

**City of Greensboro
North Carolina
Greensboro Minimum Housing
Commission Meeting**

Regular Meeting

1:36 p.m.

June 14, 2011

Commission Members Present:

Tim Vincent, Chairman
Jeff Nimmer
Wayne Stutts
Shermin Ata
Angela Harris
Jim Burgess
Kathleen Sullivan

Staff Present:

Inspector Wanda Hovander
Inspector Roddy Covington
Inspector Chris Jones
Inspector Roy McDougal
Don Sheffield, Commercial Demolitions
Mary Lynn Anderson, Attorney's Office
Mike Williams, City Attorney

Chairman Tim Vincent called the meeting to order.

Staff and persons from the audience were sworn in as to their testimony in the following matters for this meeting.

1. APPROVAL OF APRIL 12, 2011 MINUTES:

Ms. Ata moved to approve the minutes from the April 12, 2011 meeting as written, seconded by Ms. Harris. The Commission voted unanimously 6-0 in favor of the motion.

New Cases:

- 2. PUBLISHED CASE -- ALLOW 2 MONTHS FOR CONTINUANCES.
1316 Avalon Road -- (TMN 215-9-18) Heirs of Mary Helen Young, Owner -- In
the Matter of Order to Repair, Alter or Improve the Structure. Inspectors
McDougal & Hovander. (CONTINUED UNTIL SEPTEMBER, 2011 MEETING)**

Inspector Hovander stated that 1316 Avalon Road is being submitted as less than 50 percent damaged. The case did not start as a RUCO case. A title search was completed in March, 2010. The date of the inspection was March 18, 2010. All parties were notified with certified mail and publication. The date of the hearing was November

26, 2010 and Ms. Terry Long appeared. The order was issued on December 8, 2010 and expired on January 7, 2011. The last date of visual inspection was June 13, 2011 by Inspectors Hovander and Chris Jones. The City did not have to order the property secured. There are children in the area, and Dudley and Lincoln schools are nearby. There is also a park located about a block away. There is no history of police complaints.

Counsel Williams asked Inspector Hovander 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 June 13, 2011; 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 Hovander stated that she agreed with all of the information.

Inspector Hovander stated that the list of violations include accessory structure structurally unsound or in disrepair; electrical equipment not properly maintained; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; exterior metal surfaces subject to corrosion shall be coated to inhibit such; exterior property or premises unclean, unsafe; exterior structural members deteriorated; interior surfaces: other defective surface conditions; interior surfaces: unclean, unsanitary, or not in good condition; interior walking surface in unsound condition or disrepair; overhang extensions in disrepair, improperly anchored, or unsafe; oxidation stains shall be removed from exterior surfaces; roof and flashing shall be sound, tight, and not admit rain; rubbish or garbage accumulated at interior of structure; single station smoke alarms required in existing dwelling unit.

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

Ms. Terry Long, 2207 Delta Place, stated that she is the granddaughter of Mary Helen Young and the heir to the property. She asked the Commission to grant an extension to allow her to complete the work indicated on the violation list. She said that the property has never been abandoned and she intends to keep the property for her retirement; however, economic conditions have precluded her from bringing the house up to all standards at this time. She reviewed the work that has already been completed.

Inspector McDougal asked the Commission to require permits for the roof work.

Mr. Burgess moved to continue the case until the September, 2011 meeting, seconded by Ms. Ata. The Commission voted unanimously 6-0 in favor of the motion.

Ms. Sullivan joined the meeting at 1:55 p.m.

3. **312 Franklin Boulevard -- (TMN 210-4-15) Joseph & Lisa Stutts, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors McDougal & Hovander. (CONTINUED UNTIL AUGUST, 2011 MEETING)**

Inspector Hovander stated that 312 Franklin Boulevard is being submitted as less than 50 percent damaged. The property is not a duplex or apartment. A title search was completed in June, 2010. The date of the inspection was April 16, 2010. All parties were notified. The date of the hearing was December 8, 2010. The order was issued on December 28, 2010 and expired on January 27, 2011. The last date of visual inspection was June 14, 2011 by Inspector Chris Jones. The owner secured the property in April, 2010. This has been a repeat problem in the area. There are children in the area and Falkener and Hairston schools are nearby. There is a history of complaints to Local Ordinance Enforcement and in the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander 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 June 14, 2011; 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 Hovander stated that she agreed with all the information.

