



EXECUTIVE ORDER 2021- 01

WHEREAS, on March 12, 2020, Governor John Carney issued a *Declaration of a State of Emergency for the State of Delaware* (the "Emergency Declaration") due to the public health threat created by the novel coronavirus disease ("COVID-19"), and has since issued 27 modifications (with 5 revisions to the 27th modification) and 10 extensions to the Emergency Declaration; and

WHEREAS, the COVID-19 public health threat is a novel, longer-term threat; and

WHEREAS, on March 24, 2020, the Governor's Sixth Modification to the Emergency Declaration placed a moratorium on residential mortgage foreclosure proceedings to enable Delawareans to shelter in place safely, and that moratorium, for the most part, remains in place under the Twenty-Seventh Modification to the Emergency Declaration and its four revisions; and

WHEREAS, it is anticipated that the public health threat created by COVID-19, and efforts to reduce its spread, will continue to take a steep financial toll on Delaware residents for the indefinite future; and

WHEREAS, pursuant to 9 *Del. C. § 330*, New Castle County (the "County") has general powers and duties to direct, manage, and control its business and finances; and

WHEREAS, on April 3, 2020, I issued Executive Order 2020-5, in which I, among other things, prohibited the initiation of any new motion action for collection of delinquent taxes or the execution on any existing judgment in favor of the County; and

WHEREAS, on July 22, 2020, I issued Executive Order 2020-7, in which I rescinded the prohibition of new motion actions and the execution on any existing judgments, permitting the County to initiate motions and execute on existing judgments for delinquent vacant residential and commercial properties only so long as the delinquency in amounts owed to the County existed before March 12, 2020; and

WHEREAS, certain residential and commercial properties, delinquent long before the COVID-19 crisis, have continued to deteriorate, posing a significant threat to the health and safety of neighboring properties and property owners; and

WHEREAS, the Procedures for the Prioritization of Properties for Sheriff's Sales attached to Executive Order 2017-7, among other things, allows a County motion review team to prioritize the sale of parcels that constitute a threat to public safety; and

WHEREAS, although the County has taken and continues to take measures necessary to ameliorate the detrimental financial and public health impacts of the COVID-19 pandemic, it is equally necessary for the County to address existing public health and safety issues stemming from long-delinquent, occupied residential and commercial properties.

NOW THEREFORE, I, the County Executive, direct that the following policy be implemented:

1. Executive Order 2020-7 is rescinded.
2. Paragraph II.E. of Exhibit A (Procedure for the Prioritization of Properties for Sheriff's Sale) to Executive Order 2017-7 is deleted and replaced with the following: Any Parcel that is encumbered by County liens of any amount where such parcel, in the sole discretion of New Castle County, is deemed a detriment to public safety by the County Executive, Chief Administrative Officer or Chief of Police.
3. For occupied residential and commercial properties: New Castle County shall not initiate any monition action for collection of delinquent taxes, sewer, or Code enforcement fees, nor execute on any existing judgment in favor of the County, except where:
 - a. A property, in the sole discretion of New Castle County, is deemed a detriment to public safety by the New Castle County Chief of Police, Chief Administrative Officer, or County Executive; and
 - b. A delinquency in amounts owed to the County for taxes, sewer, or Code enforcement fees existed before March 12, 2020.

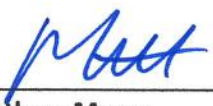
New Castle County shall otherwise abide by the procedures and directives in Executive Orders 2017-6, 2017-7, 2018-5, 2018-11, and 2018-12 (the "Property Orders") and shall not otherwise initiate a new monition action or execute on a judgment against an occupied residential or commercial property.

4. For vacant residential and commercial properties: New Castle County shall not initiate a monition action nor execute on any existing judgment in favor of the County, except where:
 - a. A delinquency in amounts owed to the County for taxes, sewer, or Code enforcement fees existed before March 12, 2020.

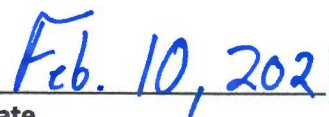
New Castle County shall otherwise abide by the procedures and directives in the Property Orders and shall not otherwise initiate a new monition action or execute on a judgment against a vacant residential or commercial property.

This Executive Order shall become enforceable immediately upon signature by the New Castle County Executive. This Executive Order shall remain in effect until and unless rescinded by subsequent order of the New Castle County Executive.

So Ordered:



Matthew Meyer
New Castle County Executive



Date