

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING**

REGULAR SESSION

1:45 P.M.

DECEMBER 11, 2012

Commission Members Present:

Kathleen Sullivan, Chair
Fredrick Click
Ellen Sheridan
Tyler Quinn

Staff Present:

Lorie Loosemore, Inspector
Mike Williams, City Attorney
Mary Lynn Anderson, City Attorney's Office
Chris Jones, Inspector
Roy McDougal, Inspector
Roddy Covington, Inspector
Don Sheffield, Commercial Demolitions
Mike Kirkman, Planning and Community Development

Ms. Loosemore asked that approval of the August, 2012 meeting minutes be moved to the January, 2013 meeting.

Ms. Loosemore stated that requests have been made to move Item 9, 2117-2119 Redwood Drive, and Item 5, 208 North Regan Street, to the beginning of the agenda. In addition, there are new owners for 703 Holt Avenue and the case has been removed from the agenda.

Mr. Quinn moved to hear 2117–2119 Redwood Drive and 208 North Regan Street at the beginning of the agenda, seconded by Mr. Click. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Sheridan, Quinn. Nays: None.)

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

New Cases:

- 1. 2117-2119 Redwood Drive (Duplex) - (TMN 187-13-7/Parcel# 0019881) Theophilus A. Pinson and Barbara Pinson, Owner(s) – In the Matter of Order to Repair, Alter or Improve the Structure(s). Inspectors McDougal and Loosemore (CONTINUED UNTIL JANUARY, 2013 MEETING.)**

Ms. Loosemore stated that this property was originally inspected on April 9, 2012. The date of the hearing was May 9, 2012. The order was issued on May 10, 2012 and expired on June 8, 2012. This property is a duplex and both sides of the property are being brought before the Commission.

Counsel Williams 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 December 7, 2012 by Inspector McDougal; the property is 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 for 2117 Redwood Drive include electrical equipment needs to be properly installed and maintained; electrical line coming from pole to exterior electrical meter needs to be wrapped or encased; doors are difficult to operate; first bedroom locking door knob does not lock; door is difficult to operate in second bedroom, knob is loose and cannot secure the door; smoke detectors are required in all sleeping areas; plumbing fixture, toilet loose, not properly secured, bathroom commode is loose and unstable; heating system not maintaining 68 degrees in habitable rooms; locks not maintained or missing from windows; every window shall open and close as manufactured, first bedroom window does not open and close properly; bathroom requires ventilation system when window isn't provided; locks not maintained or missing from windows (in second bedroom and kitchen); peeling, chipping or flaking paint must be repaired, removed or covered; exterior wood surfaces need to be maintained by painting or other protective coating, front door has chipping or peeling paint, exterior windows have chipping and peeling paint, back door exterior frame has chipping and peeling paint; exterior wood surface needs to be maintained by painting or other protective coating, exterior window frames have rotted wood; exterior wood surface needs to be maintained by painting or other protective coating, exterior window "pane" frames have chipped and peeling paint; back porch needs a guardrail; ceiling needs to be painted.

The list of violations for 2119 Redwood Drive include cracked or missing switch plate cover, electric switch missing cover plate in hallway; electrical receptacle in living room missing top and bottom socket; exposed wiring at electrical receptacle in living room; exposed wiring at light fixture in living room; electrical receptacle required in bathroom, must be GFCI-installed by licensed electrician with permit from City; electrical receptacle in first bedroom has busted socket; kitchen electrical switch missing cover plate; electrical receptacle missing top socket in second bedroom; exposed wiring at kitchen ceiling (light fixture); back door light fixture needs to be repaired-hanging loose; power not on; first bedroom door missing door knob; first and second bedroom closet doors missing door knobs; smoke detectors required in all sleeping areas, in hallway outside sleeping area and on all levels; need commode in bathroom, need kitchen sink; walls in first bedroom have chipped and peeling paint; hole in wall behind bath tub fixtures; large hole in bathroom floor, need permit to fix violation; bathroom floor has no floor covering; hole in kitchen wall; unit has no heating system, front exterior water faucet missing turn valve, no water service; bathroom window lock does not secure window, living room window has busted-out window panes, first bedroom window lock cannot secure window; first bedroom window pane needs to be repaired, loose from window pane frame; living room picture window must be weathertight; broken window pane in bathroom window; no sink in bathroom; bathroom has no door and no door lock; first bedroom door has no lock, no catch plate; second bedroom locking door knob cannot lock door; interior window frames have rotting wood; exterior window frames have rotting wood; gutters need cleaning out; gutters on rear of house, pulling away from house and hanging loose; fascia boards are loose and hanging off rear of house; exterior window frames have rotting wood; front and rear handrails need weather costing; fascia boards on house have chipped and peeling paint; back door exterior door foot thresh hold has a hole and rotting wood; exterior property has bottles, cans, paper, and tree limbs and other debris.

