

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
SEPTEMBER 9, 2014**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission was held on Tuesday, September 9, 2014 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:41 p.m. The following members were present: Shermin Ata, Acting Chair; Justin Outling; Ellen Sheridan; Tyler Quinn; Kimberly Moore-Dudley; and Robert Kollar. Staff present included Elizabeth Benton, Cheryl Lilly, Gloria Gray, Mark Wayman, and Inspectors Chris Jones, Roddy Covington, and Rich Stovall. Also present was Terri Jones, Attorney for the Commission; Mary Lynn Anderson, City Attorney's Office; and Barbara Harris, Planning Department.

1. APPROVAL OF MINUTES FROM AUGUST 12, 2014 MEETING:

Ms. Moore-Dudley moved approval of the August 12, 2014 meeting minutes as written, seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Ata, Moore-Dudley, Sheridan, Quinn, Kollar. Nays: None.)

Mr. Outling joined the meeting at 1:42 p.m.

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

Compliance Coordinator Benton informed the Commission that the following items have been repaired by the owners and removed from the agenda: Item 8 for property located at 1523 Lovett Street; Item 12 for property at 1102 Willard Street; Item 21 for property at 15 Periwinkle Court; and Item 23 for property at 208 East Camel Street. In addition, an item has been added under New Cases for property located at 1554 Lovett Street.

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.

NEEDS INTERPRETER – NEW CASE:

- 5. 1554 Lovett Street (new case)** (Parcel # 0011412) Jose and Virginia Toledo, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL DECEMBER 9, 2014 MEETING)

Rose Alonso, City of Greensboro, served as interpreter for the homeowner, Virginia Toledo, 1554 Lovett Street. Ms. Toledo has the list of violations and stated that it should take approximately six months to repair the property.

Inspector Jones indicated that the owner has secured a permit for the repairs but there has been no inspection on the permit.

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 was August 29, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls have loose or rotted material; all sidewalks, walkways, drives, or stairs shall be maintained; all appliances shall be capable of performing their intended function; there are cracked or missing electrical outlet covers; electrical equipment needs to be properly installed and maintained; exposed wiring at light fixtures; unsafe electrical wiring; lighting is required in stairwells, kitchens, bathrooms, laundry rooms, etc.; there are missing and inoperable smoke detectors; duct system not capable of performing its required function; utilities for heat—gas or electric, were not on at time of inspection; heating system not capable of maintaining 68 degrees in habitable rooms; plumbing facilities need to be maintained in a safe, sanitary, functional condition; water was not on at time of initial inspection; water heater not properly installed or maintained; dwelling needs to be kept free from rodent or insect infestation; there are unclean and unsanitary floors, ceilings and/or walls; structural members of walls are unable to support their imposed load; walls have peeling, chipping, or flaking paint that must be repaired; walls have loose plaster, cracks, holes, decayed wood or other defective material; ceilings contain holes, loose material and are in disrepair; bedrooms must have door with interior lock set; screens on exterior doors should be self-closing and latching; exterior wood surfaces need to be maintained with paint or other protective coating; storm water from roof shall not be discharged so as to create a public nuisance; roof leaks; exterior mechanical appliances shall be properly installed and maintained in safe working condition; steps are rotten or in disrepair; deck or porch flooring is rotten or in disrepair; deck or porch floor is in disrepair; and porch ceiling contains holes, is rotten, and/or is in disrepair.

Ms. Toledo felt it would take six months to bring the property into compliance because she and her husband are working gradually on the property using their own funds. They purchased the property in January, 2014 but did not know about the poor condition of the house. Since purchasing the property they have painted the exterior of the house, fixed the back porch and driveway, and they have cleaned out the interior.

Ms. Moore-Dudley felt it would be good to bring the owner back in three months for an update on repairs.

Ms. Moore-Dudley moved to continue the case until the December 9, 2014 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Sheridan, Moore-Dudley, Kollar. Nays: None.)

CONTINUED CASES:

6. **2333 Floyd Street** (Parcel # 0025912) Despina Agapion Psatha, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Continued from June 10, 2014; July 8, 2014; and August 12, 2014 meetings. Inspector Roddy Covington. **(INSPECTOR UPHELD)**

Acting Chair Ata stated that Item 6, 2333 Floyd Street, and Item 7, 2335 Floyd Street, will be heard at the same time.

