

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

REGULAR MEETING

1:33 P.M.

March 9, 2010

Commission Members Present:

Larry Standley, Chairman
Jeff Nimmer
Tim Vincent
Wayne Stutts
Jim Burgess
Angela Harris

Staff Present:

Wanda Hovander, Inspector
Becky Jo Peterson-Buie, City Attorney
Jennifer Smith-Sutphin, City Attorney's Office
Mary Lynn Anderson, City Attorney's Office
Dan Reynolds, Manager of Inspections Division
Don Sheffield, Commercial Demolitions
Roddy Covington, Inspector
Roy McDougal, Inspector

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

1) APPROVAL OF MINUTES FROM FEBRUARY 9, 2010 MEETING:

Mr. Nimmer moved to approve the minutes from the February 9, 2010 meeting, seconded by Mr. Vincent. The motion was unanimously approved 5-0. (Ayes: Standley, Nimmer, Stutts, Vincent. Nays: None.) Ms. Harris did not vote as she is a new member and did not attend the last meeting.

New Cases:

2) 712 Dick Street – (TMN 36-13-9) – Emanuel Agapion, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors C. Jones and Hovander. (INSPECTOR UPHELD)

Inspector Hovander stated that 712 Dick Street is not part of a duplex or apartment complex. The case is being submitted as less than 50% damaged. The title search was completed in August, 2009. The date of inspection was February 23, 2006. All parties were notified by certified mail. The date of the hearing was August 25, 2008 and no one appeared. The Inspector's order was issued May 5, 2009 and expired June 5, 2009. The last date of visual inspection was March 8, 2010 by Inspector Hovander. The City had to order the building secured and the owner secured it. This has been a repeat problem for the City. There are children in the area and a church day care is nearby. There is a history of police complaints and in the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Peterson-Buie asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was March 8, 2010; this

property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information

Inspector Hovander stated that the list of violations include broken glass pane; ceiling finish susceptible to falling; crawl space door repair or replace; door inadequately screened; garage containers inadequate; holes in ceiling; holes in interior wall or partition; inoperable UL listed smoke detector; insect/rodent infestation; install window locks; emergency cases: board up or otherwise secure or repair building within 48 hours; loose floor covering; loose siding; make windows operable; missing/damaged foundation vents; repair or replace cabinets; rotted boards on exterior wall; rotten flooring; unclean/unsanitary ceiling, fixtures, walls, and floor; untreated deteriorative surface; walls around tubs to be impervious to water; weather permeable window; window sills rotten; windows inadequately screened.

There was no one present to speak on this matter.

Mr. Vincent moved to uphold the Inspector, seconded by Mr. Burgess. The motion was unanimously approved 6-0 by the Commission.

Chair Standley stated that the property involved in this matter is located at 712 Dick 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) 501 Andrew Street – (TMN 31-8-23) – Feeney Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors C. Jones and Hovander. (INSPECTOR UPHELD)

Inspector Hovander stated that 501 Andrew Street is not part of a duplex or apartment complex. The case is being submitted as less than 50% damaged. The title search was completed in January, 2009. The date of inspection was September 10, 2008. All parties were notified by certified mail. The date of the hearing was March 18, 2009 and no one appeared. The Inspector's order was issued June 25, 2009 and expired July 27, 2009. The last date of visual inspection was March 9, 2010 by Inspector Hovander. The City did not have to order the building secured. There are children in the area and an elementary school is nearby. There is no history of police complaints. In the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Peterson-Buie asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was March 9, 2010; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information

