

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
AUGUST 13, 2015**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission (MHSC) was held on Thursday August 13, 2015 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:35 p.m. The following members were present: Ellen Sheridan, Chair; Shermin Ata; Robert Kollar, Tyler Quinn, Horace Sturdivant, and Carolyn Biggerstaff. Staff present included: Elizabeth Benton, Cheryl Lilly, Mark Wayman and Inspectors Don Sheffield, Roddy Covington, Donald Foster, Rich Stovall, Jarod LaRue, and Roy McDougal. Also present was Terri Jones, Attorney for the Commission; Mary Lynn Anderson, City Attorney's Office, and Jennifer Smith-Sutphin, City Attorney's Office.

Chair Sheridan explained the rules and procedures of the Minimum Housing Standards Commission.

1. APPROVAL OF MINUTES FROM JULY 14, 2015 MEETING:

Ms. Ata moved approval of the July 14, 2015 meeting minutes as written, seconded by Mr. Sturdivant. The Commission voted unanimously in favor of the motion.

2. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:

Elizabeth Benton, Compliance Code Coordinator, noted the following changes in the agenda:

Item 15 – 1301 Walnut Street: This property has been removed from the agenda due to a service issue.

Item 18 – 1400 Corregidor Street: This property is in compliance and has been removed from the agenda.

Item 20 – 1819-C Boulevard Street: This property is in compliance and has been removed from the agenda.

Item 25 – 5214 Bayberry Lane: This property has been added to the agenda as an item under Request to Rescind.

*Compliance Code Coordinator Benton informed members that there will not be a MHSC meeting in November, 2015 due to a City Council Committee meeting conflict.

3. SWEARING-IN OF CITY STAFF TO TESTIFY:

City staff was sworn as to their testimony in the following matters.

4. SWEARING-IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:

Property owners and citizens were sworn as to their testimony in the following matters.

CONTINUED CASES:

5. **815 Pearson Street** (Parcel #0002799) George Marple and Kelly Sigle, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from June 19, 2014; August 2, 2014; January 13, 2015; March 10, 2015; and July 14, 2015.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)

George Marple, 401 McAdoo Avenue, explained that he has experienced several delays affecting the repair of this property. He is starting a new business and he is also recovering from a recent injury. He has hired someone to clear the lot to make it presentable. He plans to get construction insurance and is in process of receiving quotes from contractors. He is talking with Perry Nickles, Nickles Construction, about restoring the historic house. If the Commission cannot give him the estimated two years to restore the house, he plans to work with the historic society and take the back of the house and make it a mother-in-law suite and make the front of the house a three-bedroom house which would generate two separate rentals. They have to retain the house for five years to maintain the tax credits; therefore, they would bring the property up to minimum standards with that in mind and rent it for that time period and restore it later. He summarized that he can bring the house into compliance within the year to meet the needs of MHSC or take two years and gut the house and restore it. There is asbestos and lead paint at the property. He does not want to sell the house because it is located off the Greenway.

Inspector Foster stated that the owner has secured the property and improved the appearance of the yard. This is not a nuisance problem. He was amenable to working with him over two years.

Chair Sheridan suggested continuing the case until next month to allow the owner to return with a plan, timeline, and an identified contractor. The owner needs time to interview and secure a contractor.

Members discussed the 18-month continuance timetable that is available for significant historic structures. At the end of 18 months, if the owner is making efforts to conclude the work then another extension of 12 months can be granted. At least 50 percent of the work must be completed at the end of the 18-month period. The 18-month clock would start at the time the owner closed on the house because the bank does not intend to restore the property.

Mr. Marple stated concern with the amount of time it might take to restore the property. He must do much of the work himself for purposes of his budget. He would be amenable to return at three-month intervals for updates. He felt it would take more than one month to secure a contractor.

Mr. Quinn moved to continue the case until the September 10, 2015 meeting, seconded by Ms. Ata. The Commission voted 5-1 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Biggerstaff. Nays: Kollar.)

6. **1022 Portland Street** (Parcel #0008898) John and Karen Veal, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from November 13, 2014; February 10, 2015; May 12, 2015; and June 9, 2015 meetings.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)

Inspector McDougal has received a letter from the owner who was unable to attend due to a medical appointment. He was under the impression the meeting was held on Tuesdays. The owner indicated that he has put in a new window and has cleaned up debris at the property.