Irene Agapion, 625 South Elm Street, reported that in the time since she appeared at the August meeting all of the exterior violations have been corrected. She advised the Commission in August that a licensed electrical contractor had been hired. The contractor purchased the permit on July 30, 2014 and on August 14, 2014 the supervisor of electrical inspections, Pat Rose, approved units A, B, and C on the front of 2335 Floyd Street but requested that a temporary soft service be installed because everything is being addressed under one address. They have complied with the request and the electrical contractor purchased another permit to put up the temporary soft service. Duke Energy treats the service as new construction because the temporary meter base is set just for the construction of the work that will take place there. When the temporary base was called in for inspection, the Inspector required that it be moved

to a location in the middle of the two buildings toward the back of the property so it could be closer to the transformer. They have moved the base to the required location and the soft service was final on August 14, 2014. Since Duke Energy treats it as new construction, she has put in an application and is waiting for the City to release it to Duke Energy and for Duke Energy to set up a temporary meter under their new construction service. Workers have been present every single day and she is impressed with the progress that has been made. Mr. Covington has been out and has corrected a lot of the violations that were present. They have corrected the violations so far that can be completed without power.

Ms. Sheridan asked the owner to explain her plans to finish the interior of the property. Ms. Agapion stated that first and foremost, they plan to take each unit to make sure it complies with the Minimum Housing Code. Since the last meeting, they have removed all the carpets, tile, linoleum, and have exposed flooring down to the bare concrete. The bathrooms are all upstairs and there are no windows so they just have bathroom vents. The contractors have not been able to see adequately in the bathrooms without power to address the vents. They purchased a permit so new windows could be installed. The windows have been installed with the exception of units E and F in 2335 Floyd Street. These windows are not stock items and were purchased by special order seven days ago. The windows have a 21-day lead time. Some of the cabinets have been taken out and new cabinets installed. New front stove hoods have been placed in the front three units as well. As soon as the meter gets set and the repairmen can see inside the units, they will be able to move forward quickly and finish the interior. They have cleaned out the dirty cabinets and countertops and are waiting for the power to continue repairs. They have been using battery operated equipment that runs down quickly because the building has to be unboarded and boarded back up daily.

Ms. Moore-Dudley pointed out that none of the items on the violations list have been cleared. Compliance Coordinator Benton explained that until every unit is finished, items will not reflect as being cleared.

Ms. Moore-Dudley asked Inspector Covington what percentage of issues in the units has been addressed. He said violations in the units were not quite 25 percent completed. The majority of violations that have been addressed include floor covering that has been taken up, hoods have been installed, outlet covers have been installed over the outlets, exterior walls have been painted, and screens have been put up in units A, B, C, and D as of today.

Ms. Moore-Dudley reminded Ms. Agapion that at the last meeting, she specifically wanted the violations addressed and there is still an issue since more than 80 percent of the violations have not been cured.

Ms. Agapion stated that all of the exterior violations with the exception of storm doors have been corrected. One of the violations was uneven sidewalks and they hired a professional crew to repair the concrete and new stepping stones have been installed. Landscaping has also been done at the property and the planting beds have been cleaned. While some of the completed repairs were not necessarily violations on the list, anything that was untidy or that did not look pleasant has been taken care of. They have spent money and time and have been there every single day.

Referring to the video being shown and the list of outstanding violations, Ms. Moore-Dudley stated that the property was not close to being ready for rental. Ms. Agapion said that the video being shown was for 2333 Floyd Street, not for the 2335 Floyd Street building. She reiterated that they had planned to start with the 2335 building first and no work has been done yet on the interior of the 2333 building. Their permits are for the 2335 building.

Mr. Outling asked the Inspector what percentage of work has been done at the 2335 building. Inspector Covington felt that 25 percent of the work has been done.

Responding to a question from Mr. Outling, Ms. Agapion said that they have lost the potential buyer for the buildings. Since the last hearing she said that all the exterior violations at the 2335 violations have been completed with the exception of non-stock windows for units E and F that had to be special ordered. All exterior painting, tree stumps, weeds, uneven sidewalks, and landscaping have been addressed. The building has an all new exterior including light fixtures; all windows except units E and F have new screens;

units A, B, and C have smoke detectors; loose floor covering has been removed; people were hired to clean out the inside of cabinets and paint. She reiterated that there has been someone at the 2335 building during business hours every single weekday since July 30, 2014 with the exception of yesterday and today.