Inspector Hovander stated that the list of violations include duct system not capable of performing the required function; electrical equipment not properly maintained; electrical wiring not properly maintained; exterior doors, assemblies or hardware not in good condition; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; exterior metal surfaces subject to corrosion shall be coated to inhibit such; exterior stairways, decks, porches, or balconies in disrepair; exterior walls: holes, breaks, loose or rotting materials; heating facility not provided; insect screens required at doors, windows and openings required for ventilation; interior structure: in disrepair; interior surfaces: unclean, unsanitary, or not in good condition; interior walking surface in unsound condition or disrepair; other plumbing fixtures not properly connected to water supply system; rubbish or garbage accumulated at exterior property; single station smoke alarms required in existing dwelling unit; vacant structure or premises unclean, unsafe, unsecured, or unsanitary; water heater not properly installed and maintained; 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.

Mr. Stutts asked to be recused from this case as the property owner is his son.

Joseph Stutts, 155 Wolf Trail Road, is the owner of the property. He reviewed the history of circumstances relative to the property. He has had asbestos and vinyl siding removed from the house with the hope of being able to burn the house. He is waiting to hear from the bank to determine if he can burn the house or tear it down to rebuild it. He requested a continuance to work out an arrangement with the bank as his preference is to tear the building down and rebuild it.

Mr. Burgess moved to continue the case until the August, 2011 meeting, seconded by Mr. Nimmer. The Commission voted unanimously 7-0 in favor of the motion.

4. 3504 North Church Street -- (TMN 412-2-33) Aureliano Rocha, Owner -- In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors McDougal & Hovander. (CONTINUED UNTIL SEPTEMBER, 2011 MEETING)

Inspector Hovander stated that 3504 North Church Street is being submitted as less than 50 percent damaged. This case did not start as a RUCO. A title search was completed in August, 2010. The date of the inspection was March 28, 2006 and reinspected June 15, 2010. All parties were notified. The date of the hearing was September 22, 2010 and no one appeared for the hearing. The order was issued on October 8, 2010 and expired on November 8, 2010. The last date of visual inspection was June 14, 2011 by Inspector Chris Jones. The owner secured the property in March, 2010 and the City resecured it in August, 2010. This has been a repeat problem. There are children in the area but no school nearby. There is a history of complaints to Local Ordinance Enforcement and in the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander 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 June 14, 2011; 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 Hovander stated that she agreed with all the information.

Inspector Hovander stated that the list of violations include broken glass panes; cracked or damaged foundation wall; doors inadequately screened; dwelling unit does not have running water; electrical power not on at time of inspection; floor not level; holes in interior wall/partition; install window locks; loose floor covering; loose flooring; loose material on interior wall/partition; loose roof covering; loose sheetrock on ceiling; make windows operable; missing UL listed smoke detector; porch floor: repair or replace; privacy lock missing from required interior door; privacy lock, operable, missing from required interior door; repair or replace cabinets; rotted boards on exterior wall; rotted interior wall/partition studs; rotten flooring; rough, uneven, irregular flooring; unclean, unsanitary ceiling, floors, and walls; untreated deteriorative surface; weather permeable exterior wall/siding; window sills rotten; windows inadequately screened.

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

Ms. Veronica Mancera served as interpreter for the owner, Mr. Aureliano Rocha. She stated that Mr. Rocha's plan is to demolish the house and rebuild. He requested a continuance to allow time to secure funding.

Ms. Harris moved to continue the case until the September, 2011 meeting, seconded by Mr. Burgess. The Commission voted unanimously 7-0 in favor of the motion.

Continued Cases:

Ms. Ata moved to hear 442 Gorrell Street as the first continued case, seconded by Ms. Sullivan. The Commission voted unanimously 7-0 in favor of the motion.

