

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

REGULAR SESSION

1:47P.M.

JULY 10, 2012

Commission Members Present:

Tim Vincent, Chairman
Jeff Nimmer
Angela Harris
Kathleen Sullivan
Shermin Ata

Staff Present:

Lorie Loosemore, Inspector
Mike Williams, City Attorney
Mary Lynn Anderson, City Attorney's Office
Roddy Covington, Inspector
Chris Jones, Inspector
Don Sheffield, Commercial Demolitions

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

Inspector Loosemore asked the Commission to remove Item 5, 3728 Central Avenue, from the agenda due to a notification issue.

Ms. Sullivan moved to remove Item 5, 3728 Central Avenue, from the agenda, seconded by Ms. Ata. The Commission voted unanimously 5-0 in favor of the motion.

1. APPROVAL OF JUNE 12, 2012 MINUTES:

Ms. Harris moved to approve the minutes from the June 12, 2012 meeting as written, seconded by Ms. Sullivan. The Commission voted unanimously 5-0 in favor of the motion.

NEW CASES:

- 2. 1004 Cranbrook Street – (TMN 300-14-3) William and Sandra Brown, Owners – In the Matter of Order to Repair, Alter or Improve the Structure(s). Inspectors Foster and Loosemore. (CONTINUED UNTIL THE AUGUST 14, 2012 MEETING)**

Inspector Loosemore stated that 1004 Cranbrook Street was inspected on June 2, 2011. The hearing was held on November 29, 2011 and no one appeared. The Order was issued on November 29, 2011 and expired on December 29, 2011. The video being shown was taken on July 6, 2012.

Inspector Loosemore stated that there is a notification issue in this case. The notification that was mailed indicated a meeting date of July 12, 2012; however, the owner is present to represent the property.

Counsel Williams advised the Commission that due to the notification issue, final action cannot be taken on the case; however, members can hear the owners speak on the property. The case will be continued at the next meeting.

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

Mr. William Brown, 1433 Country Lake Drive, stated his plans for the property. He was unsure of his timeline for repairs but he does plan to take care of the property.

- 3. 1412 Plymouth Street – (TMN 51-5-4) Nathan J. and Lori Duhan, and Lawson A. and Sara J. Duhan, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington and Loosemore.
(CONTINUED UNTIL AUGUST 14, 2012 MEETING)**

Inspector Loosemore stated that 1412 Plymouth Street has the same notification issue as well. The case will be continued at next month's meeting.

- 4. 1201 E. Washington Street (TMN 71-2-11) George and Gigi LLC, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors Covington and Loosemore.
(CONTINUED UNTIL THE AUGUST 14, 2012 MEETING)**

Inspector Loosemore indicated that this case also has a notification issue.

Mr. Brooks Whitesell, an attorney from High Point, NC, was present as representative for Becky Causey. Ms. Causey is the widow of John Newton. The property was transferred from the estate to a company set up by Ms. Causey's accountants. Mr. Whitesell is working with Ms. Causey and the bank to secure additional funds to tear down the property. The property was boarded up and is secure. He asked for a continuance to allow the bank time to approve credit for his client.

Chair Vincent stated that since a motion cannot be made at this time, the case will be continued until the next meeting. Mr. Whitesell will be able to update Commissioners on progress made with the bank at that time.

CONTINUED CASES:

- 5. 3728 Central Avenue – (TMN 210-3-11) Jonathan and Mary Odin, Owners, In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the April 12, 2011; July 12, 2011; October 11, 2011; January 10, 2012; and April 10, 2012 Housing Commission meetings. Inspectors McDougal and Loosemore.
(REMOVED FROM AGENDA)**
- 6. 1513 Willomore Street – (TMN 84-5-35/Parcel #0008816) – Lane Jurney, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the March 13, 2012; April 10, 2012; and May 8, 2012 Housing Commission meetings. Inspectors Jones and Loosemore.
(CONTINUED UNTIL AUGUST 14, 2012 MEETING)**

Inspector Loosemore stated that this case is continued from the March 13, 2012; April 10, 2012; and May 8, 2012 meetings.

