Public Testimony - Jennifer Langston-Justus

TO: Chair and Members of the Neighborhood Planning and Development Committee:

Thank you for taking the time to thoughtfully try to develop a Committee Substitute for Ordinance No. 260401.

As you know I am an active REALTOR® with KCRAR (Kansas City Regional Association of REALTORS®) I have also been a passionate advocate for Private Property Right's and for trying to help develop policies within our city that will not inhibit it's growth and responsible development.

KCRAR supports the City's efforts to address chronic vacancy, neighborhood blight, unsafe properties, and the public costs associated with neglected real estate. We support reasonable registration requirements that improve accountability and help the City identify properties requiring intervention.

Our concern is not with the ordinance's purpose, but with its approach.

The success of this ordinance should not be measured by the number of registrations or fees collected. It should be measured by the number of properties returned to productive use. Policies that fail to distinguish between neglect and progress risk discouraging the very investment needed to revitalize neighborhoods.

We recognize that portions of this ordinance are constrained by Missouri law, particularly regarding chronically vacant nuisance residential properties. Our comments instead focus on vacant commercial properties and vacant unimproved land that are responsibly maintained and actively moving toward productive use.

As drafted, a compliant commercial property may ultimately face recurring fees of up to $1,000 every six months, while a chronically vacant nuisance residential property is assessed a $200 semiannual fee under state law. Although this disparity reflects statutory limitations, the policy outcome is difficult to reconcile. The ordinance places its greatest financial burden on properties that may already be maintained, marketed, and actively progressing toward occupancy or redevelopment.

Not all vacancy is the same.

There is an important difference between an abandoned property generating code violations, police calls, and public safety concerns, and one that is secure, maintained, insured, tax-paying, and actively marketed for sale or lease.

Commercial redevelopment takes time. Financing, permitting, tenant improvements, environmental reviews, infrastructure, and market conditions often mean that productive projects remain vacant for well over a year. In many cases, vacancy is not evidence of neglect—it is evidence of transition.

The same principle applies to vacant land. Registration is appropriate because it establishes ownership and accountability. However, recurring escalating fees are harder to justify where no nuisance exists and the property is being responsibly maintained. Vacant land is often held for approved development, future infrastructure, financing, or phased construction.

This concern is especially significant for approved residential subdivisions. Lots frequently remain vacant while infrastructure is completed and construction proceeds in phases. These lots represent future housing inventory, not abandoned property. Additional recurring fees ultimately increase housing costs for future homebuyers and renters.

KCRAR also encourages consideration for inherited property. Families often require additional time after probate to resolve title issues, estate administration, repairs, financing, or sale. Temporary vacancy during these transitions should not automatically trigger escalating financial penalties.

Accordingly, KCRAR recommends a more balanced approach that distinguishes between responsible ownership and genuine nuisance conditions.

Specifically, we recommend:

- No semiannual fee for vacant commercial or unimproved property during the first 12 months following registration.
- A graduated fee schedule beginning after one year of continuous vacancy.
- Reduced fees for owners who timely register, maintain their property, comply with inspections, and avoid code violations.
- An "active progress toward productive use" exemption or fee reduction for properties actively marketed for sale or lease, under contract, undergoing rehabilitation or redevelopment, participating in approved economic development projects, resolving inherited ownership issues, operating under active permits, or located within approved phased developments.

Finally, we recommend the City evaluate the ordinance after implementation by measuring vacancy reduction, redevelopment outcomes, compliance rates, enforcement activity, and fee collections. Any vacant property program should be judged by whether it encourages reinvestment—not simply by the revenue it generates.

Vacancy alone should not be treated as synonymous with neglect. The ordinance will be strongest if it directs its greatest financial consequences toward properties creating the greatest neighborhood impacts while recognizing owners who are actively investing in redevelopment, housing production, and productive use.

The most effective vacant property policy is one that distinguishes between stagnation and progress—and creates incentives for more of the latter. Please give consideration to the unintended consequences of such an ordinance.

I am very concerned with chasing more potential investors and property owners out of Kansas City.

I truly want our city to grow and thrive, and I believe incentives versus penalizing would be a better way to approach this.

Jennifer Langston-Justus

Dream Properties Real Estate

2023 Missouri REALTOR® of the year

Host of Get Real KC

Call or Text: (816) 405-2439

Web: www.dreampropertiesre.com

Email: jen@dreampropertiesre.com

Making your Real Estate dreams come true by serving your investing, residential, rental and all real estate needs.