



CCAO Summer Symposium
August 17, 2023

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Ohio Land Bank Association



Ohio Land Bank Association

- 501(c)6 nonprofit organization
- Created in 2018 by a number of county land banks, seeking to create a unified voice for land banks across the State.
- Dedicated to providing technical assistance, lobbying, advocacy and general support to its member land banks

Mission: Supporting the work of and advocating on behalf of all county land reutilization corporations, commonly known as land banks, across Ohio.



History of Land Banking in Ohio

- First authorized in 2008 for Cuyahoga County only
- Cuyahoga County Land Reutilization Corporation opened its doors in 2009
- Law amended in 2010 for counties with populations of at least 60,000
- Population requirement eliminated in September 2015, allowing all counties form land banks

**66 County
Land Banks**

Ohio County Land Banks

Updated 2023



What is a County Land Bank?

- Created by government, but **not** government.
- Private, non-profit corporation
- Special, community improvement corporation (R.C. 1724)
- Quasi-governmental (R.C. 5722)
- A nimble organization that combines:
 - The private sector efficiency of a nonprofit **with**
 - The public purpose, responsibility and funding of a governmental organization.



What is the difference between a city and county land bank?

- City land bank is simply a tool to hold land
- No funding for city land banks in ORC
- No immunity on environmental liability at State level
- Restricted by all rules that control governmental authorities-limited flexibility



Structure of Land Bank Board

Board has 5, 7 or 9 members:

- Treasurer
- Two Commissioners
- One member from largest city
- One township member
- Others (if any) chosen by agreement of Treasurer and two Commissioners



Statutory Purpose

- Facilitating the reutilization of vacant, abandoned, and tax-foreclosed real property;
- Efficiently holding such property pending reutilization;
- Assisting entities to assemble and clear the title of such property in a coordinated manner; and
- Promoting economic and housing development.

Core Powers

- Tackles the challenges of vacant, abandoned, & tax-delinquent properties with new tools
- Offers a dedicated funding source for these efforts
- Builds and grows community partnerships
- Opens door to federal, state, and private funding sources

Funding History

2012	2014	2016	'21 & '23	'21 & '23	2023
<u>Moving Ohio Forward</u>	<u>Neighborhood Initiative Program</u>	<u>Neighborhood Initiative Program II</u>	<u>Building Demo & Site Revitalization</u>	<u>Brownfield Remediation Program</u>	<u>Welcome Home Ohio</u>
All Ohio Counties	Only Counties with Land Banks were Eligible	Only Counties with Land Banks were Eligible	All Ohio Counties	All Ohio Counties	TBD
Land Bank Lead Entity	Land Bank Lead Entity	Land Bank Lead Entity	Land Bank Lead Entity	Land Bank Eligible Applicant	Land Banks Lead Entity
\$75MM	\$80MM	\$197MM	\$300MM	\$700MM	\$150MM

Special Land Bank Authority



Automatic Property Tax Exemption

Hold real property tax free while working to return it to the private tax rolls.



Political Subdivision Immunity

Like other governmental entities, immune from ordinary negligence claims in the conduct of land banking work.



Environmental Liability Immunity

Generally immune from liability under state environmental law while holding property. Subject to CERCLA at the federal level.