Inspector Hovander stated that the list of violations include bathtub not properly connected to water supply system; bathtub not supplied with hot and cold running water; bedroom: privacy lock required; electrical receptacle not provided at bathroom; provide three wire, 120/240V, 60A min. service; electrical system hazard; exterior doors, assemblies or hardware not in good condition; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; exterior paint peeling, flaking or chipped; exterior property or premises unclean, unsafe; exterior stairways, decks, porches, or balconies in disrepair and incapable of supporting imposed loads, and structurally unsound; exterior structure in disrepair, structurally unsound or unsanitary; exterior surfaces not maintained in good condition; exterior walls not weatherproof; exterior walls: coat to prevent deterioration; exterior walls: holes, breaks, loose or rotting materials; exterminate insect or rodent infestation; foundation walls cracked or broken; foundation walls shall prevent entry of rodents and pests; heating facility must maintain 65 degrees F at habitable rooms, toilets and bathrooms; insect screens required at doors, windows and openings required for ventilation; interior equipment: in disrepair; interior equipment: unsanitary; interior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; interior porch or deck in unsound condition or disrepair; interior stair in unsound condition or disrepair; interior structure in disrepair and unsanitary; interior surfaces: cracked or loose plaster, paint peeling, chipping, flaking or abraded, unclean, unsanitary, or not in good condition; kitchen sink not supplied with hot and cold running water; lavatory not supplied with hot and cold running water; lighting fixture required at bathroom; lighting fixture required at kitchen; overhang extensions: protect metal and wood with weather coating materials; roof drains, gutters or downspouts in disrepair; roof drains, gutters or downspouts obstructed; screen door, swinging: requires self-closing device in good working condition; shower not supplied with hot and cold running water; single station smoke alarms required in existing dwelling unit; unsafe, unsanitary conditions-structures and exterior property controlled by owner; vacant structure or premises unclean, unsafe, unsecured, or unsanitary; water closet not properly connected to water supply system; water heater to supply adequate water at 120 degrees F; windows, operable: not easily openable.

There was no one present to speak on this matter.

Mr. Stutts moved to uphold the Inspector, seconded by Mr. Vincent. The motion was unanimously approved 6-0 by the Commission.

Chair Standley stated that the property involved in this matter is located at 501 Andrews 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.

4) 1801 Gatewood Avenue – (TMN 306-2-15) Kimberly Fletcher, In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors McDougal and Hovander. (INSPECTOR UPHELD)

Inspector Hovander stated that 1801 Gatewood Avenue is not part of a duplex or apartment complex. The case is being submitted as less than 50% damaged. The title search was completed

in September, 2009. The date of inspection was May 15, 2009. All parties were notified by certified mail. The date of the hearing was November 25, 2009 and no one appeared. The Inspector's order was issued December 31, 2009 and expired February 1, 2010. The last date of visual inspection was March 8, 2010 by Inspector Hovander. The City did not have to order the building secured. There are children in the area and a school is nearby. There is no history of police complaints. In the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Peterson-Buie asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was March 8, 2010; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information

Inspector Hovander stated that the list of violations include electrical equipment not properly maintained; exterior handrail or guard not firmly fastened, incapable of supporting loads, or not in good condition; exterior non-decay resistant wood unprotected by paint, covering or treatment; exterior structural members deteriorated; exterior walls: holes, breaks, loose or rotting materials; heating facility not provided; interior equipment is unsanitary; interior structure structurally unsound; interior surfaces cracked or loose plaster; interior surfaces unclean, unsanitary, or not in good condition; interior walking surface in unsound condition or disrepair; plumbing fixtures not capable of performing function; plumbing system hazard: deterioration or damage; roof and flashing shall be sound, tight, and not admit rain; single station smoke alarms required in existing dwelling unit; water heater not properly installed and maintained; windows, skylights, doors or frames unsound, in disrepair, or not weather tight.

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

Attorney Jennifer Bakane, 416 South Eugene Court, stated that she was appearing for Ken Free who is the property owner. Mr. Free is in the process of setting this property up to be demolished. He understands the property is beyond repair at this point. She stated he plans to have the property demolished within three weeks.

Mr. Burgess moved to uphold the Inspector, seconded by Mr. Vincent. The motion was unanimously approved 6-0 by the Commission.

Chair Standley stated that the property involved in this matter is located at 1801 Gatewood 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.

Continued Cases:

- 5) **1114 Moody Street – (TMN 215-3-4) – Michael Ray and Debra H. Hodgin, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the**

**August 11, 2009; October 13, 2009; and December 8, 2009 Housing Commission meetings. Inspectors Covington and Hovander.
(CONTINUED UNTIL JUNE, 2010 MEETING)**

Inspector Hovander stated that 1114 Moody Street is not part of a duplex or apartment complex. The case is being submitted as less than 50% damaged. The title search was completed in January, 2009. The date of inspection was November 6, 2008. All parties were notified by certified mail. The date of the hearing was March 11, 2009 and no one appeared. The Inspector's order was issued April 27, 2009 and expired May 27, 2009. The last date of visual inspection was March 5, 2010 by Inspector Chris Lee. The City did have to order the building secured and the owner secured it. There are children in the area and Hampton Elementary school is nearby. There is no history of police complaints. In the opinion of the Inspector; the owner has abandoned their intent to repair the property.

Counsel Peterson-Buie asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was March 5, 2010; this property is not a duplex; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes. Inspector Hovander stated that she agreed with all the information

Inspector Hovander stated that there is no evidence of major repairs since the last meeting in December, 2009.

