

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

REGULAR MEETING

1:30 P.M.

August 10, 2010

Commission Members Present:

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

Staff Present:

Wanda Hovander, Inspector
Mike Williams, Esq.-City Attorney's Office
Jennifer Smith-Sutphin, City Attorney's Office
Don Sheffield, Commercial Demolitions
Roddy Covington, Inspector
Chris Lee, Inspector
Chris Jones, Inspector

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

APPROVAL OF MINUTES FROM JULY 13, 2010 MEETING:

Mr. Vincent moved to approve the minutes from the July 13, 2010 meeting, seconded by Mr. Nimmer. The Commission unanimously voted in favor of the motion.

New Cases:

- 1. 306 Sues Blues Alley – (TMN 16-7-15) – Chad E. Meredith, Owner – In the Matter of order to Repair, Alter or Improve the Structure. Inspectors Covington & Hovander. (INSPECTOR UPHELD)**

Inspector Hovander stated that 306 Sues Blues Alley 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 October, 2009. The date of inspection was July 27, 2009. All parties were notified of the hearing. The date of the hearing was January 20, 2010. No one appeared for the hearing. The Inspector's order was issued March 12, 2010 and expired April 23, 2010. The last date of visual inspection was August 9, 2010. The City did have to order the building secured and the owner secured it in July, 2009. This has been a repeat problem. There are children in the area and no school 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 Williams 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 August 9, 2010; this property is not a duplex or multiunit property; 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 vacant structure or premises unclean/unsafe/unsecured or unsanitary; no water on at time of inspection; exterior premises unsafe or unsanitary—tall grass; interior surfaces unclean/unsanitary or not in good condition; plumbing fixtures not capable of performing function; electrical system hazard—inadequate service; no power on at time of inspection; electrical hazard—improper wiring or installation; electrical wiring not properly maintained; single station smoke alarm missing in existing dwelling unit.

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

Mr. Nimmer moved to uphold the Inspector, seconded by Mr. Vincent. The Commission unanimously approved the motion.

Chair Standley stated that the property involved in this matter is located at 306 Sues Blues Alley 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.

2. 920 Hertford Street (TMN 56-3-13) Walter C. & Sonya Mabry, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors C. Jones & Hovander. (INSPECTOR UPHELD)

Inspector Hovander stated that 920 Hertford 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 on the property in June of 2008. The date of inspection was October 14, 2003. There was a fire at the property. All parties were notified of the hearing. The date of the hearing was February 23, 2010. No one appeared for this hearing. The Inspector's order was issued February 26, 2010 and expired March 29, 2010. The last date of visual inspection was August 9, 2010. The City did have to order the building secured and the owner secured in July, 2003. This has not been a repeat problem. There are children in the area and no 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 Williams 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 August 9, 2010 by Inspector Lee; this property is not a duplex or multiunit property; 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 fire damaged ceiling joist, flooring, interior wall/partition studs, rafter, roof sheathing; broken glass pane; water drainage surface/subsurface inadequate; unclean/unsanitary fixtures and floor.

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

Mr. Nimmer moved to uphold the Inspector, seconded by Mr. Vincent. The Commission unanimously approved the motion.

Chair Standley stated that the property involved in this matter is located at 920 Hertford 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. 306 Holt Avenue – (TMN 197-4-25) – James B. Fleet Jr. Trustee of the Irrevocable Spendthrift Trust, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Inspectors McDougal & Hovander. (CONTINUED UNTIL OCTOBER, 2010 MEETING)

Inspector Hovander stated that 306 Holt Avenue is not a duplex or apartment complex. The case is being submitted as order expired and no work being done. The title search was completed July of 2008. The date of inspection was July 13, 2005. All parties were notified of the hearing. The date of the hearing was May 27, 2010. The Inspector's order was issued May 27, 2010 and expired June 28, 2010. The last date of visual inspection was August 6, 2010 by Inspector Lee. The City did not have to order the building secured. There are children in the area no schools nearby. There is no history of police complaints to LOE. In the opinion of the Inspector, the owner has abandoned their intent to repair the property.

