

**ORDINANCE**

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AND ACCESSORY BUILDING AT 12024 SUSANNA DRIVE PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 12, CHAPTER 160D OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF GEORGE EDWARD EMCH & KNOWN AND UNKNOWN HEIRS OF GEORGE EDWARD EMCH 12024 SUSANNA DRIVE CHARLOTTE, NC 28214

WHEREAS, the dwelling and accessory building located at 12024 Susanna Drive in the City of Charlotte has been found by the Code Enforcement Official of the City of Charlotte to be in violation of the Housing Code of the City of Charlotte and the owners thereof have been ordered to demolish and remove said dwelling; and

WHEREAS, said owner(s) have failed to comply in a timely fashion.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina, that the Code Enforcement Official of the City of Charlotte is hereby ordered to cause the demolition and removal of the dwelling and accessory building located at 12024 Susanna Drive in the City of Charlotte in accordance with the Housing Code of the City of Charlotte. This Ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

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Senior Assistant City Attorney

## IN REM ACTION REQUEST

PROPERTY INFORMATION	
Property Address	12024 Susanna Drive
Parcel Identification Number	03122129
Council District	2
Owner(s)	George Edward Emch Known and Unknown Heirs of George Edward Emch
Owner Mailing Address per tax records	12024 Susanna Drive Charlotte, NC 28214
Historic Designation	No
Structure Type re: In Rem Request	Single Family Residential Unit
Structure Age	65
Structure Square Feet	1,344 (dwelling unit) 80 (accessory building)
Structure Occupied?	No
Tax Value of In-Rem Structure:	\$89,700 (dwelling) \$500 (accessory building)

ACTION REQUEST	
Type of In Rem Requested	Demolition
Estimated Demolition Cost	\$14,115
Lien	Lien will be placed on the property for the cost of demolition
Council Priority Area	Great Neighborhoods; Safe Communities

CODE ENFORCEMENT	
Reason for Inspection	Referral from Charlotte Fire Department
Date of Initial Inspection	September 16, 2024
Violations	Structural, electrical, plumbing and heating violations. Interior wall and ceiling covering fire damaged. The subflooring and floor covering have been fire damaged. Multiple windows are fire damaged. The electrical, plumbing and heating systems are fire damaged. The roof sheathing and roof covering show fire damaged, and the wall framing has been affected as well. Several areas of exterior siding, trim and fascia are fire damaged.
Title Search:	1/7/2025, received updated search on 2/24/2026 (no change)
Parties of Interest revealed by Title Search?	Yes
Owner(s) notified of Complaint and Notice of Hearing (personal service):	12/24/2024 and 9/16/2025 (owners) 5/27/2025 and 7/8/2025 (parties in interest)
Hearing Date for Owner(s):	1/24/2025 and 10/7/2025 (owners) 6/17/2025 and 7/22/2025 (parties in interest)
Owner(s) attendance at hearing:	No (owners) No (parties in interest)
Owner(s) and part in interest ordered to demolish structure by:	2/17/2025 and 11/10/2025 (owners) 8/26/2025 and 3/16/2026 (parties in interest)
Extension(s) granted:	One
Lis Pendens – Complaint Notice of Hearing:	3/6/2025
Lis Pendens – Findings of Fact and Order	3/6/2025
Demolition permit issued to owner(s):	No
Repair or compliance with order to demolish:	No

Notifications	Owner and parties of interest (if any) have been advised that failure to comply with the Order to Demolish will result in City Council Request for Action to approve demolition by the City and a lien being placed on the property for city's costs.
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**STAFF RECOMMENDATION**

- In Rem Demolition

Recommendation Rationale

- The structure suffered a catastrophic fire on August 13, 2024.
- As a result of the fire, structure is dilapidated, unsafe and unfit for human habitation, evidencing a prolonged lack of essential property upkeep and failure to maintain or repair minimum standards of fitness.
- Owner(s) have not repaired structure or complied with the order to demolish, and no building permits have been issued.
- City repair cost is conservatively estimated to be \$116,830 (approximately \$86.92 per square foot), which is 130.24% of the structure's assessed tax value.
- Action is recommended to address the health and safety issues and other blighted conditions of the structure.

**Definitions:**

Dilapidated: The Minimum Housing Code defines a structure as unfit for human habitation if it cannot be repaired, altered or improved to comply with minimum standards of fitness at a cost greater than 65% of its physical value as determined by a finding of the inspector.

Lis Pendens. Lis pendens is an official notice to the public that a lawsuit involving a claim on a property has been filed.

Parties in Interest. Parties in interest are parties other than property owners that are identified in the Title Search as having an interest in the property. Examples include mortgage holders, banks, and other lien holders.

Reason for Inspection. There are several ways a property inspection can be initiated: a tenant can file a complaint if they believe there are violations in their unit; a petition signed by five individuals can be submitted to the city; a public agency referral can be received (e.g., from CMPD, CFD, CMS, DSS, Mecklenburg County Health, etc.); or a field observation by Code Enforcement Staff can occur.

