

# **Memphis Neighborhood Blight Elimination Charter**



**Delivered to the People  
of Memphis and Shelby County, Tennessee**

*March 17, 2016*

## Acknowledgements

I am humbled by the degree of trust and commitment that so many people in our community have given to me as I coordinated the development of this document on behalf of Neighborhood Preservation, Inc. Since 1994, when I first began working on a team in South Memphis to revitalize neighborhoods, I have had the pleasure of working with many wonderful and dedicated public servants and community advocates. I have repeatedly experienced a spirit of cooperation and selflessness among my peers. The **Memphis Neighborhood Blight Elimination Charter** has been no exception.

**Neighborhood Preservation, Inc.** was the coordinating entity for this project, and we are indebted to its Board of Directors, chaired by **George Cates**, and its team of staff and consultants, particularly **Brandon Gaitor, Brittany Williams, Archie Willis, Beth Flanagan, Quincy Jones** and **Kerry Hayes**. The Charter would not exist without the thorough and thoughtful guidance of **Joe Schilling** and **Kermit Lind**. Their knowledge of this subject matter, national perspectives, patience, and profound understanding of Memphis' unique conditions were invaluable at every stage in the Charter's development and will be essential to its successful next steps.

The steering committee that met for months to shape the values, principles, ideas, and ultimately, action steps that comprise the Charter included some of our community's most remarkable leaders. This committee included:

**Mairi Albertson**, Division of Housing & Community Development, City of Memphis  
**Roshun Austin**, The Works, Inc.  
**Kirk Bobo**, Hnedak Bobo Group, Inc.  
**John Cameron**, Shelby County Environmental Court  
**George Cates**, Neighborhood Preservation, Inc.  
**Larry Chan**, Downtown Memphis Commission  
**Donnell Cobbins**, Shelby County Trustee's Office  
**Kathy Cowan**, Federal Reserve Bank of St. Louis - Memphis Branch  
**Sheila Jordan Cunningham**, Blight Authority of Memphis, Inc.  
**Patrick Dandridge**, Division of Public Works, City of Memphis  
**Julie Ellis**, Butler Snow PLC  
**Justin Entzinger**, Innovate Memphis  
**Shea Flinn**, Chairman's Circle, Greater Memphis Chamber  
**Carter Gray**, Shelby County Attorney's Office  
**David Lenoir**, Shelby County Trustee  
**Missy Marshall**, Keep Tennessee Beautiful  
**Tanja Mitchell**, Uptown Partnership  
**Abby Miller**, Medical District Collaborative  
**Melanie Neal**, Neighborhood Improvement Department, City of Memphis  
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**Lang Wiseman**, Wiseman Bray PLLC  
**Eldra White**, Memphis City Beautiful Commission  
**Paul Young**, Division of Housing & Community Development, City of Memphis

The **Memphis Chapter of the American Red Cross, the Memphis Bioworks Foundation, and Caritas Village** were gracious in their hospitality as meeting sites for our work.

Lastly, we extend our thanks to any person, group, or institution engaged in the hard work of cleaning up Memphis on a daily basis. This Charter draws its inspiration from such efforts. In the end, this project is about getting organized to support citizens to make Memphis neighborhoods great.

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*Copies of the Memphis Neighborhood Blight Elimination Charter can be downloaded at: [MemphisFightsBlight.com](http://MemphisFightsBlight.com)*



Photo by Brandon Dill

## Preface

Dear Friends,

The crisis of blight in Memphis and Shelby County affects thousands of families every year. Vacant and nuisance properties attract crime while depressing property values, driving up taxes, and repelling vital private investment. The resulting downward spiral of dereliction smothers the economic prosperity of our entire metropolitan area.

This situation has many causes and contributing factors, and will require an equal number of innovative and dedicated solutions. We owe tremendous gratitude for the heroic work of numerous nonprofit organizations, faith institutions, civic groups, businesses, government agencies, and individuals who have been working for years to fight the problem of blight on the ground. Unfortunately, without some larger coordinating framework to guide and inform these actions, we end up treating the symptoms without addressing the deeper sources of the illness. As a result, blight spreads and our community grows sicker by the year.

