Last blighted home on Tivoly Avenue demolished

Sweating in the 95-degree heat, Ralph Stewart guided the excavator's giant claw through the rowhouse's porch roof at 2783 Tivoly Ave. on the city's east side. As the structure crumbled, the assembled crowd of politicians, neighborhood leaders and city housing officials cheered.

This and another house next door were the last of 98 homes to be torn down on a block of Tivoly Avenue that City Councilwoman Mary Pat Clarke said was once so rife with drug dealing that one could barely drive a car down it. On Thursday, this block across Harford Road from Clifton Park was eerily empty except for remaining piles of rubble.

Stewart, 63, lives a block away on Fenville Avenue, which along with Hugo Avenue is also set to be cleared at some point. While the area used to be beautiful, he said his relocation can't come soon enough.

"I say, "Please God, get me up out of here,"" he said. ""Fenwick is in dire need of being torn down. It's very dan- gerous.""

The program's goal was eliminating 1,500 vacant homes through demolition and leveraging private investment to rehab another 1,500. City officials said Thursday that about 1,500 vacant houses have been demolished while about 1,200 have been sold to developers to be renovated.

The city says it has more than 16,000 vacant houses, though the U.S. Census Bureau says the number could be as high as 23,000.

While officials and neighborhood leaders cheered the clearing of Tivoly Avenue, they said progress had been slow on a block they have complained about for years. Ten houses were demolished on the block in 2008 under the administration of Mayor Sheila Dixon. Seven more were razed in 2013, according to city records, with the rest not knocked down until recent months.

Clarke, who represents the area, blamed "money and priorities" for the delays but said she was excited to see progress seven years later. "Several years ago, it was so thick with drug dealing in the street and traffic driving slowly through that you could barely drive up this street," she said. "So there was a lot of abandon- ment during that period and a lot of blight. A number of homeowners were left stranded, a lot of longtime renters as well."

"The money just hasn't been as forthcoming as we hoped," she added. Money for Tivoly Avenue's demolition was first set aside in the Affordable Housing Program, a $60 million fund to fund blight created by then-Mayor Martin O'Malley. The unfinished project dogged Housing Commissioner Paul T. Graziano.

"Frankly, we had money under an earlier administration," Graziano said. "It was a little bit of a bit, all through last year, on my watch, that we started something we couldn't finish." He said the city spent $5 million to relocate the last 41 families living on the block, whom he called "long-suffering." The demolition cost another $1.25 million.

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Leveling these last homes was a bright spot for Rawlings-Blake as she talked about Vacants to Value. "It's one thing to say we have a problem, and there's people around town that are good at pointing out the problems," she said. "You know, a child can point out a problem, but that child can't fix it. You need leadership and partnership to fix it, and that's what we're about."

City and neighborhood officials hope the site will draw the interest of a developer who can build new housing there, preferably less densely. In the meantime, neighbors hope to turn it into a park, said Mark Wash- ington, head of the Coldstream/Homestead/Montebello Community Corp. One of the houses torn down Thursday, 2781 Tivoly Ave., was the site of one of the deadliest house fires in Baltimore history. A candle ignited a two- degree fire, "It's not as bad today as it was a year ago, but we still have an overwhelming number of vacant houses," Washington said.

"We want to stress today to all other neighborhoods here and around the country struggling with vacant properties to never give up on your neighborhood," Joyce Smith, of Operation ReachOut SouthWest, Inc., said in a press release.

A bankruptcy judge agreed to a deal in which Scott Wizig of Hou- ston will pay the community groups compensation for the harm they suffered because of his neglect of about 140 houses his compa- nies own or owned in Baltimore City. Under the settlement, Wizig also promises to demolish some of the houses, which are said to be unsalvageable, and fix up others. It was not immediately clear how many of his houses would be demolished and how many renovated.

"The agreement's most vital provisions require the Defendants to invest in rehabilitating some properties and in demolishing the properties that were beyond repair and endangering community res- idents," Robin Jacobs, a Community Law Center lawyer in the case, said in a press release.

