

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
MARCH 13, 2012**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission was held on Tuesday, March 13, 2012 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:37 p.m. The following members were present: Chair Tim Vincent, Shermin Ata, Angela Harris, and Kathleen Sullivan. Staff present included Inspectors Lori Loosemore, Don Foster, Don Sheffield, Chris Jones, Roy McDougal; and Mary Lynn Anderson, Legal Department. Also present was Tom Carruthers, Attorney for the Commission.

APPROVAL OF FEBRUARY 14, 2012 MINUTES:

Ms. Ata moved to approve the minutes from the February 14, 2012 meeting as written, seconded by Ms. Harris. The Commission voted unanimously 4-0 in favor of the motion.

New Cases:

- 1. 1513 Willimore Street -- (TMN 84-5-35/Parcel #0008816) -- Beverly H. Higgins, Owner -- In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Jones and Loosemore. (CONTINUED UNTIL APRIL, 2012 MEETING)**

Inspector Loosemore stated that 1513 Willimore Street was inspected on March 26, 2010. The hearing was set for April 28, 2011. Ms. Higgins and Mr. Walter Howerton appeared for the hearing. The order was issued on May 5, 2011 and expired June 6, 2011.

Counsel Carruthers asked Inspector Loosemore if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was last month; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore stated that no video was taken of the property this month as there is a potential new owner.

Inspector Loosemore stated that the list of violations include cracked or missing electrical outlet cover; cracked or missing switch plate cover; power not on at time of inspection, needs to be on and inspected before case can be completed; door difficult to operate; missing smoke detector(s); heat – gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection, needs to be on and inspected before case can be completed; unclean and unsanitary floors, ceilings and/or walls; wall has peeling, chipping or flaking paint that must be repaired, removed or covered; rotten flooring must be repaired, building permit required.

Ms. Higgins called Inspector Loosemore last week to inform her of plans to sell the property. The potential new owner has been in contact with Inspector Loosemore. No video was taken of the property.

Chair Vincent asked if there was any one present wishing to speak on this matter.

Mr. Lane Journey, 5613 Newman Davis Road, stated that he plans to purchase the house. He described repairs already being made to the property. He anticipated six months to a year for the entire house to be renovated including dry wall, flooring, roofing, guttering, etc.

Mr. Journey stated that he is aware of the permits required to complete the work and he has sufficient funds for the work. He hopes to purchase and close on the house within 30 days.

Ms. Sullivan moved to continue the case until the April, 2012 meeting for Mr. Journey to return at that time with closing documentation and an outline of his progress toward completion, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

**2. 2400 Fleming Road – (TMN 00-11-0694-0-0924-00-009/Parcel #0096253) Renneth J. Calton, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Foster and Loosemore.
(CONTINUED UNTIL APRIL, 2012 MEETING)**

Inspector Loosemore stated that 2400 Fleming Road was inspected on May 3, 2010. The hearing was held on June 2, 2010 and Mr. Calton did appear at the hearing. The order was issued on June 2, 2010 and expired on July 2, 2010.

Counsel Carruthers asked Inspector Loosemore if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 8, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore stated that the list of violations include exterior doors, assemblies or hardware not in good condition; exterior paint peeling, flaking or chipped; exterior surfaces not maintained in good condition; exterior walls not weatherproof; exterior walls: coat to prevent deterioration; exterior walls: holes, breaks, loose or rotting materials; glazing: cracks and/or holes; joints not weather resistant and water tight—perimeter of windows, doors and skylights; roof drains, gutters or downspouts in disrepair; roof drains, gutters or downspouts obstructed; windows, skylights, doors or frames unsound, in disrepair, or not weather tight.

Chair Vincent asked if there was any one present wishing to speak on this matter.

The owner is Mr. R. J. Calton who resides at 4818 Carteret Drive in Raleigh, North Carolina. He gave a brief history of the property and noted problems with vandalism.

Chair Vincent referred to the violations and indicated that there are no concerns with the interior of the house. He asked the owner to state his plans to correct the violations on the exterior of the house. He explained that a timeline must be applied to the house to bring it up to code or other measures must be taken to insure the violations are corrected.

Mr. Calton stated that he was unsure how he planned to spend the money to fix the exterior of the house.

It was noted that the case originated in 2010 and has been ongoing with the same violations for almost two years.

Ms. Ata expressed concern that property values and neighborhood standards could be adversely affected by the deteriorating condition of the property.

Mr. Calton acknowledged that repairs needed to be made on the exterior of the house.

Ms. Sullivan explained that a timeline was needed to move forward on the repairs and the owner asked for 30 days to return with an update on his plans to correct the violations.