The Memphis Neighborhood Blight Elimination Charter intends to serve as that coordinating framework. It contains a set of principles and values that our community holds regarding blighted and nuisance properties, and offers a new vision for safe, beautiful, and vibrant Memphis neighborhoods free from blight's effects. The charter lays the groundwork for a sustained, coordinated action plan that will address blight from long-term policy and market perspectives while intensifying immediate abatement efforts.

Simply put, we know that doing more of the same will only produce the same unacceptable outcomes we have endured for decades. Focusing on what works, developing new strategies, and above all, working together as we move forward will produce the blight-free future for Memphis that we seek.

Our sincere thanks to the many members of the Steering Committee who took part in the development of this plan, to Joe Schilling and Kermit Lind for their strategic guidance throughout this process, and to Steve Barlow and Neighborhood Preservation, Inc. for their ongoing leadership in this critical sector of community development.

The economic health of our entire region requires us to find lasting solutions to the blight crisis. The people of Memphis and Shelby County deserve these solutions.



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Jim Strickland  
Mayor, City of Memphis



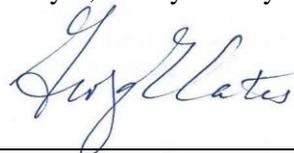
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Mark H. Luttrell, Jr.  
Mayor, Shelby County



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David Lenoir  
Trustee, Shelby County



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George Cates  
Chairman, Neighborhood Preservation, Inc.



Photo by Brandon Dill

## Introduction

Blighted properties are a persistent problem for many Memphis neighborhoods. Some of the most visible signs of blight are litter, graffiti, unkempt lots, along with vacant and/or foreclosed homes and abandoned buildings. Based on the latest research, we now understand that blighted properties are often associated with a multitude of community challenges related to declining economic and housing markets, crime, poverty, and poor public health.<sup>1</sup>

The cumulative effect of blighted properties can deter even diligent homeowners from maintaining their properties, drain municipal budgets, and pose serious threats to local fiscal stability. At worst blighted properties can dissuade homeowners and landlords from maintaining their properties up to code and discourage private investors and developers from working in core city neighborhoods where they are needed the most. These aggregate impacts impede the city's and the region's economic vitality and long-term sustainability. They have a social impact that ripples throughout Memphis' schools, businesses, homes and neighborhoods.<sup>2</sup>

Memphis now confronts a blight epidemic, despite the best efforts of city and county government, nonprofit organizations, community based groups, institutions, and businesses. For the past decade these entities and individual residents have been working tirelessly to prevent its spread through the abatement and re-purposing of blighted properties. Unfortunately, these disparate and sometimes fragmented efforts have proven inadequate against the steady increase of blighted properties and their negative impacts on neighborhoods and overall quality of life. Without new strategies, tactics, and systems, blighted properties will continue to spread like a virus throughout the Greater Memphis region.

The complexity of blight -- from the myriad factors that create it to the political and economic conditions that perpetuate it -- demands more comprehensive, coordinated, and collaborative solutions.

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<sup>1</sup> See Vacant Property Research Network's 2016 Translation Brief—the Basics of Blight, by Joe Schilling and Jimena Pinzon—available at <http://vacantpropertyresearch.com/translation-briefs/blight/>

<sup>2</sup> According to Feb 2016 Distressed Cities Index Memphis ranks number 9 among several socio-economic indicators, including vacant properties; see <http://eig.org/dci/interactive-maps/cities>

## **Developing a coordinated community response to the blight crisis**

Starting in October 2015, a dedicated and diverse group of government, civic, and community leaders came together to chart a new, collaborative course for addressing blighted properties in Memphis. Many of these individuals manage programs, government departments, civic groups, and community-based nonprofit organizations that are actively engaged in preventing, abating, and reusing blighted, vacant, and abandoned properties. Under the leadership of its co-founder Steve Barlow, Neighborhood Preservation Inc., a new public interest revitalization intermediary convened this diverse group.

