



Wichita-Sedgwick County Metropolitan Area Building and Construction Department

MABCD DIRECTIVE #14-G15 (GENERAL DIRECTIVE)

ISSUE: Serving Criminal Complaints on Absentee Property Owners

EFFECTIVE DATE: Immediately

In order to address ongoing building and housing violation cases within the City of Wichita, where all other appropriate remedies to resolve the case have been exhausted, the following policy will apply, when:

- The property owner of the building lives outside the MSA of Wichita – Sedgwick County, and
- The property owner owns building/s in violation of Chapter 18, 20 or 30 of the Code of the City of Wichita, and
- The property has become the focus of complaints by a neighborhood or district within the City of Wichita, and
- The property owner has failed to make a diligent effort to correct the violations of Chapter 18, 20 or 30 and
- The building/s has/have sustained substantial deterioration due to lack of maintenance and constitute/s a blighting influence on the surrounding properties and neighborhood, or
- The building/s has/have been declared to be a criminal nuisance pursuant to K.S.A. 22-3901, *et seq*; or
- The property owner has repeatedly refused to accept service of notices of violations of Chapter 18 or Chapter 20, and
- A Uniform Criminal Complaint/Notice to Appear has been issued for violations of Chapter 18, or Chapter 20 and the property owner has refused to accept service by certified mail, or
- The property owner has failed to appear and a warrant has been issued in municipal court for a violation of Chapter 18, or Chapter 20, of the Code of the City of Wichita.

If a property owner falls within the above criteria, the Director of the Metropolitan Area Building and Construction Department may direct staff to:

- Hire a process server within the jurisdiction where the property owner resides, in order to serve a Uniform Criminal Complaint to that owner.
- Drive to the location and give personal service of the violation notice and/or Uniform Criminal Complaint to the property owner. This type of service will be limited to the State of Kansas or an immediately contiguous state.

Thomas J. Stolz
Director – MABCD
3/31/14