Mr. Outling noted that at the most recent hearing; Ms. Agapion stated her expectation that units A, B, and C for this particular unit would be approved for the electrical work. That work has been approved and additional work has been done on the units above her expectation. Notwithstanding the fact that the condition of the property is still not where anyone wants it to be, progress is being made to that point. The Commission has continued this case previously based on Ms. Agapion's anticipated timeline.

Once the electrical meter is set, Ms. Agapion anticipated that the interiors of A, B, and C will be complete because power is needed to see inside the units, especially the bathrooms upstairs. Work has been done on the rear of the building in unit D and permits have already been purchased for the three rear units so that the entire building can be completed. She noted that the violation list will not reflect corrections until the entire building has been completed. Her goal is to complete the entire building quickly and she felt they have acted in good faith.

Mr. Outling commented that this situation represents an example why the Commission needs to be vigilant with comments that are made to property owners because a continuance was given for this case based on a representation that certain work would be done that was done. To the extent the Commission makes a determination to uphold the Inspector here, a property owner could be frustrated feeling they relied on indications given by the Commission that they would be likely to continue their case further if they did what they said they would do.

Ms. Moore-Dudley agreed with Mr. Outling's comment and said that was why she voted last month to uphold the Inspector. She commented that landscaping was not on the list of violations and the City did not ask Ms. Agapion to do landscaping. The City asked her to address the violations on the paperwork and none of the issues have been addressed. She indicated at the last meeting that Ms. Agapion should begin addressing the violations of the list. Ms. Moore-Dudley commented that she only saw a few items that may have been cleared. The video being shown reflects that the interior is still in disrepair.

Ms. Agapion stated that they have been addressing violations in the building but without electrical power there is not much that can be done other than clean and remove debris. To put things back properly, electrical tools and lighting are necessary. She explained to Ms. Moore-Dudley that the temporary soft service had to be relocated at the request of the electrical Inspector and electrical service is still not available. She reiterated items that had been repaired and acknowledged that the building was not ready to rent nor did she promise that it could be. She said that six units cannot be completed in one month without power.

Ms. Moore-Dudley indicated that she saw no point seeing the property owner every 30 days because nothing changes in 30 days. She wants to see the violations on the list that the owner has had for some time to start being addressed. She acknowledged good work done by Ms. Agapion in the past; however, violations in these two buildings are not being addressed. She felt continuances should not be given because violations are not being addressed. She said the Commission needs a timeline to address the violations.

Mr. Outling asked Inspector Covington is there were electrical violations for units A, B, and C. He replied that there is no electrical power but the cover plates have been addressed. There is some exposed wiring. Exterior work has been done since the most recent hearing but there has been no work to address the electrical violations.

Ms. Agapion stated that electrical work has been done. They had an inspection done by Pat Rose on August 14 for the electrical permit and she approved units A, B, and C in building 2335. On August 14, Ms. Rose requested that the electrical contractor install a temporary soft service to be placed separately on

the power pole. Mr. Outling asked Inspector Covington to explain how he understands work hasn't been done given Ms. Agapion's understanding that work has been done in that connection. Inspector Covington said he hasn't seen any of the violations cured except electrical cover plates. He has not seen the exposed wiring resolved. He was not involved with what Inspector Rose came out to do.

Acting Chair Ata commented that there were other violations on the list. She asked Ms. Agapion when she would have power at the building. Ms. Agapion could not give a definite day but indicated she called Duke Energy to inquire if the temporary soft service had been released after it was moved closer to the transformer so the meter can be set. She reviewed the process and said she was not sure if the soft service has been released yet.

Mr. Outling asked if any one was present from the City to contradict statements made by Ms. Agapion. There being no one to come forward, he asked Ms. Agapion to restate her timeline to bring the properties into full compliance. She said that there are cosmetic repairs remaining in units A, B, and C in building 2335. Power is needed to put down new flooring and finish sanding to repair holes in the walls. The work can be done by hand but it is tedious. Other than waiting for special order windows to arrive for units E and F, all repairs can be completed within 10 business days once the power has been turned on.

Ms. Moore-Dudley moved to uphold the Inspector, seconded by Ms. Sheridan. The Commission voted 4-2 in favor of the motion. (Ayes: Ata, Moore-Dudley, Sheridan, Kollar. Nays: Outling, Quinn.)

