



Erie County Clerk
Michael P. Kearns



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MEDIA RELEASE

ERIE COUNTY CLERK KEARNS ACHIEVES GOAL WITH ZOMBIE PROPERTY IN ORCHARD PARK

ORCHARD PARK, October 15, 2020--When Erie County Clerk Michael P. “Mickey” Kearns welcomes Melissa Lebedzinski to her new home at 47 East Royalhill Drive this afternoon, he will successfully have accomplished a promise he made seven years ago while she moves into the home of her dreams.

As a member of the New York State Assembly from the 142nd District in 2013, Kearns stood in front of this 2,7000 square foot home in the Town of Orchard Park when it was a vacant and abandoned Zombie property and promised neighbors and town officials he would work hard to resolve this issue and put on the house back on the tax rolls with a new owner. He was joined by members of the Western New York Law Center as they placed a Shame sign against the mortgage holder on the front lawn.

According to Kate Lockhart, vacant and abandoned property program director at the WNY Law Center, the first lis pendens was filed in November 2012. The judgement of foreclosure and sale was signed in December 2018 and the property was brought to auction by the bank in April 2019. Ms. Lebedzinski purchased the home from Wilmington Trust National Association and closed on the sale September 16, 2020.

“I am very happy Melissa has found the home of her dreams but this should not take seven years for a vacant and abandoned Zombie property to come out of foreclosure and be available for purchase,” said Kearns, who was instrumental in the passage of the 2016 Zombie Property and Foreclosure Law (“Zombie Property Law”) while serving in Albany. Kearns the Erie County Clerk since 2017 said, resolving this issue has become a top priority in his office. Last year, the County Legislature funded his Erie County Clerk’s ZOMBIES Initiative, which is administered by the WNY Law Center.

WNY Joseph Kelemen, Executive Director of the WNY Law Center said: “The WNY Law Center is glad that we were able to assist Melissa through the Erie County Clerk’s ZOMBIES Initiative. As Erie County Clerk Kearns indicated however, seven years is too long to wait for a vacant and abandoned Zombie property to be available for purchase. Vacant properties are at risk of vandalism and even with the minimal attention given them under the law are in danger of deterioration. Potential buyers are often available and it is important that banks and servicers of these properties move quickly to find occupants for them.”

Clerk Kearns added, “The blight of zombie foreclosures has impacted municipalities throughout Erie County and across New York State for several years. The resolution of this property shows that through cooperation with the banks and service providers; communication and caring about your neighborhood when homes go into foreclosure, we can achieve our goals.”

Lebedzinski, the new home owner, said, “When a friend told me a For Sale sign was finally placed in front of this house I immediately began working with a realtor and the first time I walked through the house I fell in love with it. It is a project house but we can do the work to make it our dream home.

Orchard Park Clerk Remy Orffeo said, “Erie County Clerk “Mickey” Kearns is an example of what a dedicated and tenacious public servant can accomplish. Zombie homes lower the quality of life for neighbors and hurt property values. Thanks to “Mickey” an Orchard Park neighborhood is shielded from these negative consequences.

“I am pleased, on behalf of the Town of Orchard Park, to welcome Melissa Lebedzinski to our community and congratulate her on working to create her ‘dream home’”.

Erie County Legislator John Mills said, “It’s a relief to know this issue has been resolved for Ms. Lebedzinski and the surrounding neighborhood. Zombie homes are a nuisance and I thank Clerk Kearns as well as the Western New York Law Center for continuing to hold the mortgage holder accountable. As a county legislator, I am proud to work in collaboration with Clerk Kearns to rid our community of these troublesome properties. It’s encouraging to see a positive outcome like this, especially for Melissa who was able to purchase her dream home!”

Clerk Kearns urges all county residents to visit the Erie County Clerk’s ZOMBIES Initiative website at www.eriecountyzombies.com to report a vacant and abandoned home in their neighborhood. “We need neighbors to contact us or their city, town or village officials when they see these vacant homes so we can look into the issue and hopefully have more of these success stories throughout Erie County.”