Ms. Sullivan moved to continue the case until the April, 2012 meeting for Mr. Calton to return at that time with his timeframe along with a scope of the work to be performed, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

**3. 4605 Cardinal Cove North – (TMN 00-11-0694-A-0923-00-009/Parcel #0096291)
Renneth J. Calton, Owner – In the Matter of Order to Repair, Alter or Improve the
Structure. Inspectors Foster and Loosemore.
(CONTINUED UNTIL APRIL, 2010 MEETING)**

Inspector Loosemore stated that 4605 Cardinal Cove North was inspected on March 11, 2011. The hearing was held on April 11, 2011 and the owner, Mr. Calton, did appear. The order was issued on May 3, 2011 and expired on June 2, 2011.

Counsel Carruthers asked Inspector Loosemore if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 8, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore stated that the list of violations include wall – cracks, holes or loose plaster, decayed wood or other defective material must be corrected; flooring – rotten flooring must be repaired, building permit required; roof – rotten roof sheathing; roof – structural member(s) not able to support nominal load, permit required; roof – structural member (s) rotten or deteriorated, permit required; chimney not maintained and in good repair; exterior wood surface(s) needs to be maintained by painting or other protective coating; exterior wall(s) contains holes and/or breaks; exterior wall(s) not weatherproof; exterior wall(s) has loose or rotted material; roof has leaks; dwelling needs 3 wire, 120/240 Volt 60 Amp service; power not on at time of inspection, needs to be on and inspected before case can be completed; door(s) difficult to operate; handrail(s) are loose, damaged or improperly maintained; heat – gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; heating system not maintaining 68 degrees in habitable rooms, bathrooms; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; plumbing not properly connected to public sewer system; water not on at time of inspection, needs to be on and inspected before case can be completed; dwellings shall be kept free from insect and rodent infestation; wall – structural member unable to support imposed load, building permit required; all exterior property and premises shall be maintained in a clean and sanitary

condition; all exterior property shall be maintained free from weeds/plant growth in excess of 12".

Inspector Loosemore stated that the house was under construction at one time but was never completed.

Chair Vincent asked if there was any one present wishing to speak on this matter.

Mr. R. J. Calton, 4818 Carteret Drive in Raleigh, North Carolina, stated that he is the owner of this house. He provided a brief history of the property and noted instances of vandalism.

When asked if he planned to sell or fix up the property, Mr. Calton replied he would like to sell; however, he anticipated probably having to fix it up beforehand.

Ms. Sullivan moved to continue this case until the April, 2012 meeting for Mr. Calton to return in with a timeline as to having a listing agreement to sell the house or a timeline showing the work that needs to be outlined to accomplish maintaining the property; seconded by Ms. Harris. The Commission voted unanimously 4-0 in favor of the motion.

Mr. Calton was urged not to leave the property vacant to avoid further vandalism.

5. 4357 Four Farms Road – (TMN 3-173-835-81/Parcel #0080432) Donald E. Cato, Owner – In the Matter of order to Repair, Alter or Improve the Structure(s), Inspectors Foster and Loosemore. (INSPECTOR UPHELD)

Inspector Loosemore stated that 4357 Four Farms Road contains four different buildings with violations. She referred to an aerial photograph of the property and stated that the buildings have been numbered as follows: Building 1, the main dwelling that is occupied; Building 2, a barn; Building 3, a house; and Building 4, another barn. Videos will be shown of Buildings 2, 3, and 4. The case was heard several months ago and is being brought back at this meeting as a result of the legal department's request to specify the dwelling components with more clarity. In addition to the regular notices sent to the owner and all parties of interest by mail, staff has also mailed to the owner and all parties of interest a break down of violations by building. All buildings are being handled under one hearing and one address, 4357 Four Farms Road.

An inspection was originally conducted at 4357 Four Farms Road on February 25, 2011. The hearing was set for December 29, 2011. The order was issued on December 29, 2011 and expired January 30, 2012.

Counsel Carruthers asked Inspector Loosemore if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 12, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore listed the violations on the property as follows:

Building 1 – Habitable dwelling:

Building 1 only has one violation left and therefore, will not be brought before the Commission at this meeting.

Building 2 – Barn:

Violations include all accessory structures shall be maintained structurally sound and in good repair; roof – rotten roof sheathing; roof – roof not properly anchored, permit required; power not on at time of inspection, needs to be on and inspected before case can be completed; roof – structural member(s) not able to support nominal load, permit required; roof – structural member(s) rotten or deteriorated, permit required; roof has leaks; cracked or missing electrical cover; unsafe electrical wiring – wire joints not in boxes and box covers, lights missing in building.