Title Search. A title search is the process of examining public records to determine and confirm a property's legal ownership and identify any claims or liens against it.

PHOTOS OF PROPERTY CONDITIONS



Front exterior



Porch



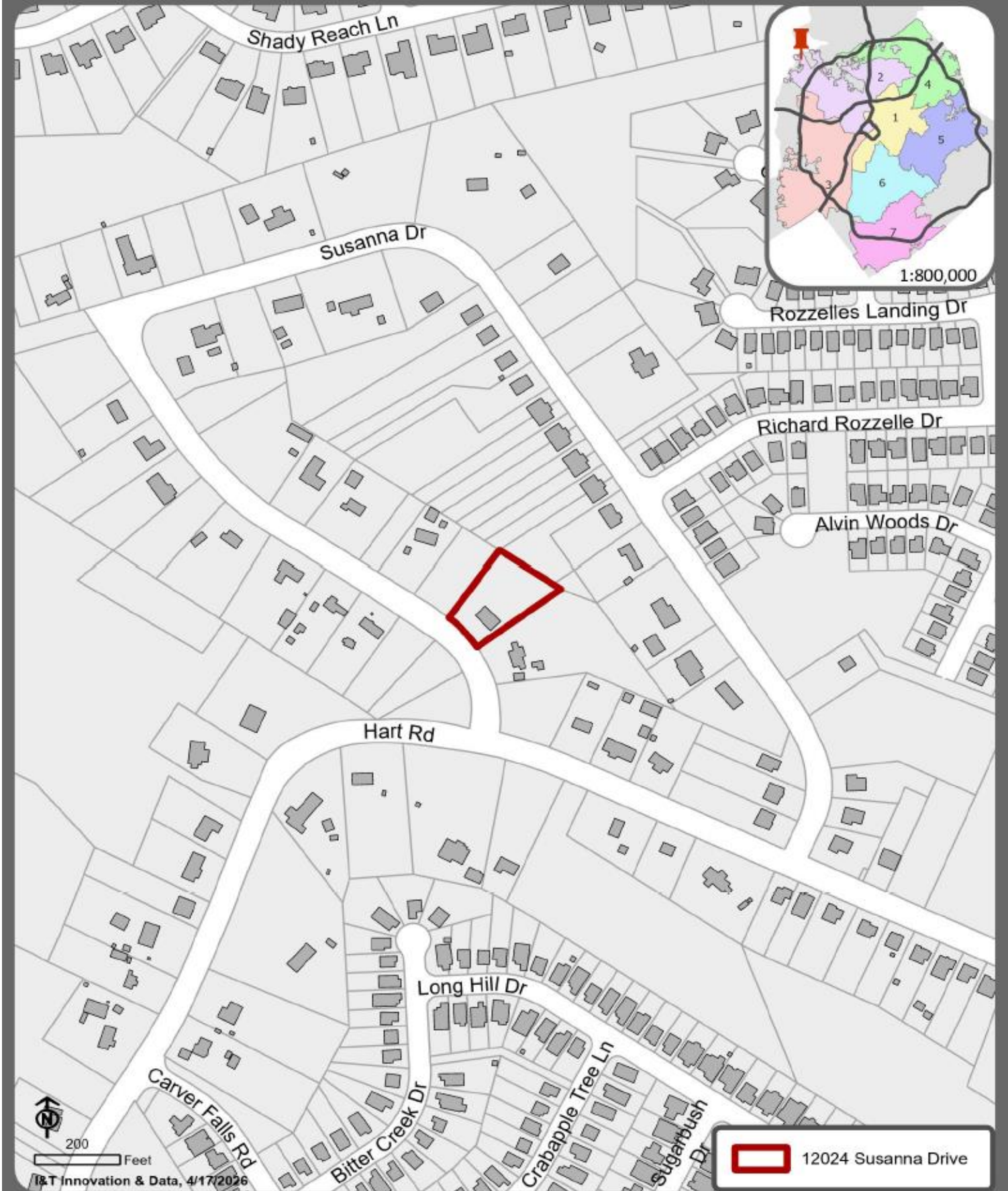
Interior room



Interior room

LOCATION MAP

# 12024 Susanna Drive



## **Reference – In Rem Process Following City Council Approval**

The following overview is intended to provide further explanation for the process of In Rem actions that are approved by City Council.

- Following In Rem approval by City Council, Housing and Neighborhood Services Code Enforcement Staff initiate enforcement of the approved action.
- Quotes for contractor services are requested from pre-approved firms chosen through a Request for Proposals (RFP) based on qualifications, experience, cost and responsiveness to RFP requirements.
- Upon receiving quotes for the approved In Rem services, staff authorize the selected firm to proceed with the approved work. Note that if the structure is occupied, relocation of occupants occurs prior to demolition.
- Once the contractors have completed the In Rem services, they submit an invoice to the city and city processes the payment.
- A lien is placed on the property for the city's expenses related to the approved activities, and the lien is filed in the public records.