighborhoodinspection@denvergov.org) or mail to Zoning and Neighborhood Inspection Services, 201 W. Colfax Ave, Dept #303, Denver, CO 80202.

FAILURE TO COMPLY WITH ALL APPLICABLE ORDERS CONTAINED IN THIS NOTICE BY \_\_\_\_\_ SHALL RESULT IN FURTHER LEGAL ACTION.

INSPECTOR:		PHONE:	
------------	--	--------	--

REV 4/3/2024

# A2: Remedial Packet Instructions



Community Planning and Development  
Zoning and Neighborhood Inspection Services  
201 W Colfax Ave, Dept 303  
Denver, CO 80202

## NEGLECTED AND DERELICT BUILDING REMEDIAL PLAN INSTRUCTIONS

DATE			
NAME			
MAILING ADDRESS			
CITY	STATE	ZIP	

PROPERTY ADDRESS:	
LEGAL DESCRIPTION:	

Denver Property Owner:

As the property owner, you are required to maintain your property in compliance with the Denver Revised Municipal Code (DRMC) and abate any conditions that result in it being a neglected or derelict building or property as defined in DRMC § 10-138(c). Please complete the enclosed Residential Remedial Plan and NADB Owner Registration form and return them to Zoning and Neighborhood Inspection Services (ZNIS). Failure to provide the requested information may result in penalties (see DRMC § 10-139(m), DRMC § 10-143(d)). In developing your remedial plan, consider the conditions below and make certain that your remedial plan will address and correct these, and any other unlawful conditions that exist or have existed on your property.

1. Ensure that doors and windows to all structures on the property are completely secured to prevent any unlawful entry (e.g. by trespassers or squatters) and prevent nuisance and unsafe conditions. If an exterior door or window is missing, it must be replaced or boarded with plywood immediately.
2. Ensure that structures comply with the Denver Housing Code (e.g. interior is free from debris, trash, rodents, and pests (DRMC § 10-138(b)(4)).
3. Ensure that foundation, basements, crawlspaces, exterior walls, exterior windows and doors, roof, gutters, downspouts, scuppers, flashing, chimneys, flues outside stairs, steps, decks, porches, and balconies are in adequate condition so that they do not present an unsafe condition as defined in the Denver Building Code.
4. Ensure that exterior of the property is maintained. Please provide the contact information for the contractors or other persons that will maintain the landscaping or shovel sidewalks for snow (DRMC §48-43). Property owner will still be liable for any administrative citations related to property maintenance.
5. Ensure that the property complies with any property related provision of the Code (DRMC §10-141(e)(1)(B)). Ensure that greenery, such as bushes and trees, do not obstruct pedestrian or vehicle right-of-way areas (DRMC §49-246). You must also ensure that snow of any accumulation is shoveled and/or ice is removed to allow public use of the adjacent sidewalks (DRMC §49-551(a)).
6. Ensure that the property taxes are current (DRMC § 10-138(c)).

**NOTE:** Failure to submit a Remedial Plan within 30 days will result in an annual \$1000.00 nonrefundable penalty. (See, DRMC § 10-141(e)).

**NOTE:** Failure to complete and provide the NADB Property Registration Form may result in a \$500.00 fine per day up to \$15,000. (See, DRMC § 10-143(d))

REV 4/3/2024

# A3: Remedial Plan



Community Planning and Development  
Zoning and Neighborhood Inspection Services  
201 W Colfax Ave, Dept 303  
Denver, CO 80202

## NEGLECTED AND DERELICT BUILDING REMEDIAL PLAN

DATE			
NAME			
MAILING ADDRESS			
CITY	STATE	ZIP	

PROPERTY ADDRESS:	
LEGAL DESCRIPTION:	

### DEVELOPMENT

Do you plan to apply for any permits related to bringing the property into compliance?  Yes  No  
Have you already applied for any permits related to bringing the property into compliance?  Yes  No

Do you plan to request any Administrative Adjustments or file for any variances from the Board of Adjustment?  Yes  No

### DEMOLITION

Do you plan to demolish the structures on the property?  Yes  No

If yes, please complete the Demolition Checklist on page 2.

### LANDMARK PRESERVATION

Is this property located in a protected district, a Landmark historic district, or is a designated Landmark property?  Yes  No

If yes, Landmark Preservation approval is required; please contact [landmark@denvergov.org](mailto:landmark@denvergov.org) to coordinate a Landmark Remedial Addendum to this plan.