Building 3 – Habitable dwelling:

Violations include all exterior property and premises shall be maintained in a clean and sanitary condition; electrical panel missing knock out blanks; power not on at time of inspection, needs to be on and inspected before case can be completed; heat -- gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; heating system not maintaining 68 degrees in habitable rooms, bathrooms – baseboard heaters damaged; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink – missing bathtub/shower; water not on at time of inspection, needs to be on and inspected before case can be completed; water heater relief valve improperly installed and/or maintained – missing pop off valve; space – habitable rooms shall not be less than 7' wide in any dimension – 2nd floor can't be used for habitable space; unclean and unsanitary floors, ceilings and/or walls; walls – cracks, holes or loose plaster, decayed wood or other defective materials must be corrected – repair cabinets; flooring – rotten flooring must be repaired, permit required – bathroom; ceiling contains holes, loose material and/or in disrepair; locks – bedrooms must have a door and interior, door damaged; screens required on windows; windows – glazing – missing window in living room; windows – need to be weather tight – trim damaged on front window; roof drains, gutters and downspouts in disrepair; handrails shall be between 30" and 42" above tread nosing of finishing floor – missing handrail on interior steps to 2nd floor; windows – every window shall open and close as manufactured; ventilation – bathroom requires ventilation system when window isn't provided; cracked or missing electrical outlet cover; electrical equipment needs to be properly installed and maintained – need GFCI outlet in wet areas; unsafe electrical wiring – wire joints not in boxes and box covers, lights missing in building; missing smoke detectors – required in all bedrooms, outside sleeping area and each level.

Building 4 – Accessory structure:

Violations include all accessory structures shall be maintained structurally sound and in good repair; all exterior property and premises shall be maintained in a clean and sanitary condition; all exterior property shall be maintained free from weeds/plant growth in excess of 12"; roof has rotten roof sheathing; roof is not properly anchored, permit required; exterior walls contain holes and/or breaks; electrical panel missing knock out blanks; power not on at time of inspection, needs to be on and inspected before case can be completed; heat—gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; sewer line not properly installed and/or maintained – sewer line runs to back of building; water not on at time of inspection, needs to be on and inspected before case can be completed; roof – structural members not able to support nominal load, permit required; exterior wood surfaces needs to be maintained by painting or other protective coating – rear of building; exterior wall has loose or rotted material – remove and replace insulation exposed to weather; exterior wall has loose or

rotted material – remove vines growing into siding; exterior wall has loose or rotted material – clean siding to remove mold growth; roof has rotten sheathing; roof – structural members rotten or deteriorated, permit required; roof leaks; ventilation – bathroom requires ventilation system when window isn't provided; cracked or missing electrical outlet cover; unsafe electrical wiring – wiring joints not in boxes and box covers, lights missing in building; all accessory structures shall be maintained structurally sound and in good repair.

There was no one present wishing to speak on this property. Chair Vincent stated that there was an individual who wished to speak on the property; however, he had to leave the meeting unexpectedly.

Chair Vincent clarified that Building 1 has an occupant and there is not a condemned sign in front of the building and Building 3 is vacant.

Ms. Loosemore indicated that a motion to uphold the Inspector would affect Buildings 2, 3, and 4. Building 1 would not be effected or in threat of demolition.

Staff reviewed the history of permits. Ms. Loosemore stated that the owner received notice of today's meeting at his residence and at the location he receives his mail.

Ms. Harris moved to uphold the Inspector, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

Chair Vincent stated that the property involved in this matter is located at 4357 Four Farms Road, Buildings 2, 3, and 4, in Greensboro, North Carolina. The property owner and all parties in Interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**5. 418 – R West Washington Street – (TMN 20-5-12/Parcel #0001608) Henry Christian Zenke, III and Virginia Hawthorne Zenke, Co-Trustees – In the Matter of Order to Repair or Demolish the Structure. Inspector Sheffield.
(CONTINUED UNTIL MAY, 2012 MEETING)**

Inspector Sheffield stated that 418-R West Washington Street is a house that was moved and has been sitting up on a platform for three years. The date of last inspection was March 13, 2012 by Inspector Sheffield. He stated that all parties were notified. This case is being handled as order expired and no work being done. The hearing was set up for September 19, 2011 and the order was issued on October 6, 2011. The order expired on December 9, 2011. The City did not have to order the property secured. There are no children in the area but there is a school nearby. Weaver Academy is located down the street from the property. There is no history of police complaints and in opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Carruthers asked Inspector Sheffield if the video being shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was March 13, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Sheffield stated that he agreed with these questions.

Inspector Sheffield stated the list of violations include no footing; there is no foundation; there is no plumbing; there is no electrical; there is no heating; there is no safe access. He said that this is a house that has been moved and has been sitting on a platform for three years.

Chair Vincent asked if there was any one present wishing to speak on this property.

Virginia Zenke, 1003 Carolina Street, submitted a letter that she received last March from Guilford County. Counsel Carruthers asked Ms. Zenke to describe the content of the letter for the record along with her understanding of the letter in order to accept it as collaborative evidence. He explained that since this is a quasi-judicial hearing, it is not possible to just accept the letter.

