



cont'd: **Case Against Vacant Slumlord Now In Federal Court**

In addition to the Coldstream Homestead Montebello Community Corporation and Greater Greenmount association, the Mont Claire Community Council, Carrollton Ridge Community Association, Operation Reachout Southwest, the Alliance of Rosemont Community Associations are parties to the suit.

Wizig has been in hot water over housing code violations in the past. City Paper reported a decade ago that he 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.

Around the time he filed for bankruptcy, he was the subject of a Houston Press story.

In an affidavit filed in September, Wizig said he does not run the “day-to-day” affairs of his LLCs and that management companies do the work through multiple employees.

“I did not personally commit, participate in, or inspire any nuisances that may have been caused by the LLCs,” he said. A phone call to Lawrence Yumkas, Wizig's bankruptcy lawyer based in Columbia, Md., was not returned.

**Community Groups Win a Victory over Slumlords**  
By P. Kenneth Burns • Sep 22, 2014

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

*In The Fold*



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Of The Year  
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Cont'd: **Community Groups Win a Victory over Slumlords**

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.

In July, Circuit Judge Pamela Brown ordered Wizig to clean up his properties by the end of October. It is unclear what penalties he will face if he does not comply. This is the first case tried in court under the Community Bill of Rights. The second phase of the trial, to determine whether Wizig pays damages to the associations, is scheduled for January.

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.

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