5. **442 Gorrell Street** -- (TMN-29-8-1) Samuel & Kimberly Pass, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the December 8, 2009; February 9, 2010; June 8, 2010; November 9, 2010 and March 8, 2011 Housing Commission meetings. Inspectors Hovander & Covington. **(CONTINUED UNTIL SEPTEMBER, 2011 MEETING)**

Inspector Hovander stated that this case is last continued from the March 8, 2011 meeting. The video was taken June 13, 2011.

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

Mr. Samuel Pass, 515 Martin Street, is the owner of the property. He gave an update on the property. Doors have been installed, the exterior doors are being made, and granite will be installed on the hearth shortly. He commented that a lot of the items to complete the restoration of this property are being handmade and therefore, progress is slow.

Mr. Sheffield reviewed permits on the property. There has been a final on the mechanical permit; a final has been called in on electrical work. The owner has pulled all necessary permits; however, the building and plumbing finals have not been done yet.

Mr. Pass requested 90 days to complete work on the property.

Mr. Burgess moved to continue the case until the September, 2011 meeting, seconded by Ms. Ata. The Commission voted unanimously 7-0 in favor of the motion.

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 9, 2010 Housing Commission meeting. Inspectors Covington & Hovander. **(CONTINUED UNTIL AUGUST, 2011 MEETING)**

Inspector Hovander stated that this case was last heard at the November 9, 2010 meeting. The video was taken June 13, 2011.

Counsel Williams asked Inspector Hovander 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 June 13, 2011; 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 Hovander stated that she agreed with all the information.

Inspector Hovander stated that the list of violations include vacant structure or premises unclean, unsafe, unsecured, or unsanitary; exterior property or premises unclean, unsafe; exterior paint peeling, flaking or chipped; foundation walls cracked or broken; foundation walls shall prevent entry of rodents and pests; windows, operable: not easily openable; insect screens required at doors, windows and openings required for ventilation; screen door, swinging: requires self-closing device in good working condition; interior structure unsanitary; interior surfaces: cracked or loose plaster; interior doors shall fit frame and open and close; interior surfaces: unclean, unsanitary, or not in good condition; loose floor covering/hole in floor and in walls; single station smoke alarms required in existing dwelling unit.

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

Mr. John Green, 454 Gorrell Street, reviewed the financial history of the property. He owns several properties on Martin Street. He has a potential buyer and stated that he is working to solidify financing on this property. Mr. Burgess and Mr. Stutts suggested that the owner should begin work to clear up the violations as the time needed to secure financing was unknown. Mr. Stutts suggested that Mr. Green should do non-duplicating work and a review of repairs would be made at the next meeting.

Mr. Stutts moved to continue the case until the August, 2011 meeting so the owner can return with an update on progress, seconded by Ms. Ata. The Commission voted unanimously 7-0 in favor of the motion.

7. **517 Park Avenue -- (TMN 278-5-13) Judith & John Worsley II, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the October 12, 2010; December 14, 2010 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander.**
(CONTINUED UNTIL SEPTEMBER, 2011 MEETING)

Inspector Hovander stated that this case was last heard at the March 8, 2011 meeting. The property is located in the historic district and a Certificate of Appropriateness was obtained.

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

Mr. Robert Ricks, 519 Park Avenue, updated members on progress being made on the property. The ceiling joists have all been replaced; however, the floor joists are in need of more repairs. He reported that there is no electrical hookup or gas line for the stove in the kitchen and the owners wanted the hot water tank taken out of one of the bedrooms and moved to the back porch. A permit has been pulled for the gas line. The floors will need to be removed to lay the gas line. He requested 90 days to complete the floors, upstairs beams, and the remainder of repairs. Mr. Sheffield confirmed that all the permits have been pulled on the property.

Mr. Burgess moved to continue the case until the September, 2011 meeting, seconded by Ms. Ata. The Commission voted unanimously 7-0 in favor of the motion.

Mike Cowhig, City of Greensboro, reviewed actions taken at the last Historic Preservation Commission meeting and confirmed that the owner is in compliance with historic requirements.

8. **635 Martin Street** -- (TMN 29-9-18) Charmaine Watkins & Max Watkins, Jr. -- Continued from the March 8, 2011 Housing commission meeting. Inspectors C. Jones & Hovander. **(REPAIRED BY OWNER)**

Chair Vincent stated that property located at 635 Martin Street has been repaired by the owner.

