

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

**REGULAR SESSION**

**1:30 P.M.**

**AUGUST 14, 2012**

**Commission Members Present:**

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

**Staff Present:**

Lorie Loosemore, Inspector  
Mike Williams, City Attorney  
Jennifer Sutphin-Smith, City Attorney's Office  
Roddy Covington, Inspector  
Christian Covington  
Chris Jones, Inspector  
Don Sheffield, Commercial Demolitions  
Mike Kirkman, Planning and Community Development

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

**1. APPROVAL OF JULY 10, 2012 MINUTES:**

Mr. Nimmer moved to approve the minutes from the July 10, 2012 meeting as written, seconded by Ms. Ata. 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 NOVEMBER 13, 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 date of last visual inspection was August 6, 2012.

Inspector Loosemore stated that the list of violations include power not on at time of inspection, needs to be on and inspected before case can be completed; unsafe electrical wiring; structural member unable to support imposed load, building permit required; wall has cracked or loose plaster, decayed wood or other defective material must be corrected; roof has rotten roof sheathing; roof is not properly anchored; roof has structural members not able to support nominal load; structural members rotten or deteriorated; chimney not maintained and in good repair; exterior walls contain holes and/or breaks; roof leaks; deck, porch and/or patio flooring rotten or in disrepair; ceiling contains holes, rotten and/or in disrepair.

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 August 8, 2012; 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.

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

Mr. William Brown, 1433 Country Lake Drive, stated that he plans to demolish the property. A permit has been taken out and the electricity and gas have been disconnected. A time line was distributed to members by the owner that indicated plans to demolish the house prior to September 30, 2012.

Ms. Sullivan moved to continue this case until the October 9, 2012 meeting, seconded by Mr. Nimmer.

Counsel Williams advised Ms. Sullivan that changing the motion to meet in November would aid the process of notification.

Ms. Sullivan amended her motion and moved to continue the case until the November 13, 2012 meeting, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

**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. (INSPECTOR UPHELD)**

Inspector Loosemore stated that 1412 Plymouth Street was originally inspected on October 17, 2011. The hearing was held November 21, 2011. The order was issued on December 21, 2011 and expired on January 23, 2012.

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 August 6, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore stated that the list of violations include electrical equipment needs to be properly installed and maintained; power not on at time of inspection, needs to be on and inspected before case can be completed; unsafe electrical wiring; missing smoke detector; dwelling shall be kept free from insect and rodent infestation; plumbing fixtures must have adequate clearance for usage and cleaning, repair and install plumbing to code; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; wall—structural member unable to support imposed load, building permit required; wall—peeling, chipping or flaking paint must be repaired, removed or covered; wall—cracked or loose plaster, decayed wood or other defective material must be corrected; flooring—rotten flooring must be repaired, building permit required; flooring—loose floor covering must be repaired or replaced; doors need to be weather tight; bathroom must have a door and interior lock; bedrooms must have a door and interior lock; locks not maintained or missing from window; screens required on doors; screens required on windows; windows—every window shall open and close as manufactured; windows need glazing; windows need to be weather tight; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls have loose or rotted material; roof drains, gutters and downspouts in disrepair; roof water shall not be discharged as to create a public nuisance; roof has leaks, steps are rotten or in disrepair; deck, porch and/or patio flooring rotten or in

disrepair; ceiling contains holes, rotten and/or in disrepair; all exterior property and premises shall be maintained in a clean and sanitary condition; gas/electric not on at time of inspection, needs to be on and inspected before case can be completed; heating system not maintaining 68 degrees in habitable rooms, bathrooms; plumbing facilities must be maintained in a safe, sanitary and functional condition.

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

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

Chair Vincent stated that the property involved in this matter is located at 1412 Plymouth 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. 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 NOVEMBER 13, 2012 MEETING)**

Inspector Loosemore stated that this property was inspected on October 25, 2011. The hearing was held on January 5, 2012. Ms. Rebecca Causey and Mr. Allen Sharpe appeared at the hearing. The order was issued on May 14, 2011 and expired on June 14, 2012.

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 August 9, 2012; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Inspector Loosemore stated that she agreed with these questions.