Mr. Kollar moved to continue this case until the September 10, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

7. **3102 I-N Summit Avenue** (Parcel 0032354) Sophia and Basil Agapion, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue. Continued from June 1, 2013; August 13, 2013; November 12, 2013; January 14, 2014; April 8, 2014; October 14, 2014; December 9, 2014; February 10, 2015; May 12, 2015; and June 9, 2015.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)

Compliance Code Benton informed members that as of today, only Unit L needs to be repaired.

Irene Agapion, 625 South Elm Street, stated that they are actually finished with the whole building. She recounted the situation with the gas line being retired and said that the only thing that hasn't taken place is turning on the gas service in Unit L. She will need a week to have the utility turned on and she asked for a continuance until the next meeting.

Mr. Kollar moved to continue this case until the September 10, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

Howard Taylor, 1700 Twain Road, distributed and read a Resolution with 70 signatures from North Henry Oaks residents and merchants. He would like the property cleaned up before it creates more health and safety problems. He gave a brief overview of the area and said that safety is a primary concern. There is not a full-range grocery store nearby and walking to a nearby Walmart is difficult. The resolution asked that the apartments be either demolished or inspected with all code violations corrected with upgraded exterior landscaping.

Ms. Agapion stated that she is in the process of selling this complex and has a contract along with a back-up cash offer. Both potential buyers are multifamily developers and investors. An onsite office will be on the property and the buyer under contract has a vision to duplicate the type of multifamily environment of Palmer House apartments.

Code Compliance Coordinator Benton confirmed that there is a backup offer on this property. The purchaser plans to gut the building and redo everything. There will be no problem with compliance if this does develop. They are willing to attend the MHSC meeting to answer questions.

Mr. Quinn commented that this is beyond the scope of the Commission. Mr. Sturdivant agreed with Mr. Quinn that the building is almost in compliance and the previous motion should be revisited.

Mr. Taylor wants work to begin soon so that the problem will not continue to be perpetuated.

Mr. Kollar thanked Mr. Taylor for presenting the Resolution and for the neighborhood's effort to make sure the area is safe.

**8. 1112 Lexington Avenue (Parcel #0005791) Gilfred Fray, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from May 1, 2015 meeting.
(CONTINUED UNTIL DECEMBER 10, 2015 MEETING)**

Jim Teel, Rehab Construction Coordinator, informed members that the owner is going through lead and handicapped programs through the City. He visited the property earlier in the week for an inspection and estimated it will be four to six months before construction will start. It may be two months before the job can be written up and bids can go out. He requested a continuance of four months to be able to provide additional information. Compliance Coordinator Benton provided details on the process leading up to the start of construction.

Chair Sheridan asked that the yard be cleaned up and that one of the windows be secured. It was noted that the dwelling will be occupied by the owner until September 1, 2015.

Mr. Quinn moved to continue the case until the December 10, 2015 meeting, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

9. **1205 West Florida Street** (Parcel #0008828) Kelly and Tanya Fair, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Continued from June 9, 2015 meeting.
(CONTINUED UNTIL OCTOBER 8, 2015 MEETING)

Tonya Fair, 205 Kenwood Circle, stated that her husband is injured and out of work. She asked for an extension in order to get work done at the property. Filters have been changed in hallways, ceilings and walls have been cleaned, and smoke and carbon monoxide detectors have been installed. Electrical work is the main issue and her husband can do the work himself when he is feeling better.

Inspector McDougal commented that the progress has been slow because there is no electricity at the property.

Mr. Kollar moved to continue the case until the October 8, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.) The owner is to bring a time-line for completion at the October meeting.

NEW CASES:

10. **621 Martin Luther King, Jr. Drive** (Parcel #0001280) Jose Torres, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)