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

Theo Pinson, 2109 Lannigan Drive, purchased the property several years ago. His original intent was to rent the property. He related his circumstances and explained that repairs have been made to 2117 Redwood Drive. He was uncertain if he would be able to make repairs to 2119 Redwood Drive due to the expense associated with the disrepair of the unit. He updated members on completed repairs at 2117 Redwood Drive.

Inspector Roy McDougal stated that the owner has repaired the interior violations at 2117 Redwood Drive; however, the exterior violations still exist.

Mr. Pinson responded to Chair Sullivan and stated he would consider selling the property if possible. He is currently exploring a grant from the City. Counsel Williams stated that the property must meet housing code requirements to qualify for some City grants. Mike Kirkman has suggested several financing options to Mr. Pinson.

Mr. Click moved to continue the case until the January, 2013 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Sheridan, Quinn. Nays: None.)

2. 208 North Regan Street – (TMN 28-11-25/Parcel # 0002591) – R. Thompson Wright, Executor of the Estate of Fannie Camack and R. Thompson Wright, Trustee for Ashley Nicole Camack Estate of Fannie Camack, Owner(s) – In the Matter of the Order to Repair, Alter or Improve the Structure(s). Inspectors Covington and Loosemore. (INSPECTOR UPHELD)

Counsel Williams 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 December 6, 2012 by Inspector Covington; 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 electrical panel has exposed wires running to the panel/basement area has exposed hanging wiring; exposed wiring at light fixture; inoperable smoke detector; 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-cracks, holes, or loose plaster, decayed wood or other defective material must be corrected; flooring-loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; screens required on windows; every window shall open and close as manufactured; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls have loose or rotted material; foundation wall has holes or cracks; roof drains, gutters and downspouts in disrepair; handrails are loose, damaged or improperly maintained; water heating relief valve improperly installed and/or maintained; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; 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; smoke alarms are required in each bedroom and common areas.

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

Tom Wright, 301 North Elm Street, is the executor for the estate of Fannie Camack. The house was being maintained by individuals close to Ms. Camack until two years ago. Health issues have prevented continuing maintenance on the property. He reported that the house was being cleaned out at the time of inspection and copper pipes have been stolen from the property. He indicated that the estate does not have sufficient funds to bring the violations into compliance and the property cannot qualify for any housing rehabilitation programs as it is owned by the estate. The only alternative is to sell the property and some interest has been expressed by the adjacent church. He asked the Commission to continue the case until the April, 2013 meeting to try and sell the house.

Mr. Wright clarified for Ms. Sheridan that he has been the executor of the estate for ten years. The house has been secured. He indicated that if the church does not purchase the house, a "for sale" sign will be placed on the property. A "for sale" sign has been in the yard in the past but there is not one at the present time.

Ms. Sheridan moved to uphold the Inspector, seconded by Mr. Click. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Sheridan, Quinn. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at 208 North Regan Street 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.

3. 1302 Grove Street - (TMN 85-12-13/Parcel# 0009102) – Anthony C. Bartholomew, Owner – In the Matter of Order to Repair, Alter or Improve the Structure(s). Inspectors Covington and Loosemore. (CONTINUED UNTIL JANUARY, 2013 MEETING)

Inspector Loosemore stated that the date of original inspection was March 26, 2012. The hearing was held on June 18, 2012 and no one appeared for the hearing. The order was issued on June 18, 2012 and expired on July 18, 2012. The property was ordered to be secured and the City secured it in May, 2012.