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

Mike Hodgin, 4404 Oakmore Drive, stated that progress had been made recently due to improvement in the weather. He reviewed repairs that have been made including sheetrock installation, rewiring, a rough-in inspection, and front siding installation. Arrangements have been made for painters to begin work. He hopes to have the work completed in several months. He works full time and devotes after work hours to the project.

Mr. Burgess moved to continue this case until the June, 2010 meeting, seconded by Mr. Vincent. The Commission voted unanimously 6-0 on the motion.

**6) 1001 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 1, 2010 meeting. Inspectors Covington and Hovander.
(CONTINUED UNTIL APRIL, 2010 MEETING)**

Inspector Hovander stated that she visited the Bragg Street properties (1001 A & B Bragg Street, 1003 A & B Bragg Street, 1005 A & B Bragg Street, 1007 A & B Bragg Street, and 1009 A & B Bragg Street) on March 8, 2010. Quite a bit of work had been done on 1003 A & B Bragg Street; however, no repair work had been done on the other buildings.

Counsel Peterson-Buie asked Inspector Hovander if the video being shown was a fair and accurate representation of the properties located at 1001 A & B Bragg Street, 1003 A & B Bragg Street, 1005 A & B Bragg Street, 1007 A & B Bragg Street, and 1009 A & B Bragg Street; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter for all of these properties; the last date all the properties were visited was March 8, 2010; these properties on Bragg Street are duplexes or multi-unit properties; and there are more than five separate types of violations of any of the Minimum Standard Housing Codes for each of the properties. Inspector Hovander stated that she agreed with all the information.

Chair Standley stated that the violation lists had already been read into the record at a previous meeting. He asked if anyone was present wishing to speak on these matters.

Buddy Allred, from Randleman, North Carolina, updated the Commission on progress being made. They are working on 1003 A & B and he listed the names of the contractors set up for electrical, heating and air, and plumbing work. The unit has been upgraded from the original intent. The owner does not want to complete the heating and air work until there are tenants. They plan to choose a unit located in the center of the group to work on next. They hope that a tenant living in one of the properties might minimize the threat of vandalism. He asked for more time so that he can begin working on the next unit in the same manner as the first.

Mr. Burgess was pleased that the owner was following through with the work. Mr. Allred confirmed that the only thing remaining in units A & B of 1003 Bragg Street was the heating and air work and the final electrical inspection. Mr. Reynolds addressed a question from members relating to the expense of setting the heat pump multiple times to avoid the threat of vandalism until the unit is rented to obtain a Certificate of Occupancy. He replied that the Inspection Department cannot sign off on an item unless the item is on site; however, they will work with the owner to keep the cost to a minimum while complying with state law.

Mr. Burgess moved to continue these cases (1001 A & B Bragg Street, 1003 A & B Bragg Street, 1005 A & B Bragg Street, 1007 A & B Bragg Street, and 1009 A & B Bragg Street) until the April, 2010 meeting, seconded by Mr. Nimmer. The Commission voted unanimously 6-0 on the motion.

- 7) **1003 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 1, 2010 meeting. Inspectors Covington and Hovander. (CONTINUED UNTIL APRIL, 2010 MEETING)**
- 8) **1005 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 1, 2010 meeting. Inspectors Covington and Hovander. (CONTINUED UNTIL APRIL, 2010 MEETING)**
- 9) **1007 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 1, 2010 meeting. Inspectors Covington and Hovander. (CONTINUED UNTIL APRIL, 2010 MEETING)**
- 10) **1009 (A & B) East Bragg Street – (TMN 49-4-10) – Schwarz Properties LLC, Owner – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the January 1, 2010 meeting. Inspectors Covington and Hovander. (CONTINUED UNTIL APRIL, 2010 MEETING)**

REQUESTS TO RESCIND:

Mr. Vincent moved to rescind the following property, seconded by Mr. Stutts. The Commission voted unanimously 6-0 on the motion.

- 11) **111 Cypress Street – (TMN 26-3-13) – William K. Pixley, Owner – Request to Rescind HCR recorded 9/17/2008, book 6935, page 1161-1162. Repaired by Owner. Inspectors Hovander and David Jones.**

ADJOURN:

There being no further business before the Commission the meeting was adjourned at 2:17 p.m.

Respectfully submitted,

Larry Standley, Chairman
Greensboro Minimum Housing Commission
LS:sm/jd