
Ordinance 260401... Perspective of Building Owners and Managers Association of Metropolitan Kansas City (BOMA)

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To Public Testimony <Public.Testimony@kcmo.org>

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Mayor Lucas and Councilmembers:

Wishing to go on the record, the **Building Owners and Managers Association of Metropolitan Kansas City (BOMA)** appreciates the opportunity to comment on **Ordinance 260401**.

BOMA represents the owners and managers of revenue generating commercial properties that facilitate businesses, community employment, customers, and related economic activity throughout the metro. Our members routinely prioritize

best practices of maintaining properties, supporting neighborhood stability, and ensuring that any respective vacant properties do not become a burden on surrounding communities.

As always, **BOMA** supports the City's efforts to address truly neglected properties. However, we are concerned that **Ordinance 260401** conflates properties that have been effectively abandoned and those properties actively working their way back toward occupancy, reinvestment, and impactful beneficially productive utilization. Recognition of this distinction is critically important in today's **commercial real estate (CRE)** market.

CRE experiences cycles of vacancy due to general economic conditions, ownership changes, business relocation, existing tenants consolidating space, specific financial considerations, and redevelopment plans. "Vacant" does not necessarily mean neglected, and vacancy alone should not be seen as a sign of willful neglect or a failing enterprise. Most of the time, a CRE property listed for sale is actively pursuing its next chapter.

A CRE building being marketed to prospective buyers is actively being evaluated by investors, business owners, and developers who may ultimately reposition the asset, attract new tenants, create jobs, and return the property to beneficially productive economic activity (making a positive contribution to growing the tax base).

That said, under **Ordinance 260401**, a CRE property actively being marketed for acquisition would be subject to the same fee structure as a property whose owner chooses to ignore already existing statutory property maintenance requirements, thereby perpetuating the blight to which the proposed ordinance is directed. From a CRE perspective, this is a fundamentally flawed "scattergun" approach to holding "nuisance" property owners to account.

CRE owners are currently experiencing significant headwinds, including elevated borrowing costs, rising insurance premiums, increasing operating expenses, and continued market uncertainty. **Kansas City** should be focused on attracting investment, increasing occupancy, and supporting economic activity, and thereby growing our **tax base**. Public policy should incentivize the movement of CRE properties into productive hands—not impose additional costs, unnecessarily penalizing properties already engaged in that process.

The **City's** goal should be to return vacant properties to economically productive utilization as quickly as possible. Properties actively listed for sale are often moving toward that outcome. They are attracting market interest, seeking new ownership, and creating opportunities for future investment. Following this logic, **BOMA** urges the Council to revise **Ordinance 260401** to exempt ***vacant commercial properties*** and ***vacant unimproved properties that are actively listed for sale*** from the proposed semiannual registration fee, while preserving all pre-existing compliance and oversight requirements.

This approach maintains accountability while recognizing a basic CRE reality: occupancy follows investment, and investment often begins with a transaction. Working toward a more welcoming business environment, if Kansas City seriously wants more occupied CRE buildings, more economic activity, and more private investment, it should distinguish between properties being marketed to the next economically and socially beneficial owner and properties that have simply been left behind.

A long-held principle pertaining to CRE markets is : "**Capital goes where it is invited and stays where it is welcome.**"

BOMA respectfully urges the **City Council** to make this meaningful modification before taking final action on **Ordinance 260401**.

Thank you for your attention, consideration, and for your continued efforts to support a strong CRE market and a growing **Kansas City** economy.

Sincerely,

BUILDING OWNERS & MANAGERS ASSOCIATION of GREATER KC (BOMA)

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