PLEASE COMPLETE THE NEXT TWO TABLES TO EXPLAIN THE ACTION PLAN TO BRING THE PROPERTY INTO COMPLIANCE AND THE PROPOSED MAINTENANCE PLAN WHILE THE PROPERTY IS ON THE NEGLECTED AND DERELICT BUILDING LIST:

ACTION PLAN ITEMS		
BUILDING FEATURE	PROPOSED WORK	PROPOSED COMPLETION DATE
Roof		
Windows		
Exterior Doors		
Exterior Walls		
Electrical		
Plumbing		
Other Specific Actions		

REV 4/3/2024



Community Planning and Development  
Zoning and Neighborhood Inspection Services  
201 W Colfax Ave, Dept 303  
Denver, CO 80202

MAINTENANCE PLAN		
CATEGORY	PROPOSED MITIGATION	RESPONSIBLE PARTY (CONTACT INFORMATION)
Security/Board Ups/Fencing		
Vegetation		
Graffiti		
Sidewalks (snow season)		

IF DEMOLITION OF THE STRUCTURES IS PLANNED, PLEASE COMPLETE THE FOLLOWING TABLE:

DEMOLITION CHECKLIST		
AGENCY APPROVAL	TYPICAL TIMEFRAME (ESTIMATE)	PROPOSED COMPLETION DATE
1. STATE OF COLORADO		
FORESTRY	21 DAYS	
LANDMARK PRESERVATION		
2. DENVER WASTEWATER		
PUBLIC WORKS (IF APPLICABLE)	20 DAYS	
ADJACENT PROPERTY NOTIFICATION		
3. AFFIDAVIT & BUILDING INSPECTION	3 DAYS	
4. OBTAIN BUILDING PERMIT	1 DAY	

NOTE: Agency approvals can be performed simultaneously so please submit all required applications simultaneously (see the Denver [Zoning Remedial Guide](#) for more information, available at <https://denver.org/311/24>)

NOTES AND COMMENTS (PLEASE PROVIDE ANY ADDITIONAL INFORMATION RELATED TO THE PROPERTY)

REV 4/3/2024

# A4: Property Registration



Community Planning and Development  
 Zoning and Neighborhood Inspection Services  
 201 W Colfax Ave, Dept 303  
 Denver, CO 80202

## REGISTRATION OF PROPERTY OWNER AND AGENT FOR NEGLECTED AND DERELICT BUILDING

PROPERTY ADDRESS:	
LEGAL DESCRIPTION:	

Any owner who fails to designate an agent to accept service or who fails to file a registration statement as required by DRMC §10-143 is subject to a separate civil penalty of not more than five hundred dollars (\$500.00) per day for each day the owner has failed to designate an agent or remains unregistered up to a total of fifteen thousand dollars (\$15,000.00). If the owner is in compliance with this section at the time of a hearing as provided in this subsection below, and it is the first time that the owner has failed to comply with this section, this penalty may not exceed five hundred dollars (\$500.00).

In assessing the civil penalty, the manager may consider the history of all Code violations concerning the property for which the owner has been noticed, whether the owner was negligent, the gravity of the violation, effect of the failure to register on enforcement action, and whether the owner has demonstrated good faith in attempting to achieve rapid compliance after notification of a violation. Additionally, when the property is lawfully used for commercial purposes, the manager may consider the effect of civil penalties on the property owner's ability to continue the business. The assessment of the civil penalty may be appealed under section 12-19 of the Code.

OWNER OF RECORD INFORMATION				
<b>OWNER #1</b>				
LAST NAME	FIRST NAME	M.I.	JR. III	DOB
MAILING ADDRESS			CITY	STATE ZIP
PRIMARY PHONE NO.	SECONDARY PHONE NO.	EMAIL ADDRESS		
<b>OWNER #2</b>				
LAST NAME	FIRST NAME	M.I.	JR. III	DOB
MAILING ADDRESS			CITY	STATE ZIP
PRIMARY PHONE NO.	SECONDARY PHONE NO.	EMAIL ADDRESS		

REV 3/27/2024



# B: Notice And Order to Show Cause



Community Planning and Development  
Zoning and Neighborhood Inspection Services  
201 W Colfax Ave, Dept 303  
Denver, CO 80202

## NOTICE AND ORDER TO SHOW CAUSE HEARING

DATE			
NAME			
MAILING ADDRESS			
CITY	STATE	ZIP	

PROPERTY:

PROPERTY ADDRESS:	
LEGAL DESCRIPTION:	

RE: Notice of Violation of DRMC Chapter 10, Article IX

The Manager of Community Planning and Development issued a Notice of Violation(s) alleging the above-captioned Property, including structure(s) located thereon to be in violation of §10-139(c) of the Denver Revised Municipal Code ("DRMC" or "Code"). The City further alleges that you either did not submit a remedial plan pursuant to §10-139(c) of the Code or submitted a plan that was deemed unsatisfactory.

You are hereby ordered to show cause before the manager (or his designee) why the proposed enforcement action, as specified below, should not be taken. If an appeal of a decision of the manager has been filed, the hearing on appeal and show cause hearing are hereby consolidated.

A Show Cause Hearing regarding the above-captioned matter will be held promptly at

HEARING TIME	
HEARING DATE	
HEARING LOCATION	

or you will be available to attend electronically via Microsoft Teams.

REASONS WHY THE ACTION IS TO BE TAKEN:

- The property is unsafe.
- The property is, for any three (3) consecutive months, not lawfully occupied, wholly or partially boarded up and does not show evidence of substantial and ongoing construction activity.
- The property is not lawfully occupied and has been in violation of city or state law on three (3) separate occasions within a two (2) year period
- The property is not lawfully occupied and the tax on the premises has been due and unpaid for a period of at least one year.
- Property is a neighborhood nuisance as that term is defined in DRMC 10-138(b)(11).
- Historical property that is not being preserved in accordance with Chapter 30 of the DRMC.

REV 4/22/2024