Attorney Aaron Tifft for the Journal Record - New Law Lets Property Owners Bill Cities for Unchecked Disorder

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Starting Nov. 1, property owners in Oklahoma City and Tulsa can demand money from City Hall when local government tolerates street-level disorder near their property. If the city says no, the owner can sue.

The Oklahoma Safe Neighborhoods Act of 2026 (HB 3985) covers owners of real property and triple net leaseholders (tenants who are contracted to pay a building's taxes, insurance, and upkeep). It reaches only municipalities above 130,000 residents under the most recent census. Under the 2020 census, only Tulsa and Oklahoma City have over 130,000 residents.

The trigger is a government "policy, pattern, or practice" of declining to enforce laws against, among other things, illegal camping, blocking sidewalks, loitering, panhandling, public drinking, drug use, public urination, or shoplifting. An affected owner can then submit a written claim for either documented costs to mitigate the problem, such as added security or cleanup, or the drop in the property's fair market value.

Recovery is capped at what the owner paid that government in primary property taxes the year before. If the loss is larger, the city refunds that year's taxes and the rest can roll into later years without interest. Owners get one repayment a year, so the practical annual recovery tracks the property's tax bill.

The enforcement mechanism strongly favors property owners. The affected government has 30 days to accept or reject a claim. Silence or denial lets the owner sue in district court; requiring the government, not the owner, to prove its conduct lawful or the claim unreasonable. A winning owner recovers their attorney fees and costs. In no circumstance is an owner liable for the city's attorney fees and costs.

Several open questions will land in court. The act does not define what qualifies as a "pattern or practice," leaving room for parties to argue over whether scattered nonenforcement rises to that level. The law does exempt genuine case-by-case prosecutorial decisions, provided the city publishes its reasons monthly for each decision. Additionally, proving a drop in value will require appraisal experts, the fees for which are not explicitly allowed as they are in other analogous statutes.

Property owners near troubled corridors should not wait for clarity on these issues. Start documenting mitigation spending, photograph conditions, and track property tax payments now. A well-kept record is what turns a complaint into a payable claim.

Attorneys

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