As outlined in the Charter's acknowledgement, the Steering Committee included officials from City of Memphis, Shelby County, leaders of local nonprofit and community-based organizations, and civic sector representatives.<sup>3</sup> They were guided in this process by national experts, Joe Schilling, from the Urban Institute in Washington, D.C., and Cleveland State University Clinical Professor of Law Emeritus Kermit Lind, along with contributions from NPI board members and staff.

Over the course of the past six months Steering Committee members volunteered their time to answer important questions about the current blight crisis in the Greater Memphis area -- as well as discuss what additional information they would like to know, what they would like to accomplish, and how Memphis can improve and expand existing efforts to fight blighted properties. They also reflected on the rich history of Memphis' neighborhoods and the potential for what those neighborhood could become if all blighted properties were permanently removed.

The Committee's first step was to inventory many of the existing initiatives, policies, programs, and projects that Memphis has used or is using to cope with blighted properties. Organizations, such as municipal code enforcement departments and the Shelby County Environmental Court, have been working the front lines of blight for years. Others, such as the City of Memphis' Opportunity Property Team, the Memphis Property HUB, the University of Memphis Law School Neighborhood Preservation Clinic and NPI, are relative newcomers to the blight fight. Still other organizations, such as the Greater Memphis Chamber, Memphis City Beautiful, Keep Tennessee Beautiful, the Community Development Council of Greater Memphis, along with neighborhood groups, engage local residents in the cleanup, rehabilitation, and reuse of blighted properties.

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<sup>3</sup> Note that Steering Committee members participated as individuals and did not represent their organizations or institutions.

Their second step was to understand existing data about the scale, scope, and nature of blighted properties in Memphis. Local leaders possess extensive knowledge about the potential number of blighted properties thanks in part to preliminary work of the Mayor’s Innovation Delivery Team in developing the Memphis Property HUB and the recent “Bluff City Snapshot” parcel survey project by the City’s Code Enforcement Department. The Steering Committee recognized, however, that Memphis needs more and better data about blighted properties, including their specific conditions, locations, and ownership, as well as whatever unseen forces and factors may be causing and perpetuating blight. Accurate, current data concerning the costs and benefits of reclaiming blighted properties is essential to the proper development and evaluation of any new policies, programs, and tactics that may be deployed. The Memphis Property HUB has great potential to fill many of these information gaps, but will require ongoing support and development in order to provide local leaders with more consistent, reliable, and relevant data.

After supplying the ideas and intellectual capital for the Charter’s vision and principles, the Steering Committee approved the concept of a Blight Elimination Coordinating Team (“Team”) that will continue this work in a collaborative way. No doubt many Steering Committee members will participate on the Team in some capacity after its launch in Spring 2016. The Steering Committee has developed a set of preliminary goals and action items for the Team to consider for inclusion in its first order of business -- the adoption of a 2016 Action Plan.



Photo by Brandon Dill



Photo by Brandon Dill

## **What is the Charter and how to use it?**

The Charter is certainly not a legally binding document. Rather, it is a strategic framework that can align and initiate a coordinated array of actions and resources that government, community and civic organizations, and businesses may deploy for abating and reusing blighted properties. With the Charter, policymakers and practitioners will have for the first time a cohesive vision, ten core principles, and a series of critical implementation goals that will lead to more effective policy decisions and program actions.

The Charter is a living document that everyone can use to measure and recalibrate a range of existing and potential policies and program actions. As new challenges and opportunities arise, members of the Team will respond as the Charter's primary stewards by regularly reviewing, revising, and promoting the Charter's goal of a coordinated community-wide campaign.

In essence, the *Memphis Neighborhood Blight Elimination Charter* seeks to move all of Memphis and Shelby County's neighborhoods toward a safer, healthier, and more sustainable future, free from the toxic effects of blighted properties. The Charter not only captures the specific ideas and insights of the Steering Committee and its supporters, it conveys the deep commitment and passion that all Memphians have for their neighborhoods, community and region.