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

Mr. Lane Journey, 5613 Newman Davis Road, is the owner of the property. The property has had a new roof put on, new plumbing installed, and a rough-in inspection has been called in for later in the week. The carpenter is roughly 90 percent finished with his work. He is waiting on the plumber to finish work underneath the house before the floor can be closed. Inspector Sheffield referred to the new floor joists and reminded Mr. Journey to call for a rough inspection before the floor is closed.

Ms. Ata moved to continue the case until the August 14, 2012 meeting for an update on progress, seconded by Ms. Sullivan. The Commission voted unanimously 5-0 in favor of the motion.

7. 812 Richardson Street – (TMN 57-1-11/Parcel #0006061) – Bulent Bediz, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from May 8, 2012 Housing Commission meeting. Inspectors Covington and Loosemore. (CONTINUED UNTIL AUGUST 14, 2012 MEETING)

Inspector Loosemore stated that this property is continued from the May 8, 2012 meeting. She said that that Mr. Bediz is the new owner of this property.

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

Bulent Bediz, 808 Lexington Avenue, has recorded the property in his name since the last meeting. He has been talking to investors to help him with his building projects. He has a meeting next month with an investment group and he expects to have a financing plan at that time. He has been keeping the property secure. He requested that the case be continued to allow time for him to determine the best way to proceed with his options.

Ms. Ata felt there were repairs that could be made on the exterior to improve the curb appeal for the neighborhood while the owner waited to meet with his investors. He plans to meet with the investment group the first or second week in August, 2012.

Ms. Ata moved to continue the case until the August 14, 2012 meeting for the owner to present a timeline to correct violations and plans for renovations, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

8. 900 Douglas Street – (TMN 49-13-1) – Catherine F. Gill, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the April 10, 2012; May 8, 2012; and June 12, 2012 Housing Commission meetings. Inspectors Covington and Loosemore. (CONTINUED UNTIL AUGUST 14, 2012 MEETING).

Inspector Loosemore stated that this case was previously heard on April 10, 2012; May 8, 2012; and June 12, 2012.

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

Mr. Walter Flowers, 2701 Wilpar Drive, stated that he was present to represent Ms. Catherine Gill, the owner. Ms. Gill's niece, Ms. Smith, is her general provider and could not be present at the meeting.

Mr. Flowers provided information on efforts to sell the house as requested at last month's meeting. In addition, he reported that the condition of the grounds around the house has improved. He is optimistic that the property can be sold. He asked for another month to have the property viewed by a party who has expressed interest.

Ms. Harris moved to continue the case until the August 14, 2012 meeting, seconded by Ms. Sullivan. The Commission voted unanimously 5-0 in favor of the motion.

9. 1206 Hertford Street – (TMN 56-1-7/Parcel #0005709) Joseph and Philomina Matthews, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the June 12, 2012 Housing Commission meeting. Inspectors Covington and Loosemore. (CONTINUED UNTIL SEPTEMBER 11, 2012 MEETING)

Inspector Loosemore stated that 1206 Hertford Street is continued from the June 12, 2012 meeting.

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

Mr. Joe Matthews, 204 Castlegarden, Cary, NC updated the Commission on plans for the property. He would like to repair the property and possibly sell it. The roof was completely replaced last year. He asked the Commission for a continuance of 60 days to return with an update. He hopes to have the repairs completed by that time.

Ms. Ata moved to continue the case until the September 11, 2012, seconded by Mr. Nimmer. The Commission voted unanimously 4-0 in favor of the motion.

10. 517 Park Avenue – (TMN 27-5-13) – Judith and 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; March 8, 2011; June 14, 2011; October 11, 2011; December 13, 2011; January 10, 2012; February 14, 2012; and April 10, 2012 Housing Commission meetings. Inspectors Covington and Loosemore. (INSPECTOR UPHELD)

Inspector Loosemore stated that this case was originally heard on October 12, 2010 and continued to the December 14, 2010; March 8, 2011; June 14, 2011; October 11, 2011; December 13, 2011; January 10, 2012; February 14, 2012 and April 10, 2012 meetings.