The plaintiff neighborhood associations are Coldstream-Homestead Montebello Community Corporation, Alliance of Rosemont Community Organizations, Inc., Mount Clare Community Council, Inc., Carrollton Ridge Community Association, Inc., Operation ReachOut SouthWest, Inc., and Greater Greenmount Community Association, Inc. They originally demanded $8 million. Wizig is known nationwide as a bad landlord. He started in Buffalo, New York, bought in Balti- more, and now owns property in Houston. In the past, Wizig would buy dilapidated houses for a few thousand dollars at tax sales and rent them out for several hundred per month, often getting tenants to sign rent-to-own deals that required them to pay tens of thousands of dollars for the properties. City Paper first wrote about him in 2004.

The neighborhood associations, with help from the Community Law Center and Venable, LLP, which worked pro-bono, sued Wizig and several of his companies under the Community Bill of Rights, which allows residents to claim damages for public nuisances.

"We want to stress today to all other neighborhoods here and around the country struggling with vacant properties to never give up on your neighborhood," Joyce Smith, of Operation ReachOut SouthWest, Inc., said in the CLC press release. "You can come together, and you can win this fight."
For nearly two decades, Maryland law has allowed community associations to sue the owners of blighted properties to force repairs. But it wasn’t until this year that any of those associations managed to win anything because of a quirk in the law that kept them out of court.

This is the story of how six Baltimore City associations pulled off that victory.

The members had been complaining for years about broken windows, boarded up doors and roofs on the verge of caving-in (if they haven’t already) on 49 properties owned by Scott Wizig. But Wizig, a Houston man who owns the properties through several Maryland LLCs, ignored the city’s repair orders.

The residents were “very frustrated with property owners who don’t show any care for their properties,” said Kristine Dunkerton, executive director of the Community Law Center, who argued the case for the associations.

Under the Community Bill of Rights, enacted in 1996, community associations can sue property owners who do not respond to city repair orders, provided they give 60 days’ notice. But until recently, no community association had done it because of a flaw in the law.

State Senator Bill Ferguson, whose Baltimore City district includes many South Baltimore neighborhoods with blighted properties, found it when he was in law school and taking slumlords to court for the University of Maryland Law School’s Community Justice Law Clinic.

“We realized [that] community associations, although they were in the law – it was almost impossible to qualify as an eligible community association to bring a case against a vacant land lord,” he explained. Ferguson said the city could sue the bad property owners, but with 16,000 vacant homes it would be a heavy burden.

The city just has a limited finite amount of resources. But if you open it up to community associations, all of a sudden you have a lot more eyes on the job,” he added.

He sponsored legislation during the 2012 General Assembly session loosening the definition of a community association, and that led to the suit against Wizig.

The six community associations – Coldstream Homestead Montebello Community Corporation, Carrollton Ridge Community Association, Operation Reachout Southwest, Greater Greenmount Community Association, Alliance of Rosemont Community Organizations and Mount Clare Community Council – with help from the Community Law Center sued in April 2013.

Jaime Lee, director of the Community Development Law Clinic at the University of Baltimore Law School, says the law not only helps community groups, it saves money because no one has to “rehash whether the law has been broken or not. That’s already been determined by the city government or the code enforcer.”

This isn’t the first time Wizig has been in trouble over housing code violations. City Paper reported a decade ago that Wizig narrowly avoided jail time in Buffalo in 2000 by pleading guilty to about 200 violations on properties he owned there and paying hundreds of thousands of dollars for repairs. Lenora Foote-Beavers, who was a Buffalo city prosecutor at the time, said the city accepted the plea just to get rid of him. Neither Wizig, nor his lawyer, Dana Petersen Moore, returned calls to offices in Houston and Baltimore, respectively. Ferguson called the community bill of rights a new tool that can be used to revitalize Baltimore and added it is starting to make a difference. “It’s really neat to see some of the work that we put in [and] we’re starting to see the fruit of that labor,” he said.