



# Abandoned and Vacant Building Certificate Application

City of South Fulton Code of Ordinances, Section 3-5003. Owner or agents of foreclosed real property or vacant real property, including foreclosed real property and vacant real property which is residential rental property, are required to register such property with the city community development services office ("office") within 30 days of such property becoming foreclosed or vacant real property by following the provisions of this section unless otherwise exempted by this chapter or state law.

## Property Information: (Please Print or Type)

Property Address: \_\_\_\_\_ Subdivision. \_\_\_\_\_

Parcel ID: \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_

Length of time abandoned/vacant \_\_\_\_\_, estimated length of time the building will

remain abandoned/vacant \_\_\_\_\_, Abandoned or vacant building contents \_\_\_\_\_

\_\_\_\_\_. Brief Description of Property's Legal Status (Foreclosure, Short Sale Pending,

Lis Pendens, etc.) \_\_\_\_\_

## Building Owner Information: (Please Print or Type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_

## Mortgagee Information: (If different than building owner) (Please Print or Type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_

Mortgagee Contact Person: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_

## Local Maintenance Co. Information: (Please Print or Type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_

**24 Hr. Emergency Contact Information:** (Please Print or Type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_

**Foreclosure Attorney Information:** (Please Print or Type)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

Date of Initial Inspection: \_\_\_\_\_ Inspector Name: \_\_\_\_\_

Phone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_

**CHAPTER 5 REGISTRATION OF VACANT OR FORCLOSED PROPERTY**

**Sec.3-5002. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agent means an individual with a place of business in this state in which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed real property owner. The definition of the term "agent" shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this chapter.

Foreclosed real property means improved or unimproved real property and is held pursuant to a judicial or non-judicial foreclosure of a mortgage, deed of trust, security deed, or other security instrument securing a debt or obligation owed to a creditor or a deed in lieu of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor or shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ.

Street address means the street or route address. Such term shall not mean or include a post office box. The definition of the term "street address" shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this chapter.

Vacant real property means real property that:

- (1) Is intended for habitation, has not been lawfully inhabited for at least 60 days, and has no evidence of utility usage within the past 60 days; or
- (2) Is partially constructed or incomplete, without a valid building permit.

The term "vacant real property" shall not include a building or structure containing multiple units with common ownership that has at least one unit occupied with evidence of utility usage. The definition of "vacant real property" shall have the same meaning as set forth in O.C.G.A. § 44-14-14 should that definition differ from the definition in this chapter.

(Ord. No. 2017-020, § 1, 9-26-2017)

### **Sec. 3-5003. Registration of vacant or foreclosed property.**

- (a) Owner or agents of foreclosed real property or vacant real property, including foreclosed real property and vacant real property which is residential rental property, are required to register such property with the city community development services office ("office") within 30 days of such property becoming foreclosed or vacant real property by following the provisions of this section unless otherwise exempted by this chapter or state law.
- (b) Any such owner or agent of foreclosed real property or vacant real property located within the jurisdiction of the city is required to file with the office a registration form in either electronic or paper format containing the following information:
- (1) The real property owner's name, street address, mailing address, phone number, facsimile number, and e-mail address;
  - (2) The agent's name, street address, mailing address, phone number, facsimile number, and e-mail address;
  - (3) The real property's street address and tax parcel number;
  - (4) The transfer date of the instrument conveying the real property to the owner; and
  - (5) At such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the owner.
- (c) Registration is required for all vacant or foreclosed real property unless otherwise exempted, pursuant to this chapter, but is not required for vacant or foreclosed real property within 90 days of such real property's transfer:
- (1) Pursuant to a deed under power of sale or deed in lieu of foreclosure; or
  - (2) To the first subsequent transferee after the vacant real property has been acquired by foreclosure under power of sale pursuant to O.C.G.A. § 44-14-160, or acquired pursuant to a deed in lieu of foreclosure.
- (d) Any owner or agent required to register any vacant or foreclosed real property pursuant to this chapter or to Georgia law shall also be required to update the information specified in subsection (b) of this section within 30 days after any change in such required information regardless of whether the information provided to the registry was in the deed under power of sale or deed in lieu of foreclosure.

(Ord. No. 2017-020, § 1, 9-26-2017)

### **Sec. 3-5006. - Administrative fees.**

Any owner or agent of a vacant or foreclosed real property which is required to be registered with the city under this chapter shall be required to make a payment for administrative fees that reasonably approximate the cost to the city of the establishment, maintenance, operation, and administration of the registry in a non-refundable amount of \$100.00 per registration. This is an annual registration fee, with the exception of a change in ownership. The new owner will be responsible to re-register the property under their name if the property remains vacant.

(Ord. No. 2017-020, § 1, 9-26-2017)

### **Sec. 3-5008. - Administration.**

- (a) The foreclosure and vacant real property registry is subject to the Open Records Act of the State of Georgia and the city may make such registry information available online.
- (b) Registration information shall be deemed prima facie proof of the statements contained therein in any court proceeding or administrative enforcement proceeding in connection with the enforcement of this chapter.

(Ord. No. 2017-020, § 1, 9-26-2017)

### **Sec. 3-5010. - Penalties.**

Any owner or agent required to register a vacant or foreclosed real property under this chapter who fails to register or fails to update the information of this chapter, registration of vacant or foreclosed property, may be fined up to \$1,000.00 per occurrence.

(Ord. No. 2017-020, § 1, 9-26-2017)

**Required Notarization**

Registration form completed by: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

State of \_\_\_\_\_.

County of \_\_\_\_\_.

The foregoing instrument was sworn to and subscribed before me, the undersigned Notary Public on

this, the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

WITNESS my hand and official seal

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
Printed, typed or stamped name of Notary Public Exactly as commissioned

Notary Public, State of \_\_\_\_\_

Personally known to me, or produced identification: \_\_\_\_\_  
(type of identification produced)

\_\_\_\_\_  
[Please contact the City of South Fulton Code Enforcement Department at \(470\) 809-7700; 5565 Stonewall Tell Rd, Atlanta, Georgia 30349.](#)

**INTERAL USE ONLY**

Annual Registration Fee \$100.00 per property paid by \_\_\_\_\_ check# \_\_\_\_\_