

NOBODY'S HOME

Why are so many of the city's abandoned properties in west Louisville?

By Mary Chellis Austin

Herbert Howard has been boarding up vacant houses for the city for 10 years. "I think I done boarded up the whole West End of Louisville," he says one chilly February morning outside a house on West Market Street.

The little white shotgun house has wood siding and a UK-blue porch. This one is an emergency boarding. Usually a police officer will call the Department of Codes and Regulations about some squatters or found needles or a building that caught fire. Inside this house, dozens of empty prescription pill bottles lie on the floor. A sofa and chairs sit among pieces of fallen ceiling. A toilet appears to have been used recently. Piles of tires fill one room. "It's probably from the tire shop right there on the corner," Howard says as he walks through the place, seeing which doors and windows need boarding.

He measures the entryways and goes out to his truck to saw off extra material from wooden boards. The one that covers the front doorway has been painted with black and pink handprints, part of the annual Blight Out Brighten Up volunteer beautification project. Vacant-lots crew supervisor Darrell Coomer says that the city has looked into boarding with sturdier materials. They've changed the type of screws they use on the boards to make them more secure. Using acrylic glass in place of wood, Coomer says, is more time-consuming and more expensive. "A board is not gonna keep nobody out," says Howard, who will visit about 15 houses throughout town today, depending on the time it takes to get to each one. "A board is just a deterrent."

He's been to this particular house several times. Property code violation

Photo by Bill Luster





liens started piling up last April and now amount to \$5,000. When Howard and his assistant come and board? Lien. When a crew mows the overgrown lawn? Lien. When a cleaning crew comes to remove the junk that people dump? Lien. A disgruntled neighbor will call to complain about the next eyesore or sketchy activity and the crews will be back. More liens. When Coomer started running vacant-lot maintenance four years ago there were four crews out every day. Now there are eight,

Louisville neighborhoods. The Landbank Authority, the land acquisition and sale entity governed by the city, county, state and JCPS, owns 273 properties; 265 are in west Louisville. Consider the Market Street house's property fines. Now add several years and several thousand properties. That equates to \$41 million that vacant-property owners owe the city in unpaid fines and fees. Of that, \$36 million is from properties in west Louisville Metro Council districts.

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four staffed with inmates, plus a newly formed graffiti-abatement group. Ten total with Howard in charge of boarding. Anthony Warren, who is on one of the cleaning-and-cutting crews, calls the steady work "good job security."

The best-kept property on the block is a funeral home. All around are several other boarded-up houses. A two-story brick house looks like the ghost of something you might see on Cherokee Road. The structures look sturdy, but left much longer and they could be candidates for demolition, meeting the same fate as the buildings that used to occupy the block's several vacant lots.

A property is considered vacant by the Vacant and Public Property Administration if: it has been referred to the city for action such as cleaning, mowing, boarding or demolition; code enforcement officers have determined it to be vacant for at least one year; and a property maintenance violation is open on the structure or lot.

Of the city's more than 7,400 known vacant and abandoned properties, 4,460, or 60 percent, are in ZIP codes that are majority west Louisville neighborhoods (40203, 40210, 40211, 40212). Contrast this to the 240 vacant and abandoned properties that are in a comparable section in the East End (40204, 40205, 40206, 40207). Of the 197 properties currently on the city's list of demolition referrals, 165, or 84 percent, are in west

"We don't see these freakin' owners," says Councilwoman Jessica Green, whose district includes the southwest portion of west Louisville. Hundreds of vacant-property owners are out of state. "Meanwhile, the blocks continue to just sit there and people continue to be irate. I understand. I live in west Louisville." By May, when the grass starts to rise, she and assistant Charles Weathers will drive block by block. "I'll text him: 'Hey, I'm at 34th and such. Get the city over here and put this on the priority list,'" she says. These aren't knee-high blades. Johnson grass, an invasive weed found on many of these lots, grows a foot a week. If the city doesn't get to it for six weeks, it can be taller than the people cutting it. Coomer says that Johnson grass will be the focus of their herbicide efforts this summer.