Counsel Jones asked Compliance Coordinator Benton if the video that was shown of **2333 and 2335 Floyd Street** was a fair and accurate representation of the properties; 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 was September 3, 2014; the property is a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations for **2333 Floyd Street** includes unclean/unsanitary floors, ceilings, and/or walls in units A-H; loose floor covering must be repaired in A-H; windows do not open or close as manufactured; windows missing screens in A-H, units A, D, E, F, H need glazing; ceilings in living room contain holes in A-H; electrical equipment needs to be properly installed and maintained; power not on at time of initial inspection; unsafe electrical wiring in units A-H; doors difficult to operate in F-H; missing smoke detectors in units A-H; plumbing fixtures leak in A, B, C, and E; dwelling unit shall be kept free from insect and rodent infestation in units A-H; exposed wiring at light fixtures where there are missing covers throughout all units; exterior doors need to be weathertight on all units; bedrooms need to have door with interior lock sets on all units; water heater not properly installed or maintained. The list of violations for **2335 Floyd Street** include power not on at time of initial inspection; unsafe electrical wiring in units A-F; missing smoke detectors in units A-F; dwelling units shall be kept free from rodent and insect infestation; unclean/unsanitary walls, ceilings, and/or floors in A-F; walls have peeling, chipping, or flaking paint A-F; loose floor covering must be repaired or replaced in units A-F; windows do not open or close as manufactured; windows missing screens in A-F; window glazing needs to be replaced in E and F; sidewalks, walkways, stairs need to be maintained; every dwelling unit needs to contain shower, bathtub, sink, and commode; plumbing facilities need to be maintained in a safe, sanitary, functional condition in all units; and there is wiring that is exposed and unsafe in units A-F.

For the record, Ms. Agapion noted that there is a new member on the Commission and Mr. Outling was not present at the last meeting. She said that she received a lot of comments at last month's meeting and it is her sincere hope that no other citizen, especially someone that is not in the real estate business, be treated the way she was treated. Although she understands that the Commission is doing its job, she felt that the law should be applied evenly to all citizens.

Acting Chair Ata stated that the property involved in this matter is located at **2333 Floyd Street and 2335 Floyd 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 properties in question have 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 structures are 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.

7. **2335 Floyd Street** (Parcel # 0025912) Despina Agapion Psatha, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Continued from June 10, 2014; July 8, 2014 and August 12, 2014 meetings. Inspector Roddy Covington. **(INSPECTOR UPHELD)**
8. **1523 Lovett Street** (Parcel #0008764) A & H Development, LLC, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from May 13, 2014; June 10, 2014; and August 12, 2014 meetings. **(REMOVED DUE TO COMPLIANCE)**
9. **1511 Randolph Street** (Parcel #0007966) Darryl E. Johnson, Sr., Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from February 12, 2013; April 9, 2013; June 11, 2013; July 9, 2013; October 8, 2013; November 10, 2013; December 12, 2013; March 11, 2014; May 13, 2014; and July 8, 2014 meetings. **(CONTINUED UNTIL OCTOBER 14, 2014 MEETING)**

There was no one present to speak on this property. Inspector Covington stated that there has been no contact with the owner since the last hearing and an administrative warrant was obtained to enter the property.

Ms. Moore-Dudley commented that the property looks good from the outside. Inspector Covington indicated that not much work remains to be done on the house. There is no power or water at the property. It was last inspected August 29, 2014. The property was damaged by fire in the past. Ms. Sheridan commented that it appeared the owners were working very hard on the property.

Mr. Outling commented that notwithstanding that fact, neither a property owner or representative is present nor has anyone contacted the City with regard to the owner's inability to attend the meeting. There are other property owners who have taken time out of their schedules to speak on behalf of their own properties and interests. In this case, the Commission is deprived of the ability to make sure the repairs will actually happen and the owner is moving forward in a timely manner.

Ms. Moore-Dudley said that someone has come to meetings in the past and might perhaps show up before the end of the meeting. All items have been cleared except a few electrical items.

Inspector Covington stated that when he was at the property the violations not in compliance included exposed wiring, no power, no water, and missing light fixtures. He did not think that any changes in the violations have been made since the last meeting and progress is at a standstill.

Mr. Outling commented that unlike the last case when the Inspector was upheld although the owner made progress according to a timeline she had given the Commission, in this situation the owner has not shown up or sent a representative, has not contacted the City; has not allowed the City to enter the property without an Administrative Warrant, and no progress has been made since the last hearing.

Ms. Moore-Dudley pointed out that every case that comes before the Commission is a different case. The items for this case were cleared by the Inspector. The last time someone was able to get into the property was in July, 2014. That means that the owner has been cooperative and these items were able to be cleared by an Inspector.