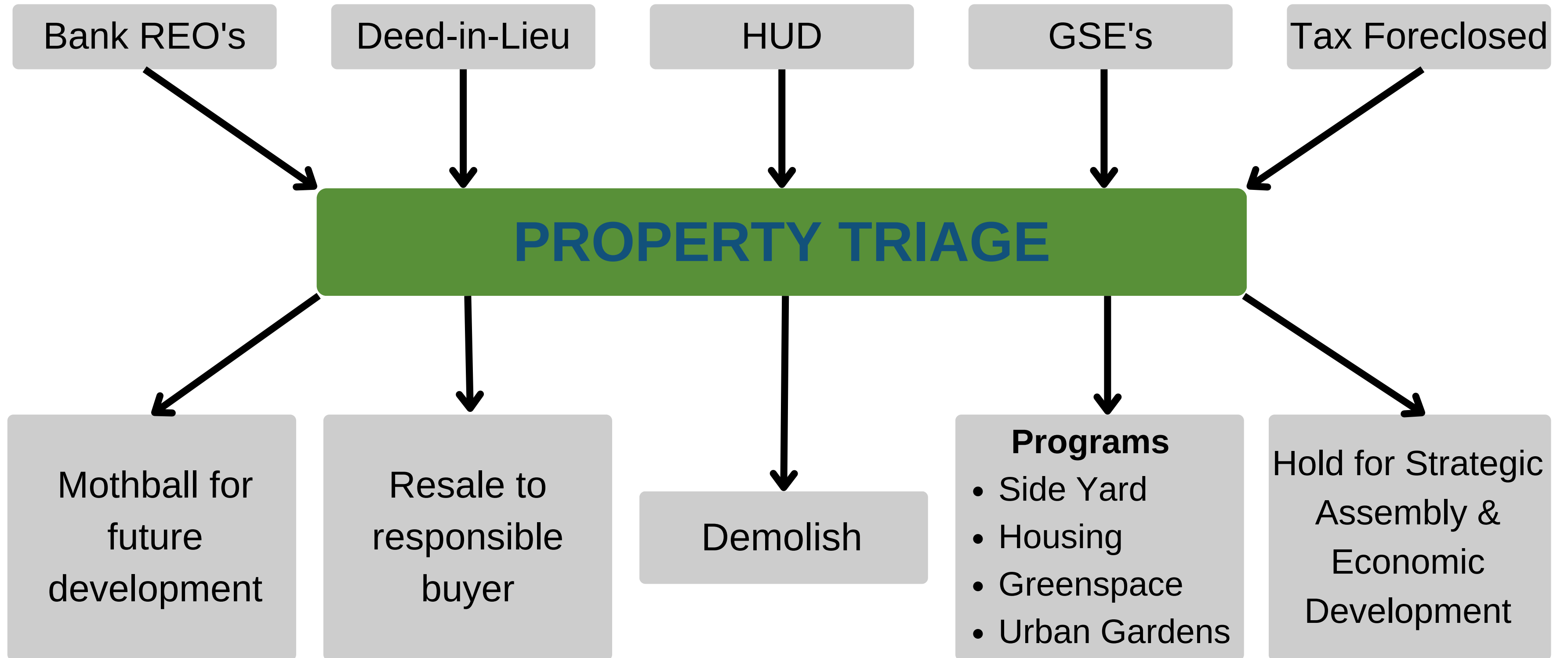


Streamlined Public Procurement

Land banks may set their own purchasing policies, bidding thresholds and use informal procedures when appropriate.

What Can a County Land Bank Do?

County Land Bank Operations



Distressed Property Sources



Tax Foreclosure &
Deed-in-Lieu of Tax
Foreclosure



Forfeited Lands
List



Donation



Purchase



Nuisance Lien Foreclosure





Occupancy Key Considerations

- Land Banks are designed to tackle unoccupied buildings and vacant land and our tools work best in this context.
- A Land Bank cannot own more than 50 occupied parcels or 25% of its overall property inventory, whichever is greater.
- Land Banks must consider eviction procedures and writs of possession, even in a “squatter” situation.
- Land Banks may also consider how to help bona fide occupants secure new housing to support neighborhood stabilization.

Salvageable Homes

- Direct sale to end users
- In-house renovation
- Deed-in-escrow
- Affordable housing programs
 - CDBG, HUD, HOME, FHLB
- Nonprofit housing partners
 - homes for veterans, immigrants, etc.



Demolition

- Funding from federal, state or local funds or land bank's own funds
- Manage demo process internally or utilize other local or county agencies
- Act as agent for political subdivision to perform nuisance abatement