Compliance Coordinator Benton stated that this property was initially inspected on April 11, 2014. A hearing was held on May 7, 2014 and an Order to Repair was issued May 8, 2014. The Order expired on June 16, 2014. There are children in the area where the property is located and an elementary school is located nearby. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 within the last two weeks; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include guardrails and handrails are loose, damaged or improperly maintained; deck, porch and/or patio flooring is rotten or in disrepair; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls have loose or rotted material; roof drains, gutters and downspouts in disrepair; needs premises identification; exposed wiring at outlet; windows need glazing; screens required on windows; foundation wall has holes or cracks; foundation wall ventilation not maintained or missing IPMC; unsafe electrical wiring; duct system must be capable of performing required function; heating unit is missing; electrical equipment needs to be properly installed and maintained; power not on at time of inspection; unsafe electrical wiring; permit required for electrical work; missing smoke detectors; windows not readily accessible in case of emergency; utilities for heat, either gas or electric, not on at time of inspection; water not on at time of inspection; permit needed for HVAC and plumbing work; structural member for wall unable to support imposed load, building permit required; rotten flooring must be repaired; ceiling contains holes, loose material and/or in disrepair; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; windows are not functioning in the manner they are intended; windows are required to have an approved sash locking device; screens required on windows; screens on doors should be self-closing and latching; replace missing or damaged glass; all windows and window frames shall be kept in sound condition, good repair and be weathertight; bathroom requires ventilation system when window isn't provided; structural member of roof not able to support nominal load.

Kevin Gorham, Attorney, South Elm Street, is representing the owner, Jose Torres. Mr. Torres has indicated he intends on living in the property when it is completed. He has made extensive repairs since he closed on the property. The permits have expired and it is the owner's intent to get permits and contractors

to finish the work. The property has been kept secure. He explained that the mother of Mr. Torres has been sick and he has spent a great deal of time out of town to be with her during the illness. He requested four months to complete the majority of work that needs to be done. Inspector Sheffield confirmed that permits for this property expired in 2010.

Jose Torres, 1008 Tuscaloosa Drive, stated his intention to get the necessary work completed. He now has the time to do the work and pull all his resources together. Mr. Torres was advised to pull necessary permits and if a continuance is granted, provide a timeline, a plan, and an identified contractor at the next meeting.

Mr. Quinn moved to continue this case until the September 10, 2015 meeting, seconded by Mr. Kollar. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

11. 814 Glenwood Avenue (Parcel #0009141) Capital Facilities Foundation, Inc., Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. (INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this property was initially inspected on March 20, 2015. A hearing was held on April 21, 2015 and an Order to Repair was issued April 23, 2015. The Order expired on May 22, 2015. The property did not have to be secured by the City. There are children in the area where the property is located and UNC-Greensboro and an elementary school is located nearby. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 10, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include dwelling needs 3 wire, 120/240 volt 60 amp service; cracked or missing electrical outlet and switchplate covers; habitable spaces shall contain two separate and remote outlets; power not on at time of inspection; missing carbon dioxide and smoke detector; duct system must be capable of performing required functions; heat, gas/electric, not on at time of inspection; owner shall provide and maintain all plumbing facilities and fixtures and each dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; water not on at time of inspection; water heating facilities shall be properly installed; unclean and unsanitary floors, ceilings and/or walls; loose floor covering must be repaired or replaced; ceiling contains loose material, holes, and/or in disrepair; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; every bedroom shall have access to one bathroom without passing through another bedroom and located on the same story; all exterior floors and door frames shall be kept in sound condition, good repair and be weathertight; bathrooms are required to have a door with an interior locking mechanism for privacy; interior lock set required on bedroom doors; screens required on doors; screens required on windows; replaced missing or damaged glass; all windows and window frames shall be kept in sound condition, good repair and the weathertight; bathroom requires ventilation system when window isn't provided; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; unclean and unsanitary floors, ceilings and/or walls; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting material; exterior walls not weatherproof; foundation walls shall be maintained plumb and free from cracks, holes or structural defects.

There was no one present to speak on this case. Inspector McDougal stated that this property is not structurally sound. There has been no interest shown by UNC-Greensboro to repair this property. This is one of the houses that UNC-Greensboro has slated to sell for \$1.00 if someone is willing to move it.

Mr. Sturdivant moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

Chair Sheridan stated that the property involved in this matter is located at **814 Glenwood 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.

**12. 826 West Terrell Street (Parcel #008365) August Grundman, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)**

Compliance Coordinator Benton stated that this property was initially inspected on July 6, 2011. A hearing was held on April 21, 2015 and an Order to Repair was issued April 22, 2015. The Order expired on May 22, 2015. The property did have to be secured by the City. There are children in the area where the property is located. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 10, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include electrical outlet weather covering missing; exterior wood surfaces need to be maintained by paint or other protective coating; exterior walls have loose or rotted material; foundation wall has holes or cracks; roof drains, gutters and downspouts in disrepair; dwelling shall be kept free from insect and rodent infestation; exposed wiring at light fixture; power not on at time of inspection; missing and inoperable smoke detectors; unclean and unsanitary floors, ceilings and/or walls; doors difficult to operate; bedroom must have a door and interior lock; locks not maintained or missing from window; every window shall open and close as manufactured; heat-gas/electric not on at time of inspection; plumbing fixture leaks, shower head; replace missing or damaged glass.