## **Definition of Blight**

Blight can have multiple meanings not only as a special legal and policy term but also the stigma that can become unfairly attached to certain places and even to the people who live there. For purposes of this Charter blight means "vacant or derelict structures/buildings and unmaintained real property, often in such conditions that cause public nuisances, violations of relevant state laws and local ordinances and usually characterized by litter, dumping, and abandoned personal property." Where practical, the phrase "blighted property" is used as the preferred language.

## Vision Statement

*Throughout the Charter planning process, members of the Steering Committee engaged in a series of discussions to share their insights about the impacts of blighted properties and ideas about strategies to address them. These discussions serve as the nucleus for the following vision statement and supporting principles. This forward-looking vision offers several aspirational outcomes drawing from the communities' shared beliefs and values while the principles describe the necessary ingredients of success.*

**Every neighborhood in Memphis and in Shelby County has the right to be free from the negative impacts and influences caused by vacant, abandoned, and blighted properties.**



Photo by Brandon Dill

## **Vision Statement**

*The success of this compelling vision will require a deeper understanding of the interconnections of place, people, partnerships, policies, plans, and programs as further refined and explained below:*

### **Place**

As more Memphis neighborhoods become free from the negative influences and impacts from blighted properties, these places will become safer, healthier and more prosperous. As more blighted properties are restored, removed or reused, individuals and families who lived next door or nearby will experience freedom from the detrimental effects that these properties have imposed on their quality of life. Former blighted properties will become vibrant spaces providing neighborhoods with new opportunities for homes, businesses and urban greening. Distressed commercial properties and abandoned brownfields will become assets for businesses and jobs. Individual homes and businesses will be well maintained and will contribute to the attractive aesthetic of neighborhoods. Collectively, the restoration and reclamation of blighted properties of all types can greatly improve the tax base and long-term fiscal health of Memphis communities.

### **People and Partnerships**

An engaged citizenry will no longer tolerate blighted properties for any Memphis community. Communities' current expectations that easily accept blight as the norm will be shattered, and businesses will intuitively understand that blight throughout the city affects economic performance and profitability. People will responsibly care for their own properties and hold accountable those owners who ignore the community's standards. A new generation of community stewards will commit themselves to removing blighted properties and to helping owners who lack the financial means and/or physical abilities to adequately maintain their properties. These emerging networks of leaders and organizations across all sectors—business, civic, and government—must forge new, sustained partnerships and collaborations that will never again allow blighted properties to diminish the health, safety and quality of life of their neighborhoods.

### **Policies, Plans and Programs**

By waging a strategic, transparent, and data driven campaign against blighted properties, Memphis will see sustained progress throughout all neighborhoods. We envision a new integrated policy system that can help to prevent and abate existing blighted properties and address some of its connections to poverty, crime, and public health. The Blight Elimination Action Plan will offer specific policies, programs, and projects to more efficiently, effectively and equitably remove blighted properties, restore substandard properties, and reclaim vacant properties. The Blight Elimination Coordinating Team will be the hub for collaboration that deploys these policies and programs in a targeted, effective, equitable and sustainable manner.