Counsel Williams 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 December 6, 2012 by Inspector Covington; 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 was updated after a fire occurred at the property. The list of violations due to fire damage include all appliances shall be capable of performing the intended function; cracked or missing switch plate covers; exposed wiring at light fixture; cracked or missing electrical outlet cover; exposed wiring at outlet; power not on at time of inspection, needs to be on and inspected before case can be completed; unsafe electrical wiring; 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; doors need to be weathertight; locks not maintained or missing from windows; windows need glazing; windows need to be weathertight; unclean and unsanitary floors, ceilings and/or walls; walls have peeling, chipping, or flaking paint and must be repaired, removed or covered due to fire damage; walls have cracked or loose plaster, decayed wood, or other defective material that must be corrected; fire damage; proper permits are required from the City before work can be started; flooring has loose covering that must be repaired or replaced; roof has structural members rotten or deteriorated, permit required-due to fire damage; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; and exterior wall has loose or rotted material. Other violations include loose floor covering that must be repaired or replaced; the property was ordered secured and was secured on 5/18/12; bathroom requires ventilation system when window isn't provided; bathroom must have a door and interior lock; doors need to be weather tight; windows need to be weather tight; exterior wood surfaces need to be maintained by painting or other protective coating; property needs to be graded to prevent accumulation of standing water; screens on doors should be self-closing and latching; handrails are loose, damaged, or improperly maintained; heating system not maintaining 68 degrees in habitable rooms, bathrooms; electrical panel missing

knock out blanks; unclean and unsanitary floors, ceilings and/or walls; all appliances shall be capable of performing the intended function; electrical equipment needs to be properly installed and maintained; dwelling needs 3 wire, 120/240 Volt Amp service; open ground outlet; missing smoke detectors, smoke alarms are required in each bedroom and common area; inoperable smoke detectors; plumbing fixtures leak, water heater relief valve improperly installed and/or maintained.

There was no one was present wishing to speak on the property.

Inspector Sheffield commented that the owner has building, plumbing, mechanical, and electrical permits. The applicant is almost ready for final inspections. He provided dates when the permits were pulled and inspections were made.

Inspector Covington reported that the stated violations were not found in the December inspection and video. He plans to make updates to the record. He estimated that the owner has corrected 95 percent of repairs.

Inspector Loosemore indicated that the owner informed her that he could not be present at today's meeting.

Mr. Quinn moved to continue the case until the January, 2013 meeting, seconded by Mr. Click. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Sheridan, Quinn. Nays: None.)

4. 703 Holt Avenue – (TMN 196-2-15) – James D. Scott and Tiriah B Scott, Owner(s) – In the Matter of Order to Repair, Alter or Improve the Structure(s). Inspectors McDougal and Loosemore. (REMOVED FROM AGENDA)

5. 3500 N Church Street – (TMN 412-2-34/Parcel #0216628) – Charles B. Bell Sr., Owner – In the Matter of Order to Repair, Alter or Improve the Structure(s). Inspectors McDougal and Loosemore. (CONTINUED UNTIL JANUARY, 2013 MEETING)

Inspector Loosemore stated that this property is also known as 201 Denny Road. The tax number is the same as that for 3500 North Church Street, TMN 412-2-34/Parcel #0216628. The property was originally inspected on March 4, 2010. The hearing was held on March 12, 2010. The order was issued on April 14, 2010 and expired on May 14, 2010. The property was ordered secured and the City secured it on March 15, 2010.

Counsel Williams 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 December 5, 2012 by Inspector McDougal; 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 accessory structure structurally unsound or in disrepair; bathtub not properly connected to water supply system; electrical equipment not properly maintained, need globe for front porch light fixture, electrical receptacles missing cover plates throughout unit, electrical switches missing cover plates through out unit, light fixtures in all rooms in disrepair; exterior metal surfaces subject to corrosion shall be coated to inhibit such, back steps handrail needs to be coated; back porch wood moulding is rotten; back door in disrepair; interior surfaces have other defective surface conditions, ceiling tile has fallen in inside rooms, holes in wall of unit, need to cover hole in wall where space heater was vented; interior surfaces: unclean, unsanitary, or not in good condition, interior of unit needs to be painted; interior walking surface in unsound condition or disrepair,

there is no floor covering (just joist) in bathroom and part of kitchen, floor covering in all rooms in disrepair and coming loose; roof leaking; down spouts missing; gutters need to be cleaned out; need working smoke detectors; must acquire all proper permits to make correct violations, unit has no water and no power; water closet not properly connected to water supply system; water heater not properly maintained.

Inspector McDougal stated that the violations read into the record exist as of today.

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

Charles Bell, 1044 Greenmont Drive, Asheboro, North Carolina, is the owner. He explained issues relative to the property being in disrepair. He also described circumstances relating to the rezoning of the property to explain the confusion of two addresses with the same tax number.