Mr. Outling noted that no progress has been made since the last hearing. In addition, this property is at a different point in the repair cycle. Ms. Moore-Dudley said that the owner has cured all but six items on the list and the remaining violations are not dangerous to the house or a detriment to the community.

Ms. Moore-Dudley moved to continue this case until the October 14, 2014 meeting, seconded by Ms. Sheridan. The Commission voted 5-1 in favor of the motion. (Ayes: Ata, Quinn, Moore-Dudley, Sheridan, Kollar. Nays: Outling.)

Mr. Outling emphasized to the Commission that there is value in looking at things globally, being careful about how they treat cases across cases, and the deliberative process and the message that it sends. Mr. Quinn commented on the importance of staying consistent from house to house and case to case and not flip-flopping. Acting Chair Ata said that if progress is consistent, she would be inclined to give more chance to that owner to finish the repairing of violations.

10. 1011 Logan Street (Parcel #0007604) Michael Taylor, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Donald Foster. Continued from the August 12, 2014 meeting. (INSPECTOR UPHELD)

There was no one present to speak on this property. The property was last visited by an Inspector on September 4, 2014. No permits have been issued for this property. In addition, there has been no contact with the City by the owner regarding this property. It was noted that this property was damaged by fire.

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

Counsel Jones asked Compliance Coordinator Benton if the video that was shown of 1011 Logan Street 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 was September 4, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked or missing electrical outlet covers; cracked or missing switch plate covers; electrical equipment needs to be properly installed and maintained; exposed wiring at outlet and light fixtures; power not on at time of inspection; unsafe electrical wiring; missing smoke detector; heat—gas/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 are cracked, have loose plaster, decayed wood or other defective material that must be corrected; flooring is rotten; loose floor covering must be repaired or replaced; exterior doors need to be weathertight; screens required on windows; every window shall open and close as manufactured; windows need glazing; windows need to be weathertight; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls not weatherproof; exterior walls have loose or rotted material; foundation wall has holes or cracks; plumbing facilities must be maintained in a safe, sanitary and functional condition; steps are rotten or in disrepair at the back porch; deck, porch and/or patio flooring rotten or in disrepair at front porch; ceiling contains holes, rotten, or in disrepair at front porch.

Acting Chair Ata stated that the property involved in this matter is located at **1011 Logan 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 properties in question have 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 structures are 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.

- 11. 1903 Larkin Street** (Parcel #0007604) SP Master Capital LLC, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. Continued from August 12, 2014 meeting. **(CONTINUED UNTIL OCTOBER 14, 2014 MEETING)**

David McCarty, 2900 Covington Place, asked for 60 to 90 days to complete repairs on the property.

Inspector Jones indicated that no permits have been issued for this property and from his observation none will be needed.

Mr. McCarty's company acquired the property four years ago and there have been tenants at the property. There has been a mold issue at the property. Two different contractors addressed the mold issue only to have it return again. They need to have a more qualified person look at the property to prevent the mold issue from coming back. The last contractor only did a cover-up of the mold. Work needs to be done on the insulation under the house to address the mold that occurs when the cold and hot air come together. Ventilation and insulation work needs to occur. Nothing has been done to bring the property into compliance within the last 30 days.

Mr. Outling expressed concern that this property has been out of compliance for almost a year, nobody appeared at the last hearing, and no work has been done in the last 30 days. Mr. McCarty indicated that they have been trying to locate the last subcontractor as they paid him a lot of money for work that must now begin all over again. He stated that they plan to start work right away.

Ms. Sheridan moved to continue the case until the October 14, 2014 meeting, seconded by Mr. Outling. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Kollar, Sheridan, Moore-Dudley. Nays: None.)

Mr. McCarty said that most of the violations on the list have been cleared. He was unsure how long it would take the contractor to do the work. Commissioners asked him to show that progress is being made when he appears at the next meeting. He should also present a timeline indicating when completion is expected.