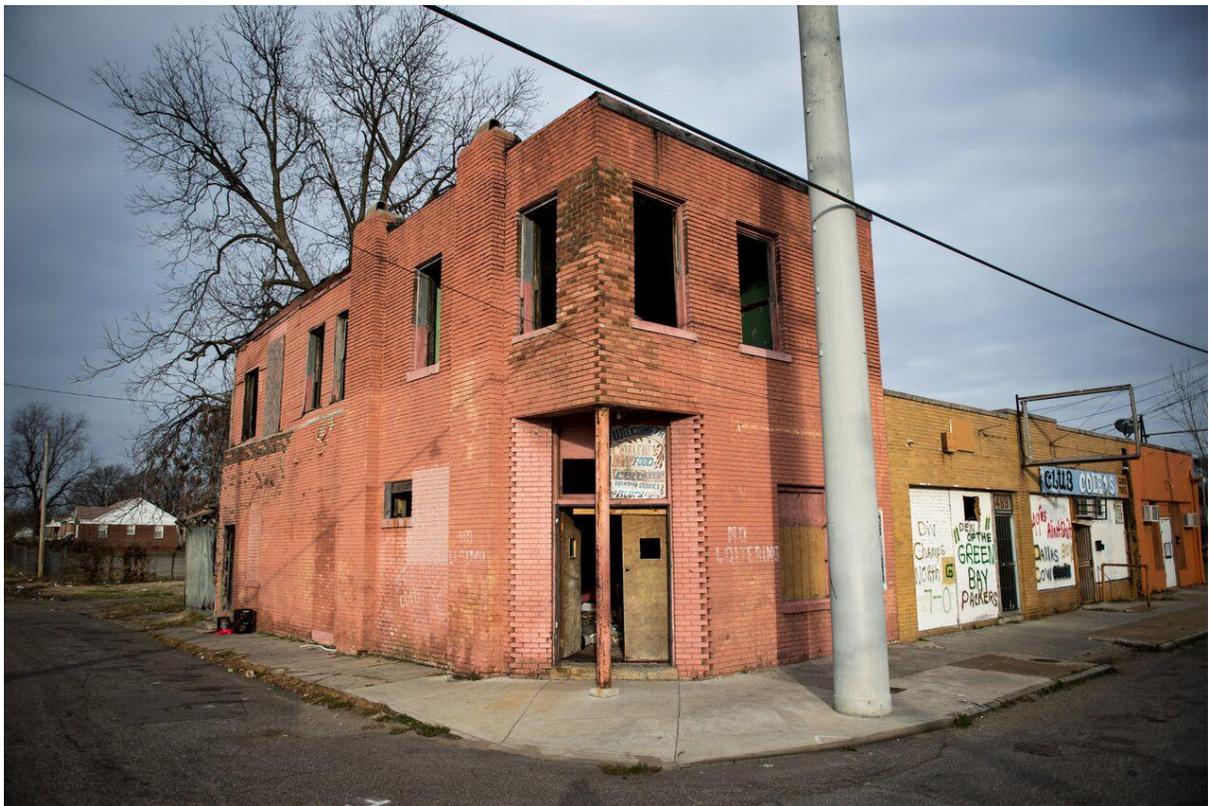


Photo by Brandon Dill

## Core Principles

*The following principles support Memphis' collaborative, coordinated, and comprehensive campaign against blighted properties. As set forth in this Charter, the vision statements and ten principles will ensure that every Memphis neighborhood becomes a stable, healthy, and sustainable place for its current residents and future generations.*

**1. Acknowledge that blighted properties in Memphis neighborhoods harm the whole city and the region.**

Blighted properties impose environmental, health, and financial hazards. Nuisance properties attract crime and lower housing values and property tax revenues while increasing municipal costs. Blighted properties often harm home ownership and its wealth building benefits for adjacent or nearby homeowners.

**2. Understand that blighted properties are more than just a matter of appearance.**

Blighted properties arise primarily from irresponsible and neglectful property management and ownership, but also from economic realities facing families. Blighted properties are almost always the product of larger forces, such as irresponsible investment practices, failed public policies, extreme poverty, urban sprawl, racial injustice, or a lack of economic and educational opportunities.

**3. Demand collaboration and strong leadership across all sectors, organizations, and initiatives.**

*Blight elimination only occurs in a coordinated system.* All public sector institutions and agencies, in concert with nonprofit and private partnerships, must collaborate in light of the increasing scale of the blighted property challenge in an environment of decreasing resources. Fragmented and shortsighted operations and programs create confusion and costly inefficiencies. Strong commitments are required from all sectors to make blight elimination, abatement and remediation a top priority now and for years to come.