Robin Bray dealt with an abandoned property next to her house on Bolling Avenue in Park Hill for more than a decade. I visit her at her office off Hurstbourne Parkway, where she manages her investment properties, including about 10 in the West End. She shows me photos, newspaper clippings and city documents that she has collected over the years. "I got a whole box of stuff that's been in the news," she says. An old Property Valuation Administrator document has a photo of the charming two-story, sun-drenched white house that used to stand

next to Bray's house. Bray estimates that it was demolished around 2003. The city demolishes more than 100 structures each year — mostly on properties it doesn't own — averaging more than \$11,000 each. In 2015 and 2016, the city spent \$2.6 million on vacant property demolitions. Bray has owned and rented the property next door to what's now a vacant lot since 2002, but her battle really started in 2004. That's the date on the photos she took of the jungle of weeds and trash next door to her. In a *Courier-Journal* article from 2008, her tenant at the time was quoted about the vacant-property problem. "So that was how many years ago?" Bray says. "It took me until 2016 to get the city to foreclose on it and for me to purchase it."

The 46 liens on the property adjacent to Bray's kept her from trying to purchase it directly from the owner. Before the city foreclosed and cleared the property of the liens, there was no incentive to buy a vacant lot worth \$500, what Bray paid, for \$20,000 or \$40,000. Bray ended up paying \$1,800 total, including the lawyer fees and the cost to release all the liens. Now she can maintain it and her tenant will have more yard space. "I'm sure the people on the other side will appreciate it, although the other house looks like it's vacant," she says, adding that the people living in it left after a homicide occurred on the block last year. "I'll have to see if someone's there and, if not, guess what that's gonna be? Hopefully it's not another 15 years."

On a recent afternoon I rode with Bray, who lives in Oldham County, through her old neighborhood. "It hurts my heart when I drive through the West End because I remember how it was and a lot of people don't remember how it was," she says. "I'm talking about 28th and Dumesnil — the Parkland business district that I grew up with when I couldn't go to Fourth Street because of the color of my skin, what I call the deep West End." The center of the area is on the National Register of Historic Places, but, apart from the architecture that's left, the neighborhood is far from what it used to be. Bray laments that the library she used to walk to is now a police station. An insurance company is now a daycare. Her old elementary school is now home to the community-services

organization Family Scholar House. "This right here used to be an ice cream place," she says. "There was a meat store on the corner. There were several department stores. This one had shoes. This was a music store that used to be called Vine Records. They had a speaker outside and you would walk past and it would draw you in to go buy the latest music. We used to have this policeman who would walk the beat, actually walk the beat, and it was so wholesome. We used to call him 'Buddy.'"

A group of kids out of school are walking down the street with backpacks on. "If my granddaughter was in the car with me, she wouldn't feel comfortable stepping out and walking like these kids are," Bray says. The girl is 12 and grew up with Bray in Oldham County. When they come to visit family in west Louisville and stop at Kroger, Bray says, "She says to my husband, 'Hold my hand.'"

In the early 1960s, Bray's mother bought a house in Parkland on South 28th Street for \$10,000 with tip money she had earned as a waitress. Bray, who is in her 50s, was 18 months old at the time. They were the first African-American family to move onto the block. We count the vacant lots and boarded-up houses. "That was where the last white person on this block lived," she says, pointing to a house. "Year after year it was white flight, and before you knew it, it was all black." She says that by the time she was eight or nine years old, all the white people on the block had moved away.

Then, she says, it was like a vacuum. The segregation laws were wiped away, but the black community who had owned and supported their own businesses then began to shop at white-owned businesses as well. Not getting many white customers in exchange, black-owned businesses suffered. The tobacco plants and other economic anchors shuttered over the years. Fewer jobs, more crime. A mostly African-American, mostly lower- to middle-class population with fewer and fewer opportunities. And it's been this way for 50 years.