Inspector McDougal indicated that a repair crew from the bank made repairs to the back porch and patched the walls within the last two weeks. There was no one present to speak on this property. There are no permits to make repairs to the back porch.

Code Compliance Coordinator Benton said that Bank of America is the beneficiary. She explained that banks often hire property preservation companies who come in and do exterior repairs to stabilize the property. It is uncertain if the bank will approve funding to make all the repairs.

Ms. Ata moved to continue the case until the September 10, 2015 meeting, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

**13. 2223 Lynette Drive (Parcel #0028527) Richard Spivey, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL SEPTEMBER 10, 2015 MEETING)**

Compliance Coordinator Benton stated that this property was initially inspected on February 5, 2015. A hearing was held on March 10, 2015 and an Order to Repair was issued March 13, 2015. The Order expired on April 13, 2015. There are children in the area where the property is located. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 6, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include all appliances shall be capable of performing the intended function; cracked or missing electrical outlet and switchplate covers and fixtures; electrical equipment needs to be properly installed and maintained; exposed wiring at outlet and light fixture; power not on at time of inspection; unsafe electrical wiring; missing and inoperable smoke detectors; carbon monoxide detector required; 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; unclean and unsanitary floors, ceilings and/or walls; loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; replace missing or damaged glass; all exterior property and premises shall be maintained in a clean and sanitary condition; screens on doors should be self-closing and latching; holes in walls need repair; all interior stairs with more than 4 risers shall have a handrail on one side of the stair; hole in living room floor needs repair.

There was no one present to speak on this property. The owner sent an email on August 10 explaining that 60 percent of the work has been done. Inspector McDougal acknowledged that work has been done but 60 percent has not been completed. The owner has installed new doors and did some painting. Progress is being made. The owner pulled a building permit but there have been no inspections. This is a fire job.

Mr. Sturdivant moved to continue the case until the September 10, 2015 meeting, seconded by Mr. Kollar. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Sturdivant, Quinn, Kollar, Biggerstaff. Nays: None.)

**14. 1706 Madison Avenue (Parcel #0012180) Worth Tedmarsh Pugh, Jr., Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Donald Foster.
(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on January 25, 2013. A hearing was held on March 3, 2015 and an Order to Repair was issued March 13, 2015. The Order expired on April 7, 2015. There are no children living in the area where the property is located. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 5, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes missing smoke detectors; utilities for heat, gas or electric, not on at time of inspection; water not on at time of inspection; 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;

loose floor covering must be repaired or replaced; rotten roof sheathing; doors need to be weathertight; bathroom must have a door and interior lock; bedroom must have a door and interior lock; every window shall open and close as manufactured; screens are missing; rotten flooring must be repaired; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls have loose or rotted material; roof water shall not be discharged as to create a public nuisance; roof leaks and there is rotten roof sheathing; deck, porch and/or patio flooring rotten or in disrepair; 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 inches; all sidewalks, walkways, driveways, stairs, and parking space shall be maintained; dwelling shall be kept free from insect and rodent infestation.

Inspector Foster has had no contact with the property owner. He was unable to get inside the property due to the amount of stored debris. In addition, at the rear of the house the floor has caved into the basement and it is unsafe to enter the premises.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Biggerstaff, Kollar, Quinn, Sturdivant. Nays: None.)

Chair Sheridan stated that the property involved in this matter is located at **1706 Madison 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.