Counsel Williams asked Inspector Hovander if the video being shown was a fair and accurate representation of the property; if all parties of interest were properly served with all Orders, Notices, and Complaints issued in this matter; the last date the property was visited was August 6, 2010 by Inspector Lee; this property is a duplex or multiunit property; 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 violations include accessory structure unsafe or unsound—carport has rotten wood and holes in roof; weather permeable wall siding; rotten boards on exterior wall; loose siding; rotten flooring; loose floor covering; holes, cracks, air permeable floor; drainage-prevent accumulation of soggy ground or stagnant water under the structure; crawl space door repair/replace; cracked, damaged foundation wall; inadequate foundation bearing; loose material on interior wall partition, holes in interior wall partition; rotted interior wall studs; gutters if present need to be maintained in good condition; open ground; sheeting damaged or missing; receptacle cracked; cover plate cracked, missing, or loose; cover painted over; loosely secured panel box, inoperable UL listed smoke detector, broken glass panes, doors inadequately screened; windows inoperable; weather permeable windows; untreated deteriorative surfaces; required privacy lock missing from interior door; entrance door weather permeable.

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

Jim Fleet, 425 East Hendrix Street, stated his intention to repair the property. He requested additional time to make the repairs. Mr. Stutts asked Mr. Fleet to at least begin work on the outside of the

property to deter complaints by neighbors. Inspector Hovander commented that issues relating to this house have been ongoing for five years.

Mr. Stutts moved to continue this case until the October, 2010 meeting. Mr. Stutts indicated he would be unwilling to grant another extension of time unless considerable progress is shown at the October meeting.

Chair Standley amended the motion and moved to continue the case until October, 2010 to complete the exterior repairs, cut the bushes and grass, and return with a schedule of plans for completion of the entire property, seconded by Mr. Vincent. The Commission voted unanimously in favor of the motion.

Continued Cases:

4. **2009 (A-H) Maywood Street – (TMN 147-1-18) – Charles and Mary Irvin, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the June 8, 2010 and July 13, 2010 meetings. Inspectors C. Jones & Hovander. (CONTINUED UNTIL NOVEMBER, 2010 MEETING)**

Cyndi Blue, City of Greensboro Housing and Community Development, spoke regarding 2009 (A-H), 2011 (A-H), and 2015 (A-H) Maywood Street. She stated that she was not speaking on behalf of the owners. The City's interest is that the purchasing agent for the Neighborhood Stabilization Program currently has a contract for the purchase of these properties. The City is waiting on an environmental review clearance from the State Division of Community Assistance. The review clearance is expected on October 6, 2010. The earliest date the purchasing agent could act on the contract is mid-October, 2010. Asbestos abatement services are under contract and demolition bids will be solicited closer to the anticipated date of purchase. There is an actual purchase contract on the properties. She indicated that the City should have the properties acquired and on the way to demolition by the November, 2010 meeting.

Inspector Hovander commented that a recent visit to the property revealed vagrants sleeping in one of the units and the property must be secured. Ms. Blue said that the City was not the owner of the property and there was nothing that they could do to secure the property. Counsel Williams suggested that staff send the owner a certified letter to let them know what is happening with the property with a copy to Ms. Blue. If no action is taken to secure the property, Ms. Blue can ask the purchasing agent to contact the owner to advise them of the possibility that another arm of the City would have to secure the property with additional liens resulting on the property.

Mr. Vincent moved to continue this case until the November, 2010 meeting with the condition of having the property secured, seconded by Mr. Nimmer. The Commission voted unanimously in favor of the motion.

5. **2011 (A-H) Maywood Street – (TMN 147-1-18) – Charles and Mary Irvin, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the June 8, 2010 and July 13, 2010 meetings. Inspectors C. Jones & Hovander. (CONTINUED UNTIL NOVEMBER, 2010 MEETING)**
6. **2015 (A-H) Maywood Street – (TMN 147-1-18) – Charles and Mary Irvin, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the June 8, 2010 and July 13, 2010 meetings. Inspectors C. Jones & Hovander. (CONTINUED UNTIL NOVEMBER, 2010 MEETING)**
7. **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; December 8, 2009; March 9, 2010; and June 8, 2010 Housing Commission meetings. Inspectors Covington and Hovander.
(CONTINUED UNTIL OCTOBER, 2010 MEETING)**

Inspector Hovander stated that 1114 Moody Street is a continued case that was last heard at the June 8, 2010 meeting. She reported that the owner has made some repairs on the property; however, he has not finished.