A nursing assistant and her husband first bought the Market Street house (the one that the Codes and Regulations crew has been boarding up) in 1992 and held onto it for more than 20 years. In the Google street-view image from November

2015, there's a broom on the front porch and clothes hanging on the chain-link fence. At some point, the husband died. A year ago, land records show, the woman granted power of attorney for all of her financial matters to two friends. At that time she was living in the South End. Not long after, the complaints and liens began. In October she died. She has siblings who would be her heirs, depending on what is in her will, or whether or not she left one. However, she is still listed as the owner. The Codes and Regulations and Vacant and Public Property departments send notices to those listed as the primary contact according to the Property Valuation Administrator. For almost a year, the notices have gone to the vacant Market Street property.

This kind of situation where nobody takes ownership of deceased relatives' properties used to be the main reason properties would become vacant and abandoned. "In our innocent days, that's what we talked about," says Cathy Hinko, executive director of the affordable-housing advocacy agency Metropolitan Housing Coalition. She says that having a will has in the past been a more sophisticated process that's more commonly seen in affluent neighborhoods. By the mid-2000s, vacancy took a dramatic turn.

Bray doesn't recall seeing these overgrown lots and the volume of boarded-up houses before the late 1990s. There aren't *Courier-Journal* articles on the widespread

Society, which assists low-income people, but his case was not uncommon, MHC found. The report called the increase in the rate of mortgage foreclosures "startling." The 2004 report states: "By far the most dramatic news in this report is the continued, significant rise in foreclosures in the region." In 1996, 437 foreclosures were started in Louisville Metro. In 2003, there were 2,161. "People — bankers, realtors — were telling me, 'No, you have the wrong number,'" Hinko says. "I'm like, I don't have the wrong number. That's what's filed in court." In 2016, the city had 2,167 foreclosures. You can look at maps of the data to see where clusters of foreclosures have occurred — west Louisville. The same area where poverty is high and the population is 77 percent African-American, which includes 60-percent-white Portland. The same area with streets of boarded-up, dilapidated houses.

While the housing market and property values have recovered overall, west Louisville hasn't seen such a turnaround. Bray says she has a property that at one time appraised for \$72,000. "Today it would be hard-pressed for me to sell it for 30," she says. According to census data, from 2011-2015 median property values in several East End neighborhoods collectively increased 9 percent. In that same time, median property values in West End neighborhoods collectively decreased 11 percent. The more foreclosures occur on a block, the harder it is to get a good

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issue of vacant homes before the mid-2000s. Hinko started to notice a trend in the early part of that decade. The 2003 MHC report tells the story of an elderly African-American man who had owned his west Louisville home for more than 30 years. When he sought to make repairs on the house, he got tangled up in predatory lending and ended up facing foreclosure, owing \$47,000 on a house valued at \$20,000. He got help from the Legal Aid

appraisal and the more it affects the values of other houses, bringing down values in entire neighborhoods.

Bray's brother lives in their mother's house today. "I probably could get \$40,000, maybe \$50,000 for it, but that's not a lot of growth in 50 years," she says. "If you took that same home and put it out in the Highlands, it'd probably be worth \$300,000. When you look at that big wealth gap, you can see how the

cycle continues. That's a quarter-of-a-million-dollar difference. Now, if she had the opportunities and was able to live in the Highlands, could you imagine what she could have passed on to her heirs? It would be amazing. You gotta understand numbers. Not to the point where you need to have a college degree, but you have to understand the value of land. My mother did very well in teaching me that, even with a ninth-grade education. She always told me, she said, 'They make no more land.'"

We get out to look at the big brick house with a two-car garage. The foreclosure judgement for this house is \$15,000. The PVA has it valued at \$161,000. "Nice house, huh?" Bray says. "What happened to this person's life that this house is now being sold for \$15,000?"

Compound decreasing property values with decreasing homeownership. The nation's homeownership rate has declined since its peak in 2004. In 1990, the owner-occupancy rate in west Louisville was 57 percent. Today it's 38 percent. Jessica Green says that landlords tell her all the time, "Jessica, I cannot keep houses on the market in west Louisville. As soon as I put a sign out, my house is going to rent." She has friends with good jobs who pay \$1,100 a month in rent and could easily buy and maintain a \$50,000 house in west Louisville but haven't been raised to know how to protect their credit, preventing them from becoming homeowners. She suggests getting local banks on board to loosen creditworthiness for mortgages in cases where people have significant income. Hinko also mentions that the Urban League and other organizations have worked with people on pre-mortgage counseling, which can lower the likelihood of default.