Mr. Bell informed the Commission that funds are expected from the insurance company to repair the collapsed roof resulting from a fallen tree. There was also water damage from rain into the collapsed roof. In addition, copper tubing has been stolen from the property. He plans to use the insurance money, along with personal funds, to get the property up to code. He asked the Commission for additional time to make the repairs. Mr. Bell stated that he will know how much money will be received from the insurance company within several weeks.

Mr. Bell commented that the damage was extensive and could not be completed in 30 days. He felt he could secure a contractor and have permits pulled within 30 days.

Mr. Click moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 2-2 in a tie and the motion failed. (Ayes: Sullivan, Sheridan. Nays: Click, Quinn.)

Ms. Sheridan moved to continue the case until the January, 2013 meeting, seconded by Mr. Quinn. The Commission voted 3-1 in favor of the motion. (Ayes: Sullivan, Quinn, Sheridan. Nays: Click.)

6. 3502 N Church Street – (TMN 412-2-31/Parcel #0045000) Charles B. Bell Sr. – Owner – In the Matter of Order to Repair, Alter, or Improve the Structure(s). Inspectors McDougal and Loosemore. (CONTINUED UNTIL JANUARY, 2013 MEETING)

Ms. Loosemore stated that this property was originally inspected on June 15, 2010. The hearing was held on February 3, 2011. The order was issued on March 3, 2011 and expired on April 4, 2011. The property was ordered secured and the City secured it on March 5, 2010.

Counsel Williams 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 December 5, 2012 by Inspector McDougal; 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 vacant structure or premises unclean, unsafe, unsecured, or unsanitary, unit has no water and no power; accessory structure structurally unsound or in disrepair; exterior non-decay resistant wood unprotected by paint, covering or treatment, front porch needs to be weather coated, back steps need weather coating; oxidation stains that need to be removed; foundation walls shall prevent entry of rodents and pests; exterior walls have holes, breaks, loose or rotting materials; vinyl siding on house is broken and pieces missing off house; roof and flashing shall be sound, tight, and not admit rain, roof leaking; locks shall secure entrance door to unit or guestroom, need locking door knob on bathroom door; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition, back steps need handrail; glazing has cracks

and/or holes, house has window panes broken out; exterior doors, assemblies or hardware not in good condition, back door needs to be repaired; interior surfaces are unclean, unsanitary, or not in good condition, floor carpet throughout unit is unclean and unsanitary; interior doors shall fit frame and open and close, need door and locking door knob for bedroom; interior surfaces have other defective surface conditions, living room ceiling tile has fallen in, bathroom ceiling has fallen in, holes in the wall of bedroom closet, moulding around front door busted and needs to be repaired, needs to cover hole in wall where space heater was vented; need to remove rubbish or garbage from interior of house; water heater relief valve needs to be piped down 6" from floor, need electrical receptacle in bathroom; electrical equipment not properly maintained, electrical switch missing cover plate in bathroom, electrical receptacle missing cover plate in kitchen, electrical receptacle missing cover plate in living room, kitchen light fixture in disrepair, bedroom light fixture in disrepair, bathroom ceiling light fixture in disrepair, bathroom ceiling ventilation fan not working; need working smoke detectors.

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

Mr. Charles Bell, 1044 Greenmont Drive, Asheboro, North Carolina, is the owner of the property. He requested additional time to bring the property up to code.

Mr. Quinn moved to continue the case until the January, 2013 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Quinn, Click, Sheridan. Nays: None.)

Continued Cases:

- 7. 1513 Willomore Street – (TMN 84-5-35/Parcel # 0008816) –Lane Jurney, Owner – In the Matter of Order to Repair, Alter or Improve the Structure(s). Continued from the March 13, 2012; April 10, 2012; May 8, 2012; July 10, 2012; August 14, 2012; and October 9, 2012 Housing Commission Meeting. Inspectors Jones & Loosemore. (CONTINUED UNTIL MARCH, 2013 MEETING)**

Counsel Williams 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 December 6, 2012 by Inspector Jones; 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 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 detectors; 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 and must be repaired, removed or covered; rotten flooring must be repaired, building permit required.

Inspector Jones stated that the violations are current and were noted on his recent inspection.

Chair Sullivan asked if any one was present wishing to speak on this case.