- 12. 1102 Willard Street** (Parcel #0020572) Derick C. Slade, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from the August 12, 2014 meeting. **(REMOVED DUE TO COMPLIANCE)**

NEW CASES:

- 13. 421 Boyd Street** (Parcel #0004727) Harbor Portfolio, Registered Agent, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the property was initially inspected December 13, 2012 and was reinspected again February 18, 2014. The hearing was held April 8, 2014. The Order to Repair was issued April 30, 2014. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 4, 2014; 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. Compliance Coordinator Benton stated 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 switch plate covers; electrical panel has missing knock out blanks and is loose; electrical equipment needs to be properly installed and maintained; exposed wiring at light fixture; power not on at time of inspection; doors difficult to operate; missing and inoperable smoke detectors; duct system must be capable of performing its required function; heat-gas/electric not on at time of inspection; plumbing facilities must be maintained in safe, sanitary, functional condition; plumbing fixtures have leaks; plumbing not properly connected to public sewer system; water heater not properly installed or maintained; water heater relief valve improperly installed; unclean/unsanitary floors, ceilings and/or walls; walls have peeling, chipping or flaking paint must be repaired; walls have cracks, holes or loose plaster; loose flooring cover must repaired or replaced; ceiling contains holes, loose material and/or disrepair; exterior doors need to be weathertight; bathroom and bedrooms must have a door and interior lock; locks not maintained or missing from window; screens required on window; screens on doors should be self-closing and latching; every window shall open and close as manufactured; windows need to be weathertight; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls contains holes and/or breaks; exterior walls not weatherproof; exterior walls have loose or rotted material; foundation walls have cracks or holes; foundation wall ventilation not maintained or missing; property needs to be graded to prevent accumulation of standing water; roof has leaks; handrails required on one side of stair having more than 4 risers, front porch; deck, porch and/or patio flooring rotten or in disrepair, check front and back; ceiling contains holes, rotten and/or in disrepair, check front and back; electrical equipment needs to be properly installed and maintained, electrical permit is required before work is started; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink, plumbing permit required; rotten flooring must be repaired throughout structure; keep dwelling unit in clean/sanitary condition; do not use any oil or gas-fired portable or non-vented cook stove or heater; plumbing pipes or fixtures broken, burst, frozen or inoperable; cooking or heating equipment unsafe or dangerous.

It was noted that there is a For Sale sign in front of the house. Staff was not aware of any recent contact by the owner of the property.

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

Acting Chair Ata stated that the property involved in this matter is located at **421 Boyd 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 properties in question have 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 structures are 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.

14. 1507 Holbrook Street (Parcel #0011460) Livingtone B. Rakama & Susan C. Rakama, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL OCTOBER 14, 2014 MEETING)

Compliance Coordinator Benton stated that the property was initially inspected October 16, 2012. The hearing was held July 25, 2013. The Order to Repair was issued June 9, 2014. There are children living in the area where the property is located but there is not a school nearby.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 4, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include missing smoke detectors; heating system not maintaining 68 degrees in habitable rooms, bathroom; water heater not properly installed or maintained; unclean, unsanitary floors, ceilings and walls; flooring is rotten; loose floor covering; rotten roof sheathing; plumbing facilities must be maintained in a safe, sanitary and functional condition; plumbing fixtures leak; doors need to be weathertight; bathroom requires ventilation system when window isn't provided.

Livingstone Rakama, 4305 Bromley Place, stated that it has taken seven month to go through the court system to remove the tenant. He also referenced rezoning issues affecting his property. He would like to move from residential zoning to commercial zoning and he has been working with the Zoning Department since February. Nobody has lived at the property for a year.

Ms. Sheridan explained that regardless of the zoning district, if the property is a dwelling it becomes the purview of the Commission. She asked the owner to share his timeline if it is his desire to bring the property into compliance. Mr. Rakama said that only a few violations are left to complete. He felt that the work could be finished by the end of the month. He expressed his intention to complete the repairs.

Ms. Moore-Dudley moved to continue the case until the October, 2014 meeting. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Kollar, Moore-Dudley, Sheridan. Nays: None.)

**15. 703 Cranbrook Street (Parcel # 0033098) Ronald and Sarah Cobb, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that the property was initially inspected June 12, 2013. The hearing was held April 22, 2014. The Order to Repair was issued May 20, 2014. The City had the property secured and there are children living in the area where the property is located. There is not a school located nearby the property.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 4, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include electrical equipment needs to be properly installed and maintained; exposed wiring at light fixtures; power not on at time of initial inspection; missing smoke detectors; heat—gas/electric not on at time of inspection; water not on at time of inspection; unclean/unsanitary floors, ceilings, and walls; roof not properly anchored; structural members of roof not able to support their nominal load; structural member of roof are rotten or deteriorated; bathrooms must have door with interior lock set; screens required on exterior doors; windows do not open or close as manufactured; windows missing screens; windows need glazing; windows are not weathertight; exterior wood surfaces need to be maintained with paint or other protective coating; foundation walls have holes or cracks; property needs proper house numbers or identification; all exterior property and premises need to be maintained in clean and sanitary condition; exterior property needs to be maintained free of weeds, plant growth in excess of 12 inches; and porch or patio flooring is rotten or in disrepair.