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

Mike Hodgins, 4404 Oakmore Drive, explained circumstances surrounding his work schedule. He is still waiting to hear back regarding quotes for air conditioning. He described the repairs that remain to be completed. He anticipates that repairs will be completed shortly after he hears back from the air conditioning installer.

Mr. Nimmer moved to continue this case until the October, 2010 meeting, seconded by Mr. Vincent. The Commission voted unanimously to approve the motion.

**8. 1309 Elmer Street – (TMN 182-2-26) – Trenton & Kim Edwards, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the July 13, 2010 Housing Commission meeting. Inspectors McDougal & Hovander.
(CONTINUED UNTIL OCTOBER, 2010 MEETING)**

Inspector Hovander stated that this property is a continued case from the July 13, 2010 meeting.

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

Trenton Edwards, 3940 Lake Meadow Drive in Jamestown, spoke on the property. He indicated that the loan will be completed shortly and repairs will begin at that point. The front yard has been mowed; however, mowing the backyard would have damaged the lawnmower. He gave details regarding items that can be addressed based on the amount of financing he received.

Mr. Stutts moved to continue until the October, 2010 meeting, seconded by Ms. Harris. The Commission voted unanimously in favor of the motion.

**9. 311 Leftwich Street – (TMN 25-11-25) Benjamin A. & Lynne W. Berryhill, Owners – In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the July 14, 2009; October 13, 2009; December 8, 2009; February 9, 2010; May 11, 2010; June 8, 2010; and July 13, 2010 Housing Commission meetings. Inspectors Covington & Hovander.
(INSPECTOR UPHELD)**

Inspector Hovander stated that 311 Leftwich is a continued case that was last heard on July 13, 2010.

Inspector Chris Lee stated that dry wall work has been done since the last meeting. Mr. Berryhill informed him that work is also being done on mechanical items. Mr. Sheffield reported that the owner has secured electrical and plumbing roughs, but there have been no mechanical inspections. David Jones has been out to the property on the rough framing and is waiting on response from Engineering. Inspector Lee said that work is still in the skeletal stage, not in the finishing stage.

Benjamin Berryhill, 6600 Dustin Road, Climax, NC, stated that they are moving forward as fast as possible. Mr. Berryhill commented that he has been unsuccessful getting air conditioning installers to the property. He explained additional expenses from Duke Power involved in moving the power source. There are only two people working on the property, and he feels he is at a standstill until the mechanical rough has been completed.

Mr. Vincent referred to the last meeting when members expressed their frustration with progress on the house. Mr. Berryhill reiterated that he is doing the best he can. The case has been ongoing for 14 years. The owner was unable to give a date when the property might be repaired.

Inspector Hovander reviewed the process when a property in the historic district is upheld and she indicated that the Historic Preservation Commission could choose to delay demolition for up to 365 days.

Mr. Stutts moved to uphold the Inspector, seconded by Ms. Harris. The Commission voted unanimously in favor of the motion.

Chair Standley stated that the property involved in this matter is located at 311 Leftwich 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.

REQUEST TO RESCIND:

10. **1602 McConnell Road – (TMN 102-8-14) – TP Sebastian III, LLC – Owner(s) – HCR recorded 2/16/2010, book 7100, page 2080 – 2081. Demolished by Owner. Inspector Hovander.**

Mr. Vincent moved to rescind 1602 McConnell Road, seconded by Mr. Nimmer. The Commission voted unanimously to approve the motion.

OTHER BUSINESS:

Chair Standley informed the Commission that he will not be present for the September, 2010 meeting. In addition, the Vice-Chair will be unable to attend. The Group discussed the case load in September and decided to cancel the September, 2010 meeting.

Mr. Stutts moved to postpone the September, 2010 meeting until the regular October, 2010 meeting due to lack of business, seconded by Mr. Harris. The Commission voted unanimously in favor of the motion.

ADJOURN:

There being no further business before the Commission the meeting was adjourned at 2:35 p.m.

Respectfully submitted,

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