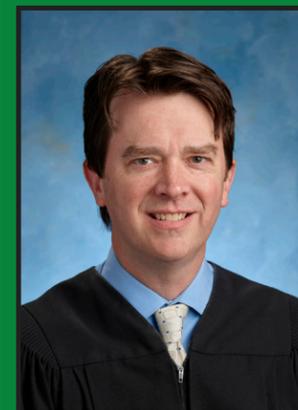


Ronald J. H. O’Leary, Judge
 Cleveland Housing Court
 1200 Ontario Street - Courtroom 13B
 Cleveland, Ohio 44113

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CLEVELAND Housing Court
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Cleveland Housing Court
Ronald J.H. O’Leary, Judge

FALL 2017 ISSUE



HOUSING COURT JUDGE
RONALD J. H. O’LEARY

A Message from Judge O’Leary:

Every week on the Housing Court’s criminal docket, I see property owners who are surprised to discover that they still own properties that they believed they lost long ago to foreclosure or bankruptcy. These “zombie mortgages” or “zombie titles” appear in broad daylight and create nightmares that can plague property owners for years. They arise in several different ways.

One way is when a property owner falls behind in his mortgage payments, and the lender notifies him that it is foreclosing on the property. The lender, or a servicing company it hired, tells the owner that he must move. The owner complies, believing he has lost his home. The lender files a foreclosure, but decides not to complete the foreclosure because of the low property value. The mortgage remains on the property, and title remains in the name of the unsuspecting property owner. This mortgage often is referred to as a “zombie” mortgage.

A second way is when a property owner files bankruptcy. She believes that she gives up title to her property when she files bankruptcy. But filing the bankruptcy does not transfer the title to the property. Sometimes, the trustee in bankruptcy “abandons” the property. This is often because of the low property value. If that happens, the property owner keeps the “zombie title” to the property and all the maintenance responsibilities that go with it.

The owners in both situations may find out months—or even years—later that they still own the properties. This is often because the Cleveland Building Department issued the owner a violation notice for the deteriorated property. There even may be criminal charges filed against the owner for failing to fix the abandoned property.

The Housing Court is reaching out to foreclosure and bankruptcy attorneys to ask them to review these legal processes carefully with their clients. Property owners can protect themselves from zombie mortgages and titles, too:

- Review the County records to see what property you own. In Cuyahoga County, the Fiscal Officer and County Recorder’s websites have valuable public information;
- Stay informed about the status of your foreclosure or bankruptcy case. Review all notices you receive. Look at the website of the Court in which you believe the foreclosure or bankruptcy may have been filed; and
- Talk with an attorney about your legal rights and responsibilities. For example, you are not required to leave your home until a court orders you to do so.

The Housing Court conducts periodic Housing Clinics throughout the City where private attorneys volunteer their time. They can give you information about your duties with respect to these properties. Or you may contact The Lawyer Referral Service of the Cleveland Metropolitan Bar Association, 216-696-3525. If you cannot afford an attorney, you may qualify for free legal services from the Legal Aid Society of Cleveland, 216-687-1900.

Property owners also can speak with a Housing Specialist at the Housing Court from 8:30 a.m. to 4:00 p.m., Monday through Friday. Housing Specialists are not attorneys and cannot provide legal advice, but assist residents with information about a wide range of housing issues, including zombie mortgages and titles. The Housing Specialists are located on the 13th floor of the Justice Center, 1200 Ontario Street, Cleveland, Ohio.

Ronald J.H. O’Leary

KEYS TO IMPROVING YOUR NEIGHBORHOOD

HOUSING TELEPHONE NUMBERS

Housing Court Judge

Ronald J. H. O’Leary

216-664-4989

Housing Specialists.....216-664-4295 Evictions/Move-Outs.....216-664-4765

Please visit our website at: www.clevelandhousingcourt.org

or our facebook page at: facebook.com/clevelandhousingcourt

Cleveland Tenants’ Organization216-432-0609 Legal Aid Society.....216-687-1900

CITY OF CLEVELAND

Building & Housing

Commissioner’s Office.....216-420-8416	Demolition216-664-4319
Building Code Complaints216-664-3095	Electrical Chief Inspector216-664-2207
Housing Code Complaints216-664-2007	Fair Housing Complaints216-664-4663
Environmental Health Commission.....216-664-2300	Homeless Services216-436-2000
Health Code Complaints216-664-2324	HVAC Chief Inspector.....216-664-2284
Housing Court Prosecutor.....216-664-3572	Illegal Dumping 216-664-DUMP
Cleveland City Council.....216-664-2840	Land Bank Lots.....216-664-4126
Mayor’s Action Center.....216-664-2900	Permits, Contractor Registration.....216-664-6424
Arson.....216-623-5454 or 216-664-6380	Plumbing Chief Inspector216-664-2284
Board-Up.....216-664-2007	Rental Registration.....216-664-2827
Building Rehab Review216-664-4423	Weatherization216-574-1000
Community Policing216-623-5080	Zoning Administration.....216-664-3827

