

ORDINANCE NO. 2020-22

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO FORGIVE FORMER HOUSING REHABILITATION LOANS IN THE AMOUNT OF \$16,386.00 THAT HAVE BEEN UNABLE TO BE SECURED THROUGH LEGAL REMEDY AND ARE NO LONGER DEEMED PRACTICAL TO RECOVER FOR THE PROPERTY AT 1501 FRANKLIN AVENUE; AND DECLARING AN EMERGENCY.

WHEREAS, Mrs. Shanley, who received rehabilitation loans from the City for her property located at 1501 Franklin Avenue sold the property in 2016. The home was sold for \$20,000.00, but the transaction was accomplished with a Quit Claim Deed and no title search occurred. The current owner is now trying to sell the home; and

WHEREAS, a current title search identified two (2) deferred, existing rehabilitation mortgages issued in 1995 on the property that totaled \$16,386.50 (includes P&I). The loans were due and payable in 2016 when Mrs. Shanley sold the property; and

WHEREAS, Mrs. Shanley is on Medicaid and has no means to pay off the loans; and

WHEREAS, Council desires to approve converting the full amount of the loans to grants in favor of Mrs. Shanley. Mrs. Shanley provided the documentation from the State of Ohio showing that she is on Medicaid, which means she has no assets and that she currently resides in a nursing home that is 100% paid through Medicaid; and

WHEREAS, Council finds that there are no viable options to collect the loans and authorizes the loans to be forgiven at 100%.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to take any measure necessary to forgive the amount of \$16,386.00 and to convert the two (2) deferred loans to grants in order to release Mrs. Shanley from the financial liability.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL