Foreclosed and Defaulted Properties Program (OMC 8.54)
Frequently Asked Questions

Website: https://www.oaklandca.gov/services/register-foreclosed-defaulted-residential-property

Q: Where do I find detailed requirements for this program?
A: Oakland City Council Ordinance No. 13126 C.M.S contains all of the requirements summarized in the PDFs available at the website. The amended ordinance and a summary of program guidelines is located here: https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT8HESA_CH8.54FODEREPRREABPR

Q: What properties must be registered and when is it required? (Chapter 8.54.200)
A: Residential properties must be registered by a Responsible Party and/or updated with current information within:

- 60 days of a recorded a Notice of Default (NOD)
- 30 days of transfer to the Beneficiary (REO)

Q: Who can register the property? *Chapter 8.54.100*

A: The property must be registered by a Responsible Party, defined as either:

- Property owner or legally authorized agent (e.g. property management company representative under contract with property owner), *excluding* the pre-foreclosure property owner.
- The beneficiary and/or trustee pursuing foreclosure.

Q: How can we register the property? *Chapter 8.54.220*

A: All registration information must be submitted online through the Program website:

https://www.oaklandca.gov/services/register-foreclosed-defaulted-residential-property

Q: What information will I need to register? Chapter 8.54.220

A: A checklist of information needed to register can be found here:

Q: How much is the registration fee? Chapter 8.54.230

A: No fee is required for legally occupied properties with a recorded Notice of Default. A $959[1] annual fee is required for:

- NOD properties once they become vacant and/or abandoned.
- REO properties, whether occupied or vacant.

[1] The registration fee increased to $959 effective 7/1/2023.

Q: How do I pay for registration?
A: To complete registration, payment must be made by:

- credit card at the end of the registration process, or
- check or cash at the City of Oakland Permit Counter (250 Frank H. Ogawa Plaza, Oakland CA, second floor) within 10 days of submitting registration information on-line.
- credit card via phone: 510-238-4774.

Q: How often is registration renewal required?

A: Once payment becomes due, it is then due every 12 months thereafter until deregistered. However, every registration must be updated monthly.

Q: When I try to register the property address and click "Get APN and Zip Code" the system tells me that the APN is already registered. What should I do?

A: Another user has registered or attempted to register that address. Please send the address and APN to foreclosednodregistrations@oaklandca.gov and staff will research the issue and provide a login for access using the "update" function at the website.

Q: When I try to register the property address and click "Get APN and Zip Code" the system tells me that the "APN is not found" or gives me the wrong APN. What should I do?

A: Check the spelling of the address, ensure that a unit is entered if the property is a condo, and note that the City and zip should not be included in the address box. Also, newer developments or divided parcels may not yet exist in the County's system or the "official" county address number for a parcel with multiple units may be different than the unit address you are attempting to register. Check the address/APN information here: https://propinfo.acgov.org/ If the APN is not found, proceed with the registration if you can and email the Statement of Registration to foreclosednodregistrations@oaklandca.gov to have the APN corrected. If you can't proceed, email the property address and staff will research the issue.

Q: What are the requirements for updating registration information or property status?
Chapter 8.54.240

A: The Responsible Party is required to advise the City of **changes to any registration information within 10 days**, including changes to management or servicer information and any material changes to conditions. **Change in property status must be reported to the City within 30 days,** including NOD or REO status or occupancy**.**

Use this online update form to note any changes regarding the property. You will need the property's Assessor's Parcel Number and the Case number given at initial registration to log in. *Be sure to complete all required fields when submitting each page, including answering the inspection question.*

Q: How do I deregister the property if it is sold or the default is cured?

Chapter 8.54.210.F

A: Responsible Parties must deregister a property once it is no longer subject to registration pursuant to this chapter.

Properties can be deregistered using this form.

- You will need the property's Assessor's Parcel Number and the FVP or Case number given at initial registration.
- In the case of property sale, you must provide the name and contact information of the new owner, servicer or agent.

For properties that are no longer in default:

- Email the recorded rescission or loan modification to foreclosednodregistrations@oaklandca.gov to have the registration deactivated. If a new default is filed, email to request that it be reactivated and then log into to update all information

Q: The property is in default and occupied, what information must I provide to the tenants?

A: Once a Notice of Default has been filed, lawful tenants must be provided with a written statement that identifies the new owner/beneficiary/trustee and explains their rights. Compliance with all applicable Oakland and California landlord-tenant laws is still required. Visit the City's Rent Adjustment website for more information. You can find updated Oakland Tenant's Rights information here.

Q: Who can manage or inspect registered properties? *Chapter 8.54.300*

A: Management and inspections must be performed by a:

- Local Property Management Company if the owner of a foreclosed property or both the beneficiary and trustee of a defaulted property are located Out-of-Area.
- Certified Property Manager or an equivalent entity that manages tenants if the property is foreclosed (REO) and occupied. ***A property preservation company is not sufficient management for tenant occupied REOs.***

Note: **Every 30 days**, the party who conducted the inspection must upload the form to the Program website. You will need the FVP number or Case number, and parcel number to retrieve the registration.

Q: How often must the property be inspected? *Chapter 8.54.310.*

A: The property must be inspected **weekly** if foreclosed (REO) and vacant. All other properties must be inspected **monthly**.

Q: How often must the property be maintained? *Chapter 8.54.320*

A: All properties subject to registration must meet the maintenance requirements at all times.

In the case of a legally occupied property in default (NOD), general property blight requirements remain the responsibility of the current owner.

Defaulted properties that have been abandoned and all REO properties, vacant or occupied, must be maintained by property management to the following standards:

- requirements for this program as described in Oakland Municipal Code Chapter 8.54.320,
- general "Property Blight" requirements as described in Chapter 8.24.
- interior habitability standards
- additional maintenance or security issues identified through required inspections, a regular maintenance schedule, or as identified by the Building Official.

Q: Do we have to post information on the building? *Chapter 8.54.330*

A: No posting is required for NOD properties that are occupied. All other properties must have a sign that provides the name and 24-hour contact number of the Local Property Management Company or local Responsible Party (refer to the ordinance for size, location, and content).

Q: What is the penalty for not registering or not meeting the requirements of the ordinance? *Chapter 8.54.410 thru .450*

A: Penalties can include one or both of the following:

- Up to $5,000.00 for failure to register or incomplete registration.
- $1,000.00 per day for failure to maintain the property as required, up to the $21,000 maximum per violation.

Q: How can I appeal a Notice of Violation or Fee Assessment? *Chapter 8.54.500*

A: The Responsible Party may appeal a Notice of Violation or Notice of Fee Assessment within 30 days by following the instructions that came with the notice.

Q: Who can I contact for more information?
A: You can send an email with specific questions or concerns to:
foreclosednodregistrations@oaklandca.gov