Inspector Loosemore stated that the list of violations include gas/electric not on at time of inspection; heating system not maintaining 68 degrees in habitable rooms, bathrooms; 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—peeling, chipping or flaking paint must be repaired, removed or covered; walls—cracks, holes or loose plaster, decayed wood or other defective material must be corrected; flooring—rotten flooring must be repaired, building permit required; flooring—loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; exposed wiring at outlets; exposed wiring at light fixture; power not on at time of inspection; door difficult to operate; missing smoke detector; inoperable smoke detectors; doors need to be weather tight; bathroom must have a door and interior lock; bedrooms must have a door and interior lock; locks not maintained or missing from windows; screens required on doors; screen required on windows; every window shall open and close as manufactured; windows need glazing; windows need to be weather tight; 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; flashing required around

chimney; property needs to be graded to prevent accumulation of standing water; roof drains, gutters, and downspouts in disrepair; roof—leaks; guardrails are loose, damaged, or improperly maintained; handrails are loose, damaged, or improperly maintained; steps are rotten or in disrepair; deck, porch, and/or patio flooring rotten or in disrepair, ceiling contains holes, rotten, and/or in disrepair, all accessory structure shall be maintained structurally sound and in good repair; all exterior property and premises shall be maintained in a clean and sanitary condition.

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

Mr. Brooks Reitzel, attorney from High Point, North Carolina, was present to represent the owner. The owner is a limited liability company and the principal of the company is Ms. Becky Causey. The property was acquired by her deceased husband. Ms. Causey is currently working with Ms. Rhonda Joyce with American National Bank. Ms. Causey has applied for additional funds to be advanced toward the demolition of the structure. Mr. Reitzel mentioned that there is an asbestos abatement issue. He asked for a continuance until the November, 2012 meeting to give the bank time to proceed.

Ms. Sullivan moved to continue the case until the November 13, 2012 meeting, seconded by Ms. Ata. The Commission voted unanimously 5-0 in favor of the motion.

#### **CONTINUED CASES:**

- 5. 1315 Gorrell Street – (TMN 102-9-8) Margaret C. Warren, Owner, In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the November 8, 2011, December 13, 2011; and May 8, 2012 Housing Commission meetings. Inspectors McDougal and Loosemore. (CONTINUED UNTIL NOVEMBER 13, 2012 MEETING)**

Mr. Leon Warren, III spoke on behalf of Ms. Margaret C. Warren. He described the delay in progress due to the illness of the plumber. In addition, he has experienced delays in scheduling repairs. He felt that the project could be completed within four months. Mr. Sheffield informed him of the permits required for the repairs. He stated that the grounds are being well maintained.

Ms. Sullivan moved to continue this case until November 13, 2012 for the owner to return with an update on progress, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

- 6. 418 Washington Street – (TMN 20-5-12/Parcel #0001608) – Henry Christian Zenke, III and Virginia Hawthorne Zenke, Co-Trustees – In the Matter of Order to Repair or Demolish the Structure. Inspector Sheffield. (CONTINUED UNTIL SEPTEMBER 11, 2012 MEETING)**

Ms. Virginia Zenke, 1003 Carolina Street, informed the Commission that progress is being made.

Ms. Ann Roberts has reapplied for commercial zoning and a continuance was granted by the Board of Adjustment (BOA). She feels that the Board will approve the switch to commercial zoning.

Ms. Ann Roberts, 3402 Wedgewood Place, stated that she owns property at 225 North Spring Street. She is in process of getting a variance to be able to move the house to her lot on North Spring Street.

Ms. Roberts appealed the decision of the BOA to deny her residential zoning to the Superior Court on June 28, 2012. She has not been informed of a court date to hear the appeal. She subsequently filed a variance request for commercial zoning with the BOA for use as an office. The case was continued until the August, 2012 meeting.

Ms. Roberts requested that the Commission grant a continuance to the Zenke family so that she can pursue legal remedies available to her to facilitate moving the building to her property. She expressed her dedication to the project and she referenced an alternate lot that could be used for the move.

Ms. Ata moved to continue the case until the September 11, 2012, seconded by Ms. Sullivan. The Commission voted unanimously 5-0 in favor of the motion.

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

Mr. Lane Journey, 5613 Newman Davis Road, is the owner of the property. He stated that the plumbing rough-in inspection passed and Inspector Lily has inspected the floor joists. A structural engineer suggested that the roof structure needed to be strengthened and a carpenter has been hired to do the work. In two weeks he plans to have the carpentry work inspected and then the electricians will begin work. Mr. Sheffield stated that the electrical inspector should come to the property before the framing inspector. Mr. Journey hopes to have the electrical work completed by the next meeting.