## Core Principles

### 4. **Expand information systems' capabilities and capacities to ensure better data driven decision-making.**

Successful blight prevention and reuse requires accurate information about the wide array of factors that affect real property, including the sources and sequence of factors that create blighted properties and those that may prevent it. Rational decisions about what to do, when, how much, and for how long can only be made with accurate, complete and current information. Such data-drive decision-making should become the default operating procedure for all individuals and organizations involved with blighted property prevention and abatement.

### 5. **Develop a policy system that continually adapts and refines its policies, procedures, and programs.**

Doing more of what has been done before is not working. Blight can be overcome when policies, procedures, and programs operate as a coordinated system that links abatement and stabilization actions with rehabilitation and revitalization efforts.

### 6. **Initiate strategic proactive interventions and investment.**

Community context matters when addressing all types of blighted properties. Because of limits on resources and capacity, local governments should use data to tailor their interventions to the characteristics and patterns of property conditions, ownership, and neighborhoods. In collaboration with community groups, local governments should develop a menu of strategic actions, such as code enforcement tactics, land banking, or repair and rehab that address different needs and community development outcomes. The factors that lead to blighted properties must be attacked at their source. Public expenditures caused by private business failures in property maintenance and code compliance must be recovered as fully as possible.

## Core Principles

7. **Engage and empower the community in neighborhood stabilization and revitalization activities to address blighted properties.**

Blight remediation can only be achieved with organized and reliable engagement of neighborhood residents. Community groups and organizations often feel helpless when existing strategies and tools fail to effectively and timely address blighted properties. Residents must be empowered in their fight against blighted properties with new tools and resources. The public and private sectors in Memphis must partner with neighborhoods to leverage their strengths in pursuit of our common goals.

8. **Encourage a new culture of care and renewal through a mix of incentives and penalties.**

The prevalent culture of neglect of real property and neighborhood environments must be replaced by new attitudes and behaviors with a high regard for real property maintenance. Up-to-date maintenance codes and stronger code compliance enforcement, along with rehabilitation and reinvestment incentives are keys to cultural change. Property owners must increase their compliance with the legal obligations to maintain their property so it does not harm another person's property interests or legal rights. Willful neglect of those obligations must no longer be an option.

9. **Link blighted property remediation policies and programs with Memphis's land use, community development, and economic development plans and relevant regulations, codes and development processes.**

Cities like Memphis that are struggling with old structures and sprawling infrastructure at a time of demographic and economic decline are realigning their land use plans and accompanying codes and processes. Indefinite sprawl and outdated codes and processes are incompatible with inner-city revival, the efficient provision of public services, and the re-population opportunities that lead to more compact development and healthy economies. Health and safety concerns require clean and green places for living and recreation.

## Core Principles

### 10. **Position Memphis as a national leader for developing innovative blight elimination solutions.**

Memphis is distinct from the industrial cities of the Midwest in demographics, economy, geography, and history. However, Memphis can take advantage of the tools of such cities that have long experienced urban blight. Memphis should build on the experiences of such cities to innovate, test, and adapt new models that are right for Memphis. Now is the time to cultivate the next generation of nonprofit, public, and private sector blight elimination champions who can drive future efforts against blighted properties.



Photo by Brandon Dill

## Implementation Goals and Actions

*This concluding section outlines the Charter’s major implementation goals. Implementation will be an incremental process and will need continual support, resources, leadership and stewardship. Fulfilling this Charter’s vision will demand a collaborative commitment and coordinated series of actions by all sectors of the community—government, nonprofit, and business. Memphis’ successful campaign against blighted properties depends on everyone becoming a steward and guardian of this Charter’s vision, principles, and goals.*

### **1. Create a Blight Elimination Coordinating Team**

This group of local leaders will be primarily responsible for the overall management of the Charter and Action Plan through information sharing, collaborative problem solving, advocacy, and the routine coordination of blight elimination policies, programs, and projects for maximizing collective impact. They will develop and adopt the Team’s structure, membership, ground rules, and meeting protocol along with the priorities for its first year of operation. Team members include representatives from local government, nonprofit organizations, community groups, civic institutions, and business associations who currently manage organizations or lead initiatives directly involved with blighted properties.