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

Mr. Robert Ricks, 519 Park Avenue, updated members on the property. The rough-in for electrical work was passed yesterday. Funds have been received by the owner to complete the work required. He asked for 60 days to complete the work.

Ms. Harris noted that the property is located in the historic district. The group discussed the process that would occur when a motion to uphold the Inspector is passed on a property in the historic district.

Ms. Harris moved to uphold the Inspector, seconded by Mr. Nimmer. The motion was explained to Mr. Ricks and he indicated his preference to have a continuance of 60 days. Chair Vincent pointed out that this property has been continued for almost two years and a motion to uphold the Inspector would allow a definitive time to decide if the property will be repaired or not.

Inspector Loosemore stated that the list of violations included vacant structure or premises unclean, unsafe, unsecured, or unsanitary; there is no water on at the premises; exterior property premise unclean, unsafe; exterior surfaces not maintained in good condition; exterior paint peeling, flaking, or chipping; exterior structure: structural members deteriorated; foundation walls cracked or broken; foundation walls show entry of rodents and pests; missing crawl space door and foundation vents; exterior walls not weatherproof; windows not easily openable; insect screens required at doors, windows,

and openings required for ventilation; screen door screening: requires self closing device in good working condition; exterior walls: coat to prevent deterioration; roof drains, gutters, or downspouts in disrepair; roof drains, gutters, or downspouts obstructed; exterior stairs, decks, porches or balconies are structurally unsound and in disrepair; windows, skylights, doors, or frames are unsound or in disrepair and not weather-tight; interior structure is unsanitary; interior equipment unsanitary; interior surfaces unclean, unsanitary, or not in good condition; interior surfaces paint peeling, flaking, chipping, or abraded; interior surfaces cracked or loose plaster; interior surfaces: other defective surface conditions; ceiling is falling in; plumbing fixtures not in working order; plumbing system hazard: inadequate service; heating facility not capable of heating the rooms; electrical wiring not properly maintained; single station smoke alarms are required.

Counsel Williams 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 July 10, 2012 by Inspector Nall; 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.

Ms. Harris restated her motion and moved to uphold the Inspector, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

Chair Vincent stated that the property involved in this matter is located at 517 Park Avenue 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.

REQUESTS TO RESCIND:

11. **2406 Liberty Road – (TMN 9-627-0561-W-61) EverHome Mortgage Company – In the Matter of Order to Repair, Alter or Improve the Structure. Repaired by the Owner. Inspectors Jones and Loosemore.**

Ms. Loosemore stated that 2406 Liberty Road was repaired by the owner.

ADDITIONAL BUSINESS:

Inspector Loosemore asked Chair Vincent to acknowledge, for the record, that she submitted an e-mail to the Commission from an individual as requested. Chair Vincent confirmed that Ms. Loosemore received an e-mail on July 8, 2012 from Mr. Sidney Gray. The Commission reviewed the request contained in the e-mail regarding the June 12, 2012 Minimum Housing meeting and property represented by Mr. Gray. The Commission feels that there is no need to make any changes at this time relative to the meeting or respond to the request.

Mr. Wayne Odin, 1101 Timberview Drive, Charleston, West Virginia, asked the Commission to allow him to speak on 3728 Central Avenue. Mr. Odin is the owner of the property. He asked for clarification on the removal of the case from the agenda. Inspector Loosemore informed him that the case will be heard at the August, 2012 Minimum Housing meeting.

Mr. Odin updated members on progress made at the property. The outside of the house has been painted and some smoke alarms have been installed. He asked the Commission to grant a 90-day continuance as he is from out-of-state and his travel schedule is uncertain. He stated that he plans to have the house completed within 90 days.

Counsel Williams informed Mr. Odin of the defective notice in this case. He reiterated that the Commission can view video and discuss the case but there can be no Order or final decision on the matter.

Commissioners viewed video of the property. Inspector Nall visited the property on July 9, 2012 and noted that the violations had not changed.

Ms. Ata moved to request that Inspector Loosemore add this case to the October 9, 2012 meeting agenda, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 2:40 p.m.

Respectfully submitted,

Tim Vincent
Chairman, City of Greensboro Minimum Housing Standards Commission

TV:sm/jd