9. **5 Preyer Court** -- (TMN 424 -5-39) James McCorkle & Sharon Milton, Owners -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the March 8, 2011 Housing Commission meeting. Inspectors McDougal & Hovander. **(CONTINUED UNTIL SEPTEMBER, 2011 MEETING)**

Inspector Hovander stated that this case was most recently heard at the March 8, 2011 meeting. The video was taken on June 13, 2011 by Inspector Chris Jones.

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

Mr. James McCorkle, 812 Harley Hill Court in High Point, North Carolina, stated that he is in the process of making repairs to the house. The estate owes money to the State and Mr. McCorkle is in process of securing an attorney. He understands the violations and requested a continuance of 90 days to complete repairs.

Inspector Roy McDougal reported that there is no substantial damage to the property. There are only a few minor repairs on the interior and exterior of the property.

Mr. Burgess moved to continue the case until the September, 2011 meeting, seconded by Ms. Harris. The Commission voted unanimously 7-0 in favor of the motion.

10. **911 Reid Street** -- (TMN 49-9-7) - Nickel Capital, Owner -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the December 14, 2010 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander. **(REPAIRED BY OWNER)**

Chair Vincent stated that property located at 911 East Reid Street has been repaired by the owner.

11. **1003 (A & B) E. Bragg Street** -- (TMN 49-4-10) -- Schwarz Properties LLC, 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 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander. **(CONTINUED UNTIL AUGUST, 2011 MEETING)**

Inspector Hovander stated that the videos of 1003 (A&B), 1005 (A&B), 1007 (A&B), and 1009 (A&B) E. Bragg Street were taken on June 13, 2011.

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

Brent Morris, 2150 Country Club Road in Winston-Salem, North Carolina, is Operations Manager of Triad Property Management Consultants. He gave an update to the Commission on plans for the property. He stated that a foreclosure sale is scheduled later in the week and the properties are still in the name of Schwarz Properties. Following the foreclosure sale, there is a 10-day upset bid period and then the bank will take possession. The bank's plan is to liquidate the property as soon as possible and a sale of the properties is expected within 60 days of taking title.

Mr. Morris confirmed to Chair Vincent that the property has no tenants and has been secured.

Members discussed the best way to proceed with this case considering the process for foreclosure. Chair Vincent summarized that there are only two choices in this matter; to continue or to uphold the Inspector. Mr. Stutts felt that to uphold the Inspector would put an unnecessary burden on the new buyer. Ms. Sullivan expressed concern that the new owner be made aware of violations on the property in the foreclosure process.

Mr. Stutts moved to continue this case until the August, 2011 meeting, seconded by Mr. Burgess. The Commission voted unanimously 7-0 in favor of the motion.

Mr. Stutts rephrased his motion and a revote was called.

Mr. Stutts moved to continue the cases for properties located at 1003 (A&B) E. Bragg Street, 1005 (A&B) E. Bragg Street, 1007 (A&B) E. Bragg Street, and 1009 (A&B) E. Bragg Street until the August, 2011 meeting, seconded by Mr. Burgess. The Commission voted unanimously 7-0 in favor of the motion.

12. 1005 (A & B) E. Bragg Street -- (TMN 49-4-10) -- Schwarz Properties LLC, 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 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander. (CONTINUED UNTIL AUGUST, 2011 MEETING)

13. 1007 (A & B) E. Bragg Street -- (TMN 49-4-10) -- Schwarz Properties LLC, 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 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander. **(CONTINUED UNTIL AUGUST, 2011 MEETING)**

14. **1009 (A & B) E. Bragg Street** -- (TMN 49-4-10) -- Schwarz Properties LLC, 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 and March 8, 2011 Housing Commission meetings. Inspectors Covington & Hovander. **(CONTINUED UNTIL AUGUST, 2011 MEETING)**

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 3:06 p.m.

Respectfully submitted,

Tim Vincent, Chairman
City of Greensboro Minimum Housing Standards Commission

TV:sm/jd