



PRESS RELEASE

VIGNARAJAH TO FIGHT FOR DISABLED RESIDENT FACING FORECLOSURE OF FAMILY HOME AFTER UNCONSTITUTIONAL TAX SALE

BALTIMORE. December 5, 2023

Tony Smothers, a 61-year-old city resident who has lived with cerebral palsy his whole life, is at risk of losing the home he inherited from his father, a longshoreman who bought the house for \$1 as part of the dollar homes program under Mayor William Donald Schaefer.

Today, at 11:30 AM at 1052 W. Barre Street, former deputy attorney general Thiru Vignarajah will join Mr. Smothers and his neighbors on W. Barre Street to urge Baltimore City leaders to intervene to save the lifelong city resident from foreclosure after the tax sale of another occupied city property.

Vignarajah will also urge other residents who have lost homes in tax sales to come forward and join a planned lawsuit that will challenge the constitutionality of the City's tax sale system on the ground that it violates the Fifth Amendment of the U.S. Constitution by taking private property without just compensation. Also at the press conference will be Deana Woodward who, along with her 10-year-old son, faced eviction earlier this year after her home was sold in a tax sale for unpaid water bills.

Tony, despite his physical disability, works as a chef at Towson University. After inheriting the home from his father and years of paying his bills on time, Tony fell behind on his property taxes because of reduced hours during the pandemic. Tony's father, William Smothers, renovated the house himself after buying it for \$1 some 40 years ago. Today, the family home is worth over \$200K -- yet because of unpaid property taxes, it was sold to an out-of-state investor during an annual online auction in May 2021 for \$73,046 because of \$12,092 in overdue taxes.

Vignarajah, along with Deana Woodward and Tony Smothers, will outline plans to bring a constitutional challenge to the City's tax sale system. After piecemeal victories over the years on behalf of city residents in similar circumstances -- [Vanessa Wagner](#), [Lisette Blake](#), [Ancilla Crawford](#), and most recently [Ms. Woodward](#), whose story was profiled this summer in the Washington Post -- Vignarajah has hatched a novel legal theory based upon a decision issued by the U.S. Supreme Court this past summer in [Tyler v. Hennepin County](#).

Every year, Baltimore City takes and auctions off residents' homes, mostly to out-of-state hedge funds and investors, for a fraction of their true value based on unpaid municipal liens. These debts have ranged from unpaid property taxes to late water bills and environmental citations. This system is not just draconian and inequitable -- it is also an unconstitutional violation of the Fifth Amendment because it takes private property without just compensation.

"Baltimore's tax sale system is regressive and broken. We have begged city politicians to fix it, yet I still get calls from lifelong residents like Deana and Tony whose stories make it clear that we cannot wait any longer hoping they will help," said Vignarajah. "The tax sale system in Baltimore should be dismantled and abolished -- and every day it endures is another day the City violates the Constitution."

Further information for residents who wish to join the lawsuit can be found at www.justiceforbaltimore.com/taxsale.

Should you have any questions, please do not hesitate to call Thiru at (410) 456-7552.

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By Authority Friends of Thiru Vignarajah | Sandra Seward, Treasurer