Ms. Zenke said that the County is interested in the property; however, they have not formulated a plan yet. She felt the letter was a precursor to eminent domain. The situation has to do with parking for the jail. She feels that it would be prudent to sit still until it is clear how this will unfold. Ms. Zenke reviewed the history of the house and how it came to sit at its present location. She feels this house would be better off moved to a neighborhood to be used as a residence and she is willing to give the house away.

Ms. Harris moved to continue this case until the April, 2012 meeting to have Ms. Zenke return with a time frame.

Ms. Zenke described her efforts to locate a potential lot for the house. She would be able to return in 60 days with more solid information on her efforts to move the house.

Ms. Harris amended her motion and moved to continue this case until the May, 2012 meeting to have Ms. Zenke return with a time frame, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

Continued Cases:

6. **605 Martin Street -- (TMN 29-9-24) JCG & Associates LLC and BBC Consultants LLC, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the November 8, 2010 Housing Commission Meeting. Inspectors Covington & Loosemore. (CONTINUED UNTIL MAY, 2012 MEETING)**

Inspector Loosemore stated that information pertaining to this case has been read into the record at previous meetings.

Chair Vincent asked if any one was present wishing to speak on this matter.

Mr. John Green, 454 Gorrell Street updated the Commission on this property. He hoped to know within 60 days if there is a confirmed buyer for this property. He was also hopeful that funds

would be received within 60 days from 608 Martin Street so he can begin repairing violations on 605 Martin Street. He agreed to clean-up around the property.

Ms. Sullivan moved to continue the case until the May, 2012 meeting so the owner can return with a timeline toward completion of the work, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

7. **1003 (A & B) E. Bragg Street -- (TMN 49-4-10) – First Community Bank NA, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 12, 2010; March 9, 2010; April 13, 2010; May 11, 2010; June 8, 2010; July 13, 2010; October 12, 2010; February 8, 2011; March 8, 2011; June 14, 2011, November 8, 2011, and December 13, 2011 Housing Commission meetings. Inspectors Covington & Loosemore. (CONTINUED UNTIL JUNE, 2012 MEETING)**

Chair Vincent asked if any one was present wishing to speak on this matter.

Paul Lamb is the owner of this property along with his wife, Donna Williams, and son, Donnie Williams. They purchased the property on December 31, 2011. He said that progress has been delayed due to vandalism with the electrical meters. Special meters had to be ordered and they experienced a delay of 6 weeks. The first three units have been completed and he detailed the work that had been done. Mr. Lamb has taken out all necessary permits for work on the property. He indicated that units 3 and 5 need a final inspection as toilet tank tops have been replaced. He stated that they are working to bring the properties up to code. He hopes to have 1007 and 1009 A&B East Bragg completed by June, 2012.

Ms. Sullivan moved to continue this case until the June, 2012 meeting for 1003 (A&B) East Bragg Street, 1005 (A&B) East Bragg Street, 1007 (A&B) East Bragg Street, and 1009 (A&B) East Bragg Street to be completed, seconded by Ms. Ata. The Commission voted unanimously 4-0 in favor of the motion.

8. **1005 (A & B) E. Bragg Street -- (TMN 49-4-10) – First Community Bank NA, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 12, 2010; March 9, 2010; April 13, 2010; May 11, 2010; June 8, 2010; July 13, 2010; October 12, 2010; February 8, 2011; March 8, 2011; June 14, 2011, November 8, 2011, and December 13, 2011 Housing Commission meetings. Inspectors Covington & Loosemore. (CONTINUED UNTIL JUNE, 2012 MEETING)**
9. **1007 (A & B) E. Bragg Street -- (TMN 49-4-10) – First Community Bank NA, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 12, 2010; March 9, 2010; April 13, 2010; May 11, 2010; June 8, 2010; July 13, 2010; October 12, 2010; February 8, 2011; March 8, 2011; June 14, 2011, November 8, 2011, and December 13, 2011 Housing Commission meetings. Inspectors Covington & Loosemore. (CONTINUED UNTIL JUNE, 2012 MEETING)**
10. **1009 (A & B) E. Bragg Street -- (TMN 49-4-10) – First Community Bank NA, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 12, 2010; March 9, 2010; April 13, 2010; May 11,**

**2010; June 8, 2010; July 13, 2010; October 12, 2010; February 8, 2011; March 8, 2011; June 14, 2011, November 8, 2011, and December 13, 2011 Housing Commission meetings. Inspectors Covington & Loosemore.
(CONTINUED UNTIL JUNE, 2012 MEETING)**

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 2:13 p.m.

Respectfully submitted,

Tim Vincent
Chairman, City of Greensboro Minimum Housing Standards Commission

TV:sm/jd