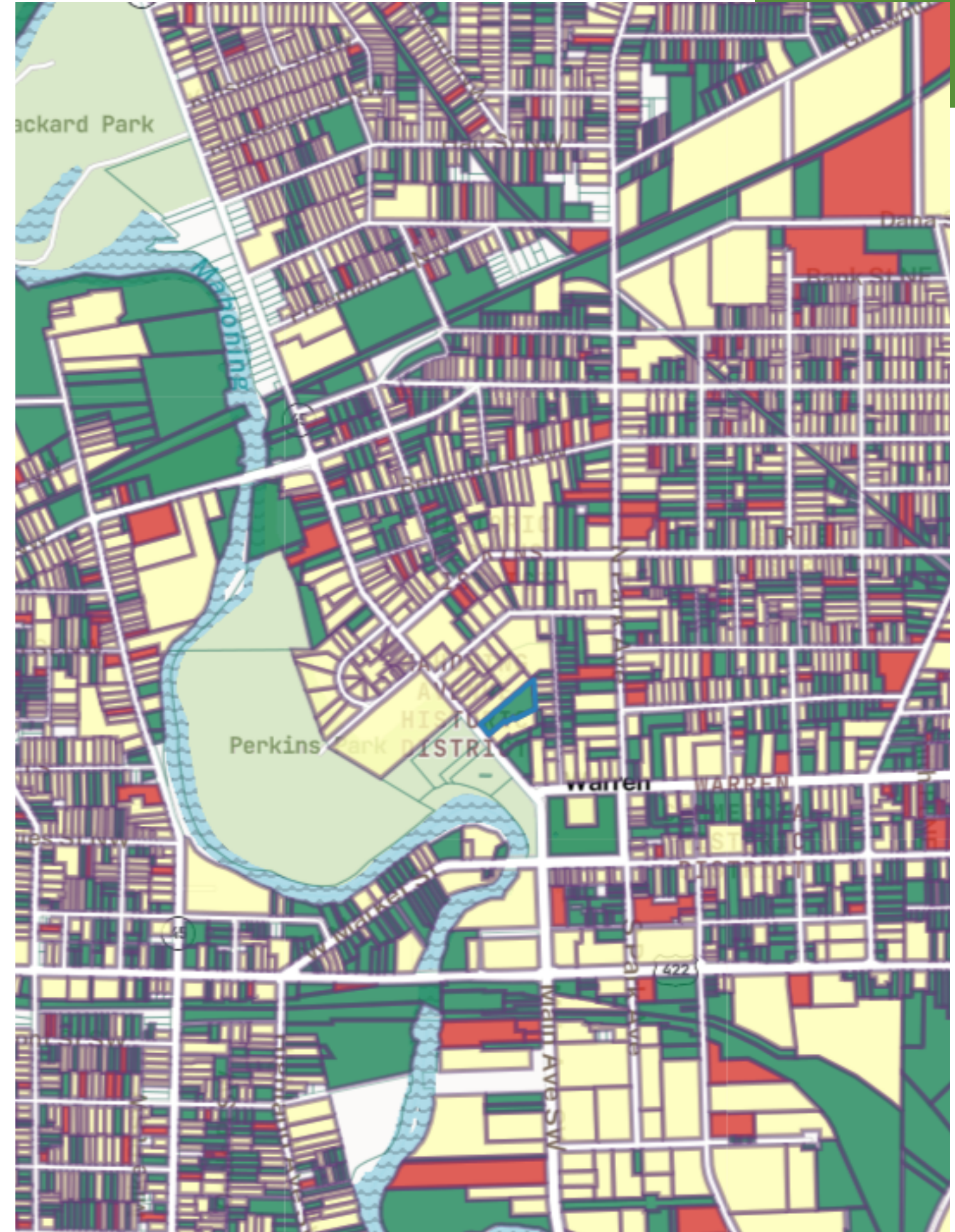
Vacant Lots

- Acquire lots through foreclosure, forfeited land list, deed-in-lieu of foreclosure or donations.
- Sell or give the lot to adjacent neighbors, community groups, local businesses, churches, etc.
- Establish community gardens, public parks, storm water mitigation affectations, etc.



Strategic Assembly

- Hold properties for municipality or township
- Work with local developer, charitable organizations, school boards, etc.
- Combine traditional land bank acquisition with purchase of key properties



Brownfield Protections

- General Immunity Under Ohio Law
 - Ohio land banks are generally immune from liability under Ohio's state environmental laws (R.C. 5722.22), including for negligence or strict liability related to:
 - Underground Storage Tanks
 - Air Pollution
 - Solid & Hazardous Waste
 - Water Pollution
- Some Immunity Under Federal Law (CERCLA)
 - Defense to liability as sovereign entity
 - “involuntary acquisition” – can include tax foreclosure
 - Bona Fide Prospective Purchasers defense



Thank You!



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