15. **1301 Walnut Street** (Parcel #0027284) James V. Penland, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue.
(IN COMPLIANCE -- REMOVED FROM AGENDA)
16. **1208-B Lombardy Street** (Parcel #0020526) Daisy Holliman, Lottie Neal, Eric Laval, Lenner Leval-Williams, Cynthia Laval, Marie Harris, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall.
(INSPECTOR UPHELD)

Compliance Coordinator Benton stated that this property was initially inspected on February 5, 2015. A hearing was held on March 5, 2015 and an Order to Repair was issued March 5, 2015. The Order expired on April 9, 2015. There are children living in the area where the property is located but there is no school nearby. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 6, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes cracked or missing electrical outlet covers; exposed wiring at light fixture; open ground outlets; unsafe electrical wiring, GFI in bath not working; missing smoke detectors; carbon monoxide detector required; plumbing facilities must be maintained in a safe, sanitary and functional condition; rotten flooring must be repaired; all exterior doors

and door frames shall be kept in sound condition, good repair and be weathertight; screens required on windows; all windows shall be easily operable and capable of being held in position by window hardware; all windows and window frames shall be kept in sound condition, good repair and be weathertight; rotten flooring must be repaired; doors providing access to a dwelling unit shall be equipped with a deadbolt lock designed to be openable without the use of a key; foundation wall ventilation not maintained or missing; roof drains, gutters and downspouts, if provided, shall be maintained in good repair and free of obstruction; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering.

Daisy Holleman stated that she was speaking on behalf of 1208 Lombardy Street. They do not plan to use the property as a rental property. They would like to leave the structure standing and boarded up for sentimental reasons. It is located behind the main house and is not visible from the street. She plans to keep the structure clean and maintained.

Compliance Coordinator Benton explained that the case cannot be closed until the violations are in compliance with the code or if the property is demolished.

Chair Sheridan recommended the owner return with an estimate of how much it would cost to cure the violations along with a plan.

Mr. Kollar moved to continue the case until the September 10, 2015 meeting. There was no second and the motion failed.

Ms. Holleman indicated that she would not have another plan if she were to return.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Biggerstaff, Kollar, Quinn, Sturdivant. Nays: None.)

Chair Sheridan stated that the property involved in this matter is located at **1208-B Lombardy** 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.

**17. 3503 Lewiston Road (Parcel #0096167) Heirs of Roberta Morrison, Owners. In the Matter of Order to Repair, Alter or Improve Structures. Inspector Donald Foster.
(CONTINUED UNTIL OCTOBER 8, 2015 MEETING)**

Compliance Coordinator Benton stated that this property was initially inspected on May 7, 2013. A hearing was held on November 4, 2014 and an Order to Repair was issued December 16, 2014. The Order expired on January 16, 2015. There are no children in the area where the property is located. There is no history of police complaints. The property did not have to be secured by the City.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 5, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include keep dwelling unit in a clean and sanitary condition; exposed wiring at light fixture; missing and inoperable smoke detectors; heating system not maintain 68 degrees in habitable rooms, bathrooms; unclean and unsanitary floors, ceilings and/or walls; walls have peeling, chipping or flaking paint that must be repaired; loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; screens required on windows; windows need glazing; chimney not maintained and in good repair; foundation walls have holes or cracks; handrails required on one side of stair having more than 4 risers; deck flooring is rotten or in disrepair; walls have cracks, holes, loose plaster, decayed wood or other defective material that must be corrected.

Glen Morris, 3619 South Elm-Eugene Street, stated his intention to bring this property up to code. He described a family situation and indicated that he is taking responsibility for his cousin who owns this property. As of a few days ago, the yard and the interior have been cleaned. New flooring will be put down. He has had the water turned on at the property. His cousin qualifies for a rear handicapped ramp and Mr. Morris plans to secure a building permit for its installation.

Inspector Foster noted a dramatic improvement in the interior and exterior of the property. They have corrected well and septic problems. He has also seen a change in the owner's attitude and felt that much has been accomplished. With assistance from Mr. Morris, the repairs are headed in a positive direction.

Mr. Morris asked for a six to eight month continuance to be able to work within his cousin's budget. He explained that the house is not attached to the ground yet and when the required solid foundation is put in, he will be able to qualify for financial assistance. The structure belongs to his cousin but the land is owned by heirs.

Ms. Ata moved to continue the case until the October 8, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Biggerstaff, Kollar, Quinn, Sturdivant. Nays: None.)