Though there are people with the means to buy homes but for whatever reason have not yet, Green and others I talked to stressed the importance of jobs in the West End. West Louisville has been fighting for years for major development in several vacant locations. Most recently, both the proposed Food Port at 30th Street between Muhammad Ali Boulevard and Market

Street and Walmart halted plans. Bray and others I talked to are in favor of putting the much-debated Veterans Affairs hospital at the former Food Port site. The latest census estimate of the area's median household income is \$22,471.

It's hard to keep track of the boarded-up houses in the West End, even harder to keep track of churches. "Can you imagine what it would look like if they didn't have faith?" Bray says. "It would be total chaos." We drive down Algonquin Parkway, where maple and oak trees line the edges of

deep front yards and the homes are tidy and architecturally varied. "These were working-class families," Bray says. "Nurses, people who worked at the factories — Ford, GE."

We turn up 35th Street and reach Park DuValle, a federally funded mixed-income housing development built in the late 1990s that replaced the old Cotter and Lang housing projects. The median home value in this neighborhood is \$145,000. It's where Jessica Green lives, and she says that people who qualify for Section 8 Housing Choice Vouchers will wait on a list for three to five years to get into one of these homes or apartments.

"Oh, this looks like a foreclosure," Bray says when she spots a piece of paper taped to a front door. We get out to look at the big brick house with a two-car garage. The foreclosure judgement for this house is \$15,000. The PVA has it valued at \$161,000. The cleaning and boarding liens on it began in late 2013, but the house looks to be in decent shape. "Nice house, huh?" Bray says. "What happened to this person's life that this house is now being sold for \$15,000? Whole lotta people will bid on it. Promise you."

This house, which hasn't even aged 20 years, is unlike so many of the houses that not even investors with the means will touch. Most of these houses were built be-

fore 1940. They have architectural charm, hardwood floors, multiple fireplaces, but along with that comes their ages, old electrical systems and neglect from owners lacking the equity to maintain them.

Let's say a house goes to auction for an attractive \$5,000. It could need \$50,000 worth of work. And it then may not even appraise and sell for \$40,000.

Bray asks: What takes the city so long to foreclose and sell the property to someone who will take care of it? Why wait so long and let it decay and spend so many city resources on maintenance when often no one is even paying property taxes on these spots? The Park DuValle house is one of the 300 foreclosures that the city has initiated since 2012. Almost 80 of those were initiated between late 2015 and late 2016.

The Kentucky and U.S. constitutions prevent Metro Louisville from seizing private property without due process. If at least 30 days have passed since a property has accumulated fines and fees for delinquent taxes or code violations, and if the owner has not paid or responded to the fees — only then can the city initiate foreclosure, if it has the funds to do so. After that, the process takes at least 18 months.

Another reason it takes so long to seize and resell these properties is that property titles are often unclear. Delinquent tax liens are often sold to third-party investors who can make a lot of money off interest accrued when people don't pay their taxes on time. Last spring, Gov. Matt Bevin signed a bill that would allow Louisville to spot-condemn more easily, so that it can force ownership and cleanse the title of lienholders. Part of the bill allows the city to designate certain neighborhoods where the sale of delinquent tax liens to third parties would be prohibited, preventing these cloudy titles in the future and speeding up the time it takes to get the property into reuse. "A little like locking the barn door after the horse has been stolen, but better than nothing," Hinko says.

There's also no law in Kentucky that says you have to register a deed within a certain time, which is why unclear ownership remains an issue. Plus, it used to be that anyone who bid on a property in foreclosure had some time to come up with the money. Now, bidders are required to have a bond beforehand, which

means you need to already have property. "Not only do you need other property, but you need other property that isn't so encumbered that no one would lend," Hinko says. "So we've limited the people who can buy these to a very small number of people who are well-financed."

"You have some homes," Bray says. "One home sells for \$300,000, say, in the Highlands. If you took one block (in the West End) and each house costs \$50,000, you can buy six houses for the price of one. Say if you bought three of those houses and fixed them up, you might have \$200,000 tied up, but they'd be nice homes and you'd have three. And if you get a group of people that are really committed to that area and they bought 12, they could wipe out a whole block and make it better. Once they see these homes, it would spread."