Ms. Sullivan moved to continue the case until the October 9, 2012 meeting, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

**8. 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; and July 10, 2012 Housing Commission meeting. Inspectors Covington and Loosemore.  
(CONTINUED UNTIL SEPTEMBER 11, 2012 MEETING)**

Mr. Bulent Bediz, 808 Lexington Avenue, has met with one of the investors and an agreement has been drafted. He plans to meet with another investor later in the week. Mr. Bulent stated that the City of Greensboro is potentially the third funding source through the Neighborhood Stabilization Program.

Mr. Mike Kirkman, Planning and Community Development, responded to a request for information about the grant program. He was not sure if program funds were available; however, he offered to get back with Mr. Bediz with information.

Mr. Bediz requested a continuance of 30 days to return with an update on his investors and funding. Mr. Bediz responded to a question from Chair Vincent and said that when the funding comes through from his investors, repairing the property at 812 Richardson Street will be his first priority.

Mr. Brian Higgins, 1007 Haywood Street, is a resident of the Glenwood neighborhood. He pointed out that Mr. Bediz is seeking an extension on this property even though he currently owns nine other condemned and uninhabitable properties in the neighborhood. In addition, Mr. Bediz has purchased additional properties in the neighborhood since January, 2012 in the amount of \$138,000. He questioned the intent of Mr. Bediz and felt the funding used for the new purchases could have been better channeled toward the repair of uninhabitable properties he already owns. Mr. Higgins has lived in the neighborhood for four years and some of these houses have been condemned for nine years. He requested that the Commission deny an extension and uphold the Inspector.

Mr. G. S. Crihfield, retired attorney in Greensboro, North Carolina, spoke to comments made by Mr. Higgins. He felt the situation should be addressed on the merits of the situation in Glenwood and not Mr. Higgins's timetable or attitudes toward the matter.

Mr. Bediz referred to Mr. Higgins and stated for the record that in his opinion, this action is abuse of process and should not continue. He said that his intentions in the neighborhood have been moral and altruistic.

Ms. Sullivan moved to continue the case until the September 11, 2012 meeting, seconded by Ms. Ata. The Commission voted unanimously 5-0 in favor of the motion.

Mr. Nimmer stated that the Commission expects to see significant progress in the next 30 days or action will have to be taken at the September, 2012 Commission meeting.

**9. 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; June 12, 2012; and July 10, 2012 Housing Commission meetings. Inspectors Covington and Loosemore.  
(CONTINUED UNTIL OCTOBER 9, 2012 MEETING).**

Mr. Walter Flowers, 2701 Wilpar Drive, stated that an offer has been accepted with the anticipation of closing on August 27, 2012. The potential owner is aware of the violations on the property.

Ms. Sullivan moved to continue the case until the September 11, 2012 meeting.

Counsel Williams suggested that the case be continued until the October, 2012 meeting to allow for proper notice to be sent after the close of the property is confirmed.

Ms. Sullivan amended her motion and moved to continue the case until the October 9, 2012 meeting, seconded by Mr. Nimmer. The Commission voted unanimously 5-0 in favor of the motion.

**10. 435 Arlington Street – (TMN 16-8-26/Parcel #0001075) Michael B. Gray, Owner -- In the Matter of Order to Repair, Alter or Improve the Structure. Continued from the June 12, 2012 Minimum Housing Commission meeting. Inspectors Covington and Loosemore.  
(CONTINUED UNTIL OCTOBER 9, 2012 MEETING)**

Mr. Sidney Gray, 318 South Elm Street, spoke on behalf of his son, Michael Gray, owner of the property. A hearing is scheduled for September 10, 2012 to rezone the property for the commercial district allowing for a multitude of possible uses. No one is living in the structure, there is no sign on the property indicating that it is for rent, and they have no intention of renting the property at this time. There is a "no trespassing" sign at the property and they have registered with the police department to arrest anyone found trespassing at the site. Their intention is to attend to the upkeep of the yard and keep the property secured. There was a discussion regarding how the property would be used. Mr. Gray stated that there would be a clearer indication of direction after the property is rezoned. It is Mr. Gray's opinion that the house should be kept as a commercial piece of property.

Ms. Loosemore clarified that regardless of the outcome at the zoning meeting, the case would continue to be active and violations must be addressed.

Mr. Nimmer moved to continue the case until the October 9, 2012 meeting, seconded by Ms. Ata. The Commission voted unanimously 5-0 in favor of the motion.

**REQUESTS TO RESCIND:**

None.

**ADJOURNMENT:**

There being no further business before the Group, the meeting adjourned at 2:47 p.m.

Respectfully submitted,

Tim Vincent  
Chairman, City of Greensboro Minimum Housing Standards Commission

TV:sm/jd