As a general rule, the Team will be responsible for:

- Developing an Action Plan for the Charter’s implementation, which should be reviewed at least every 12-18 months and revised as necessary;
- Reviewing and revising the Charter as necessary, but no less than once every three years;
- Developing an annual policy agenda with state and local legislative priorities for improving existing blight fighting programs, policies, and resources; and
- Holding regular meetings to facilitate collaborative problem solving and cross sector coordination of resources and actions.

## Implementation Goals and Actions

### 2. Develop a Blight Elimination Action Plan

Based on the principles and goals set forth in this Charter, the *Blight Elimination Action Plan* will cover an array of strategies and actions that will be supported and monitored by the Team but implemented by relevant organizations and individuals.

The plan should explain the rationale and the benefits for taking such action along with a proposed time line; some actions might be short term (e.g., occurring in the next 12-18 months) while others might be longer range (e.g., 3-5 years). The Team will agree upon one or more individuals or organizations to take the lead in adopting the action and ensuring its proper implementation.

Below are core implementation goals for the Team to follow and for the Action Plan to reflect.

- **Ensure that relevant local governments' plans, policies, programs, and actions advance Memphis' campaign against blighted properties in keeping with the Charter's vision, principles, and goals.**

By incorporating the vision, principles, and goals across all City of Memphis and Shelby County departments, agencies, and boards and commissions, the Charter and Action Plan can encourage and facilitate inter-and-intra departmental coordination and strong partnerships among businesses, nonprofits and community based organizations.

- **Engage all residents in the fight against blighted properties through regular outreach, information sharing, and communication about the costs and impacts of blighted properties, the rationale for collective action, and the meaningful role that every citizen can play.**

Particular attention must be paid to the Memphis' young people. School administrators, teachers, staff, and students must become knowledgeable about the impacts that blighted properties have upon their education and neighborhood and the roles they can play in the fight against blighted properties.

## Implementation Goals and Actions

- **Ensure the Charter’s vision, principles and goals become the intuitive and preferred choice for strategic decisions and actions by the people and businesses of Memphis.**

Provide incentives to encourage individuals and businesses to take actions to minimize the potential for blighted properties and maximize the reuse and reclamation of vacant and abandoned properties.

- **Identify and develop key national, state and regional partnerships to address the broader implications of blighted properties.**

Educate federal and state government leaders and officials about the specific contributions, roles, and resources they can develop, expand, and provide in Memphis and beyond. Share lessons learned from Memphis’s blight fighting initiative with other communities and engage with relevant national, state and regional organizations and networks. Visit other communities to learn about their blight fighting efforts and harvest new ideas for Memphis.



Photo by Brandon Dill

## Conclusion and Reflections

The Memphis Neighborhood Blight Elimination Charter outlines a new approach for aligning all sectors, local organizations, agencies, institutions, and community based groups into a coordinated campaign to rid Memphis' neighborhoods of blighted properties. Efforts made over the last few decades have not been sufficient, and continuing to do more of the same will no longer address the systemic and evolving nature of blighted properties. This Charter and the initiatives it catalyzes are grounded on the successful experiences of other communities that have been successful in their work to eliminate blighted properties. These successes warrant thoughtful adaptation to local dynamics.

Success in Memphis, however, will be achieved only by the persistent commitment of people in leadership positions directly confronting the challenges of blighted properties and acting as stewards of the public interest to move blighted neighborhoods to full revitalization.



Photo by Brandon Dill

## **Pledge & Commitment**

The members of the Memphis Neighborhood Blight Elimination Charter Steering Committee, pledge our on-going and active support of the Charter's vision, principles, and goals in guiding our communities and neighborhoods in Memphis to a future without blighted properties.



*Copies of the Memphis Neighborhood Blight Elimination Charter can be  
downloaded at: [MemphisFightsBlight.com](http://MemphisFightsBlight.com)*