There was no one present to speak on this property. Staff has not heard from the owner regarding his inability to attend the meeting. It was noted that none of the violations have been cleared.

Given the absence of intent to bring the property into compliance as evidenced by the property owner not appearing at the meeting and not having someone advise the City as to his or her reason for not appearing as well as no progress has been made to the City's knowledge in terms of bringing this property into compliance, Mr. Outling moved to uphold the Inspector, seconded by Ms. Moore-Dudley. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Kollar, Moore-Dudley, Sheridan. Nays: None.)

Acting Chair Ata stated that the property involved in this matter is located at **703 Cranbrook 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 properties in question have 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 structures are 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.

16. 1117 Warren Street (Parcel #0011447) James and Sabrina Scroggins, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(INSPECTOR UPHELD)

Compliance Coordinator Benton stated that the property was initially inspected April 19, 2013. The hearing was held May 20, 2013. The Order to Repair was issued May 22, 2013. The City did not have to secure the property. There are children living in the area where the property is located but no school is located nearby the property.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 5, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include missing smoke detectors; power was not on at time of inspection; heat-gas/electric not on at time of inspection; water was not on at time of inspection; carbon monoxide detector required; plumbing facilities need to be maintained in safe, sanitary, functional condition; unclean/unsanitary floors, ceilings and walls; walls have cracks, holes, loose plaster, decayed wood or other defective material, especially at window frames; electrical equipment needs to be properly installed and maintained; doors need to be weathertight; double keyed deadbolt not permitted on means of egress door; screens required on exterior doors; screen doors should be self closing and latching; windows do not open or close as manufactured; windows need glazing; windows need to be weathertight; windows missing screens; windows have locks that need to be repaired or replaced; 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; and foundation walls have holes or cracks.

There was no one present to speak on this property. Staff has not heard from the owner regarding his or her inability to attend the meeting. It was noted that the property is in foreclosure.

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

Acting Chair Ata stated that the property involved in this matter is located at **1117 Warren 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 properties in question have 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 structures are 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. 1308 Fireside Street (Parcel # 0037570) Dwight M. Ray, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL DECEMBER 9, 2014 MEETING)

Compliance Coordinator Benton stated that the property was initially inspected October 11, 2013. The hearing was held May 27, 2014. The Order to Repair was issued June 12, 2014. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 2, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include roof leaks; power not on at time of inspection; unsafe electrical wiring; missing smoke detectors; unclean/unsanitary floors, ceilings, and walls; exterior walls have cracks, loose plaster or other defective material; rotten or damaged roof sheathing; structural members of roof unable to support nominal load; electrical equipment throughout needs to be properly installed and maintained; screen doors should be self-closing and latching; windows do not open and close as manufactured; windows need glazing; exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls have holes and/or breaks; exterior walls not weatherproof; exterior walls have loose or rotted material; heat—gas/electric not on at time of inspection; plumbing facilities must be maintained in safe, sanitary and functional condition; water not on at time of inspection; exposed wiring at outlet; exposed wiring at light fixtures; carbon monoxide detector required; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; plumbing fixture/toilet loose/not properly secured; walls have peeling, chipping or flaking paint; walls have cracked or loose plaster, decayed wood or other defective material; loose floor covering must be repaired or replaced.

Dwight Ray, 3727 Fieldview Road, Pleasant Garden, North Carolina stated that he purchased the property six months ago following a fire that occurred a year before. He hopes to have the violations cured by January, 2015. Inspector Covington confirmed that the owner has started to work on the property and a permit has been issued. Garbage has been removed from the house. The owner indicated he will not be able to devote full attention to the repairs until the end of October when funding will become available.

Ms. Sheridan moved to continue the case until the November 13, 2014 meeting, seconded by Mr. Kollar. The Commission voted 3-3 and the motion failed. (Ayes: Kollar, Sheridan, Ata. Nays: Outling, Quinn, Moore-Dudley.)

Mr. Quinn moved to continue the case until the December 9, 2014 meeting, seconded by Ms. Moore-Dudley. The Commission voted 5-1 in favor of the motion. (Ayes: Ata, Outling, Quinn, Sheridan, Moore-Dudley. Nays: Kollar.)

