



Tennessee Town Neighborhood Improvement Association

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Senate Committee on
Ethics, Elections, and Local Government
RE: HB2404

Dear Committee members

My name is Patrick DeLapp, I am V.P. of Tennessee Town Neighborhood Improvement Association, TTNIA, in Topeka Kansas. The executive committee of, TTNIA, has taken a vote and decide not to support this law and proposed changes in the law.

As you may know, an NIA is a federally recognize organization, which the membership area, must include 51% of low to moderate income people living in the area. Our purpose is to improve the living conditions, safety and overall health of the neighbor, of the area that we cover. Grants, sometimes, are available to us to help in that endeavor. We are all volunteers. Tennessee Town NIA is made up of 16 blocks in Central Topeka.

Tennessee town NIA, does not support this law nor the proposed changes to this law for the following reasons.

-We consider a taking. Compensation needs to be paid. (many feel this is just an end run around the, Judicial tax foreclosure process, Urban Renewal law, and Eminent Domain laws.

-If the Cities would only wait an additional 12 months the issue could be taken care of simply by a Judicial Tax foreclosure.

-Under current Eminent domain laws if the property goes to a NGO, that being a not-for-profit or a Profit organization, DOUBLE the value of the property must be awarded. (In this law nothing is offered.)

- Government can also take the property for use as parking lots and parks, Infrastructure, without compensation.

-Not for profits will take these properties off the tax rolls. (as allowed under KSA 79-201) We have enough real property in Topeka not paying taxes, and Topeka does need the revenue.

-Who will this law be used against if it passes? It would be used against the poor, who can't afford to hire an attorney at the rate of \$250 an hour or more. These people are more concerned with putting food on the table and keeping the electric and gas on, then to spend it on attorney's. (even though they believe this is not right)

-It will also be used against the poorly educated, who do not know the Constitution requirement for compensation. (or they thought they did but a law was passed saying Government could do this so it must be right)

-As we see it this is just an end run around paying any compensation, as required under Eminent Domain and the true intention of the Urban renewal law.

The right thing should be done, which is to Buy the property, offer compensation ! We ask you not to pass this bill out of committee. Let it die here.

Patrick DeLapp, V.P., for TTNIA
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