Lane Jurney, 5613 Newman Davis Road, is the owner of the property. He updated members on progress being made on the house. The flooring and dry wall have been removed; the electrical, mechanical and plumbing have been updated; the building inspection passed, and the insulation will be put in shortly. His

plans are to clean up the property, insulate floors and ceiling, hook up the gas line to the heating unit, and start the dry wall within the next 60 days.

Mr. Click moved to continue the case until the March, 2013 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Quinn, Click, Sheridan. Nays: None.)

8. 900 Douglas Street – (TMN 49-13-1) Catherine F. Gill, Owner - In the Matter of Order to Repair, Alter or Improve the Structure(s). Continued from April 10, 2012; May 8, 2012; June 12, 2012; July 10, 2012; August 14, 2012; October 9, 2012; and November 13, 2012 Minimum Housing Commission meetings. Inspectors Covington and Loosemore. (INSPECTOR UPHELD)

Counsel Williams 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 December 7, 2012 by Inspector Jones; 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 exposed wiring at outlet, power not on at time of inspection, needs to be on and inspected before case can be completed; missing smoke detector; inoperable smoke detector; heat-gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; 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; walls have cracks, holes or loose plaster, decayed wood of other defective material that must be corrected; cracked or missing electrical outlet cover; cracked or missing switch plate cover; doors need to be weather tight; bathroom must have a door and interior lock; foundation wall-ventilation not maintained or missing; property needs to be graded to prevent accumulation of standing water; roof drains, gutters and downspouts in disrepair; needs premises identification; deck, porch, and/or patio flooring rotten or in disrepair, back porch area; exterior walls contain holes and/or breaks; building permit is required before work is started; property ordered secured in March, 2012.

Inspector Jones stated that these violations are current and were noted on his recent inspection.

There was no one present wishing to speak on this case.

Inspector Loosemore stated that she was informed Ms. Gill, the owner, was attending a funeral and could not be present at the meeting. Members noted that the owner had missed several housing commission meetings including last month.

Ms. Sheridan moved to uphold the Inspector, seconded by Mr. Click. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Quinn, Click, Sheridan. Nays: None.)

Chair Sullivan stated that the property involved in this matter is located at 900 Douglas Street 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.

9. 435 Arlington Street - (TMN 16-8-26/Parcel# 0001075) Michael B. Gray, Owner - In the Matter of Order to Repair, Alter or Improve the Structure(s). Continued from the June 12, 2012; August 14, 2012; and November 13, 2012 Minimum Housing Commission meetings. Inspectors Covington and Loosemore. (INSPECTOR UPHELD)

Counsel Williams 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 December 7, 2012 by Inspector Jones; 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 window(s)-every window shall open and close as manufactured; windows need to be weather tight; smoke detectors required in each bedroom and common areas; 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; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected; ceiling contains holes, loose material and/or in disrepair; doors need to be weather tight; deck, porch and/or patio flooring rotten or in disrepair; ceiling contains holes, rotten and/or in disrepair; unclean and unsanitary floors, ceilings and/or walls.

Inspector Jones stated that these violations are current and were observed during his inspection on December 7, 2012.

Chair Sullivan asked if there was any one present wishing to speak on this case.

Sidney Gray and his wife, Ricki, stated that they were present on behalf of their son, Brandon, who is the owner of the property. He distributed copies of his presentation to aid members.

Mr. Gray addressed two statements made by members at the November, 2012 Minimum Housing meeting and provided a brief history of 435 Arlington Street and the Southside area. He stated that as of Friday, December 7, 2012, when they met with Inspector Jones, 15 of the 19 exterior violations had been resolved. He asked Inspector Jones if any of the remaining violations "interior and exterior" are considered "inherently dangerous". Inspector Jones replied that having no plumbing facilities and no power turned on is considered dangerous and are major violations. Responding to another question from Mr. Gray, he felt that the house would not fall down on anyone walking into the property. Inspector Jones clarified for Counsel Williams that the property has current violations that are included in Section 11-9 of the Code describing major violations. Inspector Loosemore stated that in order for a property to be in violation of the Minimum Housing Code, it must have more than five violations or one major violation. She clarified the wording is "unfit for human habitation", not "inherently dangerous". Mr. Gray acknowledged the violations but stated he wanted to ascertain that there were no inherently dangerous violations present at the property.