18. **1400 Corregidor Street (Parcel #0029049) Gary and Lori Ann Stone, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(SERVICE ISSUE -- REMOVED FROM AGENDA)**
19. **2403 Ellington Street (Parcel #0016368) Evelyn Hodges, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on September 23, 2014. An Order to repair was issued on January 7, 2015 and expired on February 6, 2015. There are children living in the area where the property is located. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 6, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes missing and inoperable smoke detectors; doors difficult to operate; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; unclean and unsanitary floors, ceilings and/or walls; doors need to be weathertight; windows need glazing; windows need to be weathertight; every window shall open and close as manufactured; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls have loose or rotted material; foundation wall has holes or cracks; guardrails and handrails are loose, damaged, or improperly maintained; porch flooring and steps are rotten or in disrepair; needs premises identification; ceiling contains holes, loose

material and/or in disrepair; roof drains, gutters and downspouts shall be maintained in good repair and free of obstruction; screen on doors should be self-closing and latching.

There was no one present to speak on this property but a letter from the family distributed to members was very extensive.

The owners are intending to let the Fire Department do a controlled burn on the house for training purposes. It was noted that the house may not qualify for a controlled burn. The process to determine if the property will qualify for a controlled burn takes about six months. It seems that the owners would like to maintain control of the land.

Inspector Covington stated that neighbors are keeping the exterior as clean as possible. The owner is in a nursing home and is incompetent.

Chair Sheridan was open to continuing the case so that the owners would have an opportunity to discuss the case and their options. Mr. Quinn questioned what would be accomplished if the case was continued.

Mr. Sturdivant noted that upholding the Inspector would allow time for the family to clean out the house.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 5-1 in favor of the motion. (Ayes: Ata, Biggerstaff, Kollar, Quinn, Sturdivant. Nays: Sheridan.)

Chair Sheridan stated that the property involved in this matter is located at **2403 Ellington 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.

- 20. 1819-C Boulevard Street (Parcel #0053294) Ali A. Kadem and Spouse, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert (IN COMPLIANCE -- REMOVED FROM AGENDA)**
- 21. 1612 Fairview Street (Parcel #0027573) Donald G. Kirkman, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue. (INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on January 10, 2014. A hearing was held on February 10, 2015 and an Order to Repair was issued March 17, 2015. The Order expired on April 16, 2015. There are children living in the area where the property is located and there is a school nearby. There is no history of police complaints.

Counsel Jones asked Compliance Coordinator Benton if the video that was 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 on August 6, 2015; this property is a not a duplex; and there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes gas appliances need adequate clearance and space for ventilation; utilities for heat, gas or electric, not on at time of inspection; heating system not maintaining 68 degrees in habitable rooms, bathrooms; all appliances shall be capable of performing the intended function; cracked and missing electrical outlet covers; electrical equipment and fixtures need to be properly installed and maintained; exterior doors difficult to operate; exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls contain holes or breaks; exterior walls have loose or rotted material; guardrails are loose, damaged, or improperly maintained; there are missing smoke detectors; unit requires a carbon dioxide detector; windows need to be weathertight; locks not maintained or missing on windows; duct system must be capable of performing its required function; plumbing fixture leaks; fire extinguisher is out of date; rotten flooring must be repaired.

Inspector LaRue has had no contact with the owner despite numerous attempts. The yard has been cleaned and the owner has kept it clean since that time. He has seen no other progress in this case.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Kollar, Quinn, Sturdivant, Biggerstaff. Nays: None.)

Chair Sheridan stated that the property involved in this matter is located at **1612 Fairview 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.

REQUESTS TO RESCIND: (Prior Commission Resolution for Demolition Cases)

22. 920 Omaha Street (Parcel #0002924) *New owner* Clifton L. Ray – **Repaired.**

Mr. Quinn move to rescind 920 Omaha Street, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Sturdivant, Kollar, Biggerstaff. Nays: None.)

23. 3935 Eastland Avenue (Parcel #0079425) *New owner* COG Real Estate – **Demolished.**

Mr. Quinn move to rescind 3935 Eastland Avenue, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Sturdivant, Kollar, Biggerstaff. Nays: None.)

24. 3703 Cameron Avenue (Parcel #0022087) Alfredo Vasquez – **Repaired.**

Mr. Quinn move to rescind 3703 Cameron Avenue, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Sturdivant, Kollar, Biggerstaff. Nays: None.)

25. 5214 Bayberry Lane – **Repaired.**

Mr. Quinn move to rescind 5214 Bayberry Lane, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Sheridan, Ata, Quinn, Sturdivant, Kollar, Biggerstaff. Nays: None.)

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 3:15 p.m.

Respectfully submitted,

Ellen Sheridan
Chairwoman, City of Greensboro Minimum Housing Standards Commission

ES: sm/jd