

ORDINANCE

AN ORDINANCE ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 215 ORANGE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 19, PART 6, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, SAID BUILDING BEING THE PROPERTY OF RAYMOND E. MCDOWELL, 215 ORANGE STREET, CHARLOTTE, NC 28205

WHEREAS the dwelling located at 215 Orange Street 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 located at 215 Orange Street 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:

Senior Assistant City Attorney

IN REM ACTION REQUEST

PROPERTY INFORMATION	
Property Address	215 Orange Street
Parcel Identification Number	15701305
Council District	1
Owner(s)	Raymond E. McDowell
Owner Address as listed in public records	215 Orange Street Charlotte, NC 28205
Historic Designation	No
Structure Type re: In Rem Request	Single Family Residential Dwelling
Structure Age	77 years
Structure Square Feet	2,085
Structure Occupied?	Yes, occupant will be relocated prior to demolition
Tax Value of In-Rem Structure(s):	\$147,500 (dwelling unit)

ACTION REQUEST	
Type of In Rem Requested	Demolition
Estimated Demolition Cost	\$10,950
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	Field Observation
Date of Initial Inspection	11/21/2024
Violations	Structural and electrical violations. Interior walls and ceiling covering consist of holes/cracks and moisture damage. Decayed subflooring, band sill, roof rafters and sheathing. Porch roof not structurally sound. Damaged roof covering. Overloaded electrical circuits.
Title Search	12/4/2024
Parties of Interest revealed by Title Search?	No
Owner(s) notified of Complaint and Notice of Hearing (advertisement and certified mail):	12/6/2024
Hearing Date for Owner(s):	12/30/2024
Owner(s) attendance at hearing:	Yes
Owner(s) ordered to demolish structure by:	1/29/2025
Received appeal from owner:	1/16/2025
Appeal hearing:	3/11/2025; Housing Appeals Board upheld the order to demolish and granted the owner 30-days to bring property into compliance.
Lis Pendens – Complaint Notice of Hearing:	12/30/2024
Lis Pendens – Findings of Fact and Order	4/9/2025
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.

STAFF RECOMMENDATION

- In Rem Demolition

Recommendation Rationale

- Structure is dilapidated, unsafe and unfit for human habitation, evidencing a prolonged lack of essential property upkeep and failure to maintain minimum standards of fitness.
- In March 2025, the Housing Appeals Board (HAB) upheld the order to demolish and granted the owner 30-days to bring the property into compliance. Additionally, in an effort to work with the owner to achieve compliance, Code Enforcement provided the owner with an additional six months beyond the HAB ruling to achieve compliance. To-date, no repairs have occurred to correct the violations, and no building or demolition permits have been issued.
- Owner(s) have not repaired structure or complied with the order to demolish.
- City repair cost is conservatively estimated to be \$127,250 (approximately \$61.03 per square foot), which is 86% of the structure's assessed tax value.
- Action is recommended to address the health and safety issues and other blighted conditions of the structure. A lien will be placed on the property for the city expenses.

Definitions:

Dilapidated: Dilapidated, as it applies to dwellings and rooming houses, means that a dwelling or rooming house is unsafe or unfit for human habitation and cannot be repaired, altered or improved to comply with the minimum standards of fitness at a cost not in excess of 65% of its physical value or 50% of a non-dwelling structure or lodging establishment, as determined by a finding of the inspector, and as set forth in the City of Charlotte Minimum Housing Code (Chapter 11) and Buildings and Building Regulations (Chapter 5)

