

Step-by-Step Guide for Potential Receivers

A Receiver will assist the Shelby County Environmental Court when the “owner” or “interested person” is unable to abate a public nuisance or is otherwise noncompliant with the Court’s Order to Abate.

To be considered as an approved Receiver, applicant must:

1. Complete the Receiver Application Form available online
2. Provide a development or abatement plan to include milestone dates and cost
3. Provide evidence of financial capacity to formulate and complete an abatement plan, including financial statements of the person or entity (*Any information of a sensitive or private nature should be reserved for presentation to the Court on the court date*)
4. *Provide external verification of good standing
5. *Submit Articles of incorporation and formation documents
6. *Provide a formal conflict of interest policy governing the staff, officers, and the Board of Director (if applicable)
7. Provide evidence of administrative capacity to successfully undertake abatement plan
8. List previous experience performing rehabilitation (Photographs of completed rehabs are welcomed)
9. Any other documents, evidence, or assurances the Court may request

* For corporations and companies only

The Development/Abatement Plan must include:

1. Detailed budget for nuisance abatement
2. Projected timeline for abatement of nuisance. Each milestone date should include estimate cost
3. Cost of demolition of any or all portions of nuisance (External verification required) if repair and rehabilitation are not feasible
4. Terms, conditions, and availability of any financing necessary to abate the nuisance

A Court-appointed Receiver will have the power to:

1. Take possession and control of the subject parcel
2. Pay all expenses of operating and conserving the subject parcel, including obtaining property insurance
3. Pay pre-receivership mortgages or installments of such mortgages and other liens
4. Complete the abatement plan
5. Recover any and all direct and indirect expenses and costs incurred by the Receiver, including reasonable attorney's fees and costs
6. Recover a Receiver's fee equal to 10% of approved expenses and costs but in no event less than two thousand five hundred dollars (\$2500.00)
7. Pay outstanding property taxes

Receiver Application Procedure:

Properties eligible for Receivership are placed on the Court's website. This website is updated weekly to remove properties no longer available and to include additional properties the Court has ruled as eligible. Any person or entity ("Applicant") interested in applying to be a Receiver should follow the procedural steps listed below:

1. Identify the particular property of interest listed on the Environmental Court's Website under "Properties Eligible for Receivership"
2. Download the **Receiver Application form** from the website, fill it out, and submit the completed form with required attachments to the ECourt email and/or submit a copy to the Court in chambers
3. Check the box on the application to inform the Court if an interior inspection is required prior to submitting an abatement plan
4. ****Submit the application (Please see #2 above). Please note that Applicants must submit separate applications and abatement plans for each property of which they are interested in becoming a receiver**
5. Appear at the next court date listed on the website for that particular property. When the Applicant appears in court, he/she can request an interior inspection as marked on the Receiver Application form (Please see #3 above)
6. If the Applicant was able to perform an interior inspection, properly complete the form, and submit a plan of abatement along with other required attachments, the hearing may be held on that date; however the Court, at its discretion, may reset the case for the Receivership Hearing to a later date.

7. After the Receivership Hearing, the Court will decide whether to appoint the Applicant as the Receiver for that property and if so, an **Order Appointing Receiver** will be entered. The property will then be removed from the Court's Website as eligible for receivership.

**In cases where there are multiple applicants for one property, the Court will allow each Applicant to present his or her plan to the court and answer any specific questions by the Court.

After the Receiver is Appointed:

1. Upon appointment, the Receiver shall rehab the property according to the approved abatement plan that was submitted to the court
2. The Receiver must file a report to the Court every sixty (60) days on the progress of the rehabilitation
3. Upon completion of the rehabilitation of the property according to the detailed development plan, the Receiver shall file a final report with the Court indicating that the public nuisance has been abated and request the establishment of the full amount of the Receiver's lien
4. Once the lien is established by the Court, the Receiver must notify the owners of the property that they have thirty (30) days in which to repay the Receiver the full amount of the Receiver's Lien.
5. If the owner fails to repay the Receiver, the Receiver must request the Court to authorize the Receiver to conduct an auction sale of the property. The Receiver will report back to the Court the results of the auction sale and who was the successful bidder.

After reading this information, if you would like to act as a Court-appointed receiver:

- Complete the online fillable [Receivership application](#)
- Submit the completed form and all attachments by email to ecourt@shelbycountyttn.gov or hand-deliver a copy of the same to 201 Poplar 10th Floor Suite 10-1 Attention: Judge Patrick M. Dandridge. (An email will be sent to you confirming receipt of the application and next steps)
- Appear at the next court date indicated on the website