Developer Bill Weyland proposed similar ideas at a recent Historic Preservation Advisory Task Force meeting. Right now in Russell, where building a new home on a vacant lot costs more than the market value, nonprofit developer Community Ventures, with help from the city and the Urban League's housing entity REBOUND, is building 25 energy-efficient, market-value, single-family homes priced between \$100,000 and \$150,000 on vacant lots.

Oracle Design, a developer that currently has close to 150 properties in west Louisville, is tackling this as well. They do major renovations, such as the one at the Ouerbacker-Clement mansion on Jefferson Street in Russell that was slated for demolition in 2008 and is now apartments. "If I'm only about the bottom line, I'm probably not going to the West End," says CEO Ray Haylin. One of the company's owners grew up in the neighborhood and remembers what it was like not to have decent housing. They use low-income housing tax credits, which vary from year to year. "It's a lot more work, but we figure out a way to get it done," Haylin says. "We think it's important."

Ramona Lindsey grew up in the Hallmark neighborhood just south of Algonquin Parkway. If you go by street boundaries, it's not considered west Louisville, but she went to Girl Scouts in

Parkland and visited her grandparents in California. Lindsey, who is 46, says she grew up around entrepreneurs, teachers, doctors, lawyers and architects. "The neighborhood now has nowhere near the number of families that were there when I was a kid," she says. When she and her husband got married in the mid-'90s, they owned a house on Cecil Avenue in Chickasaw. Her husband would paint over the graffiti that gangs would spray on their garage every day. He would admonish neighborhood kids for throwing trash on the ground and correct their behavior. He worked as an engineer at GE Appliance Park. "He said, 'If young black kids see an engineer working in their community, they know that they can aspire to that,'" Lindsey says. "But if I'm not there to be an example, then where are they gonna see it?"

Wanting a change, the family moved to a town in Alabama to experience farm life and visit their family's roots. They came back to Louisville a few years ago, still rebuilding after losing jobs and assets during the economic crash, and were unable to find a place to rent in west Louisville. Everywhere they looked, the landlords only took tenants with Section 8 vouchers. In between being able to afford

Craft), she asked herself what she could do as an artist to reclaim the community. She and a group of other women, including Bray, applied for the Lots of Possibilities contest that the city held in 2014 to put vacant lots to creative reuse. They made a "peace labyrinth," a garden and walking path made with bricks painted by the community at a lot on Hale Avenue in Chickasaw. Remnants from the demolition that had occurred on the lot presented challenges that they hadn't foreseen — they thought they could go in with picks and hoes but ended up requiring jackhammers and Bobcats. Now the lot is being maintained and is something positive for the neighborhood. Soon after the initial project, the women formed a nonprofit called the West Louisville Women's Collaborative. They now have a house they call ELA — energy, light, art — on a lot nearby that was purchased and renovated by anonymous donors. They have done several community projects, including the Faces and Voices of West Louisville, which took pictures of people holding up signs with positive messages about the neighborhoods and put them on posters in yards outside the West End: *Louisville is a breeding ground of innovation. #Lounity. My home.* In between the two lots is a

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a home and qualifying for Section 8, they found they couldn't live in west Louisville, though they wanted to. They settled in Shively, but Lindsey noticed how the neighborhood had changed since she had left 15 years prior. "I went down Virginia Avenue and Dumesnil," she says. "All those grand old homes that I admired as a little girl, I noticed they were almost all vacant or abandoned, boarded up."

Having worked in the arts for most of her life (she's now the director of education at the Kentucky Museum of Art and

JCPS-owned property that the group is trying to acquire. "What if more people tried to do their part to reclaim a piece?" Lindsey says. "What would happen?"

A neighborhood revitalization study from 2013 estimated it would take the city 20 years to fully fix the vacant-property problem. "You can't do it overnight," Bray says. "That's what 50 years of not attending to your weeds will do. You have a jungle.

"That land is very valuable, but you gotta realize it is." □

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