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

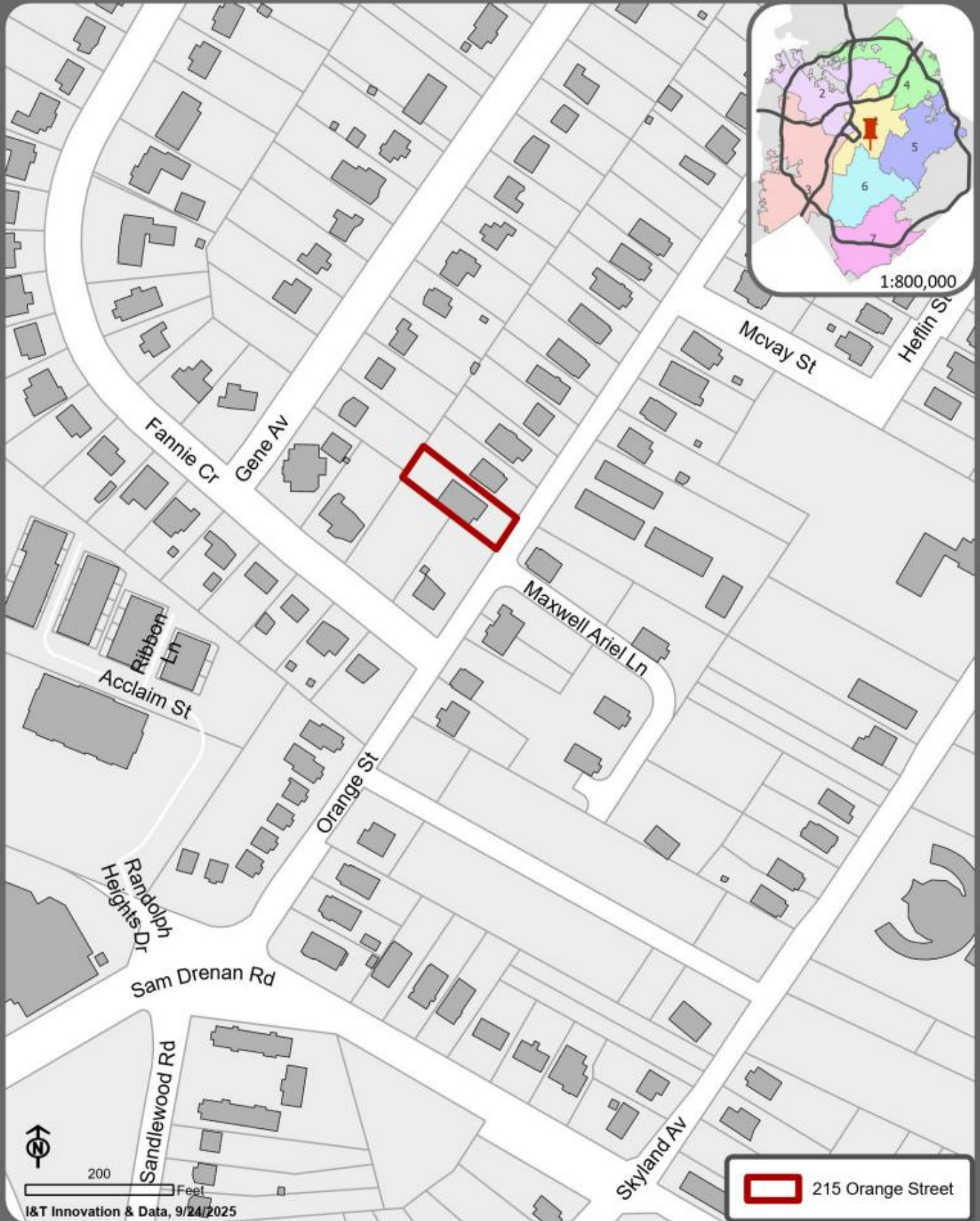
Parties in Interest. Parties in interest are parties other than property owners that are identified in the Title Search as having an interest in the property. Examples include mortgage holders, banks, and other lien holders.

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.

215 Orange Street





Front exterior from street (front porch collapsing)



Front porch (collapsing)



Rear entrance (missing mortar; unstable steps)



Crawl space (decayed sill)



Interior room



Interior room

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.