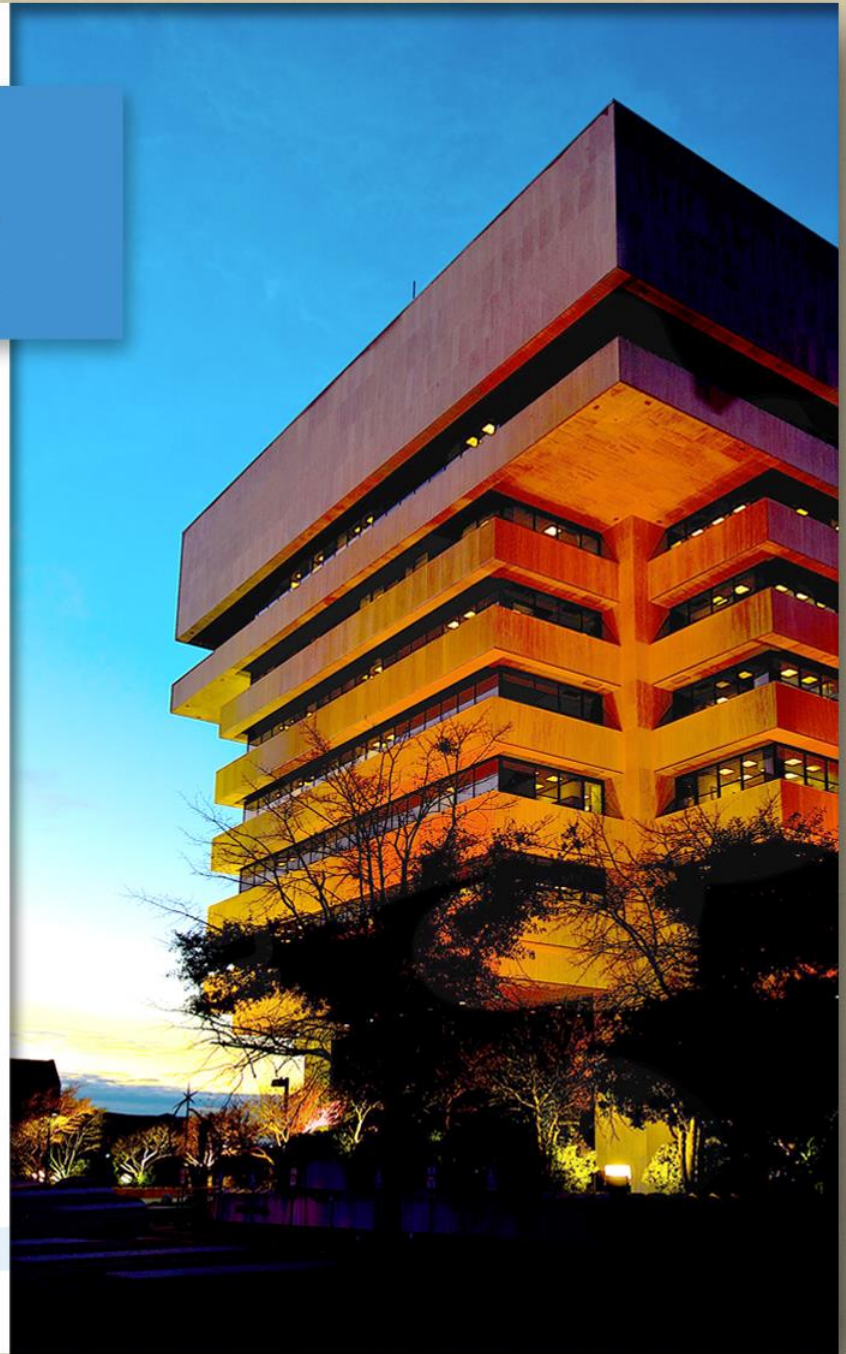


HAMPTON VA

Criminal Blight – Updates in Law



Authority to regulate blight

- The City's authority to regulate properties impacted by blight comes from two (2) sources:
 - Code of Virginia § 15.2-907
 - Hampton City Code § 24-111 & § 24-112


Updates in Law

- On April 9, 2018, amendments to Virginia Code § 15.2-907 relating to localities' power to regulate criminal, formerly drug, blight were approved by the Virginia General Assembly.
- These amendments extended the scope of the current drug blight statute and placed new responsibilities on both localities and real property owners in the process for abatement of criminal blight.

Overview of changes

- Drug blight has now been expanded to criminal blight.
- Criminal blight has four (4) causes in contrast with drug blight which had 2 (two) causes.
- New requirements of notice to be provided by the City.
- More protections for real property owners whose properties are plagued by blight.

Criminal Blight

- Criminal blight means a condition existing on real property that endangers the public health or safety of residents of the city.
 - Criminal blight can have one (1) of four (4) causes:
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Causes of Criminal Blight

1. Regular presence on the property of persons under the influence of controlled substances.
2. Regular use of the property for the purpose of possessing, manufacturing, or distributing controlled substances.
3. Regular use of the property for engaging in commercial sex acts.
4. Repeated acts of the malicious discharge of a firearm within any building or dwelling that would constitute a criminal act.

Updated Notice Requirements

- Notice to the owner that their property is a situs of criminal blight.
- Notice to the owner that the City will undertake corrective action.

Stronger protections for real property owners

- Real property owners right to an extension of time to undertake corrective action.
 - Real property owner in good faith taking corrective action.
 - Landlord initiating court proceedings against a tenant that is the cause of criminal blight.
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Questions?