Although there is currently not a sign on the property, Mr. Gray informed members that they are actively approaching potential tenants of their choice for a downstairs restaurant. His son plans to live in the upstairs portion of the house. Mr. Gray felt it made no sense to invest a lot of money on the downstairs at this time as the work would only be torn out when a commercial tenant is found and a restaurant prepared to occupy the space. All the violations would be made in compliance once a commercial tenant is found for downstairs. Counsel Williams pointed out that since there will be living quarters in the house; it falls under the Minimum Housing Code for residential purposes, not commercial purposes. Mr. Gray

stated that the property was recently rezoned to Commercial Business District to allow for commercial development of the property.

Chair Sullivan reiterated that progress must be made to bring the violations into compliance or the Inspector will be upheld.

Inspector Loosemore stated that the Grays were informed before rezoning was requested that having the property rezoned would not change the status of the house. The property is still considered a residential structure.

Following discussion, a suggestion was made for the owner to consider a change of use permit. The permit would start the process of changing the use from all residential to commercial.

Ms. Sullivan moved to continue the case until the January, 2013 meeting, seconded by Mr. Click. The Commission voted 2-2 in a tie and the motion failed. (Ayes: Sullivan, Click. Nays: Sheridan, Quinn.)

Mr. Click commented that the rezoning does not negate the issue of resolving the violations. The violations must be resolved to meet minimum standards for housing.

Mr. Sheffield reviewed details in the process to change the use from residential to commercial.

Mr. Quinn moved to continue the case until the January, 2013 meeting to look into changing the property use. There was no one to second the motion.

Ms. Sheridan moved to uphold the Inspector, seconded by Mr. Click. The Commission voted 2-2 in a tie and the motion failed. (Ayes: Sheridan, Click. Nays: Sullivan, Quinn.)

Ms. Sheridan moved again to uphold the Inspector, seconded by Mr. Click. The Commission voted 3-1 in favor of the motion. (Ayes: Sullivan, Click, Sheridan. Nays: Quinn.)

Chair Sullivan stated that the property involved in this matter is located at 435 Arlington Street 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.

10. 405 E. Whittington Street – (TMN 17-11-13/Parcel # 0001366) Adele Wicker, Owner - In the Matter of Order to Repair, Alter or Improve the Structure(s). Continued from the November 13, 2012 Minimum Housing Commission meeting. Inspectors Covington and Loosemore. (CONTINUED UNTIL FEBRUARY, 2013 MEETING)

Counsel Williams 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 December 7, 2012 by Inspector Covington; 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 unclean and unsanitary floors, ceilings and/or walls; the property was ordered secured and the City secured it on 11/21/11; wall has peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected; ceiling contains holes, loose material and/or in disrepair; electrical equipment needs to be properly installed and maintained; power not on at time of inspection, needs to be on and inspected before case can be completed; exterior walls have loose or rotted material; property needs to be graded to prevent accumulation of standing water; exterior wood surfaces need to be maintained by painting or other protective coating; roof drains, gutters and downspouts in disrepair; exposed wiring at outlet; exposed wiring at light fixture; missing smoke detectors; heat-gas/electric not on at time of inspection; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; every dwelling unit shall contain a bathtub of shower, bathroom sink, toilet and separate kitchen sink, missing bathroom/kitchen sink, toilet; doors need to be weather tight; locks not maintained or missing from windows; screens required on windows; windows need glazing, broken windows; windows need to be weather tight; screens on doors should be self closing and latching; guardrails loose, damaged or improperly maintained, front porch missing pickets.

Inspector Covington stated that these violations are current and were observed during his inspection on December 7, 2012.

Chair Sullivan asked if there was anyone present wishing to speak on this case.

Mark Wicker, 106 Kemp Road East, was present on behalf of his mother who is the property owner. He explained that the property was ready to be rented when vandalism occurred and the property had to be boarded up and secured. His likely intent is to sell the property and he requested a continuance to determine what to do with the property.

Following discussion, Mr. Click moved to continue the case until the February, 2013 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Quinn, Sheridan. Nays: None.)

Requests to Rescind:

Mr. Quinn moved that the following property be rescinded, seconded by Ms. Sheridan. The Commission voted unanimously 4-0 in favor of the motion. (Ayes: Sullivan, Click, Quinn, Sheridan. Nays: None.)

11. 1302 N. English Street - (TMN 187-13-5) Kelman Properties, LLC, Owner(s) – Recorded 1/7/2012; Book R 7311 – Page 2281-2282. Repaired by Owner.

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 4:00 p.m.

Respectfully submitted,

Kathleen Sullivan
Chairman, City of Greensboro Minimum Housing Standards Commission

KS:sm/jd