18. 1833 McKnight Mill Road (Parcel # 0079232) Robert B. Reberg, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL OCTOBER 14, 2014 MEETING)

Compliance Coordinator Benton stated that the property was initially inspected September 9, 2013. The hearing was held October 24, 2013. The Order to Repair was issued October 24, 2013. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 4, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked and missing electrical outlet covers; all electrical equipment needs to be properly installed and maintained; inoperable smoke detectors; exterior doors difficult to operate; windows do not open or close as manufactured; windows missing screens; bathroom requires ventilation system if window is not provided; exterior doors need to be weathertight; handrails required on one side of stairs having more than four risers; guardrails are loose at attic stairs; plumbing facilities must be maintained in safe, sanitary, functional condition; carbon monoxide detector required; loose floor covering must be repaired or replaced; heat-gas/electric not on at time of inspection; heating system not capable of maintaining 68 degrees in habitable rooms; plumbing facilities need to be maintained in safe, sanitary, functional condition; water heater relief valve improperly installed; dwelling needs to be kept free of rodent and insect infestation; unclean/unsanitary floors, ceilings and walls.

Robert and Susan Reberg, 5402 Lakeshire Road, have owned the rental unit for 10 years. They are dealing with the bank for a short sale. The property was listed in MLS (Multiple Listing Service) through a realtor. Mr. Reberg stated that the bank has turned down several offers on the house. He is proceeding with the deed in lieu of foreclosure process and he is hopeful the property will close. There was a problem with the title that has been resolved. He has been dealing with the bank for 11 months and they will not give a definite timeline for their response.

Mr. Outling expressed concern with what would be gained by continuing the case. The property owners have made a business decision to not make repairs and there is an absence of intent to repair. Further, although going through the legal process to obtain a deed in lieu of foreclosure, there is no timeline and the property could sit in its current condition indefinitely. Ms. Moore-Dudley was hesitant to uphold the Inspector for a property that was close to being a habitable, nice home for a family in light of the affordable housing shortage in the City. Mr. Outling noted an inconsistency in rationale because there is no intent to bring this property into compliance, no timeline, and the standard that may be employed to grant a continuance is that subjectively, it is a good house and someone in a certain price category could use the house. Ms. Moore-Dudley pointed out that this is not a continued case and the case should be heard for its unique circumstances.

Ms. Moore-Dudley moved to continue the case until the October 14, 2014 meeting for an update on the deed in lieu process, seconded by Ms. Sheridan. The Commission voted 3-3 and the motion failed. (Ayes: Ata, Moore-Dudley, Sheridan. Nays: Quinn, Outling, Kollar.)

Mr. Outling moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 3-3 and the motion failed. (Ayes: Quinn, Outling, Kollar. Nays: Ata, Moore-Dudley, Sheridan.)

Members reviewed the deed in lieu of foreclosure process. Ms. Moore-Dudley expressed her desire to help the owners avoid the cost of demolition.

Mr. Kollar and Ms. Moore-Dudley felt that a continuance of 60 days would be preferable to 30 days.

Mr. Quinn moved to continue the case until the October 14, 2014 meeting, seconded by Mr. Outling. The Commission voted 4-2 in favor of the motion. (Ayes: Ata, Outling, Quinn, Sheridan. Nays: Moore-Dudley, Kollar.)

**19. 1022 Portland Street (Parcel #008898) John and Karen Veal, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington.
(CONTINUED UNTIL NOVEMBER 13, 2014 MEETING)**

Compliance Coordinator Benton stated that the property was initially inspected February 18, 2014. The hearing was held March 11, 2014. The Order to Repair was issued March 24, 2014. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was August 29, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes cracked and missing electrical outlet and switch covers; electrical equipment needs to be properly installed and maintained; exposed electrical wiring at outlets and light fixtures; missing smoke detectors; utilities for heat, either gas or electric, were not on at time of inspection; plumbing facilities need to be maintained in safe, sanitary, functional condition; water not on at time of inspection; water heater relief valve improperly installed; unclean/unsanitary floors, ceilings, and/or walls; walls have peeling, flaking, or chipping paint; walls have cracks, holes, loose plaster, decayed wood or other defective material; rotten flooring must be repaired; loose floor covering must be repaired or replaced; rotten roof sheathing; structural members of roof are rotten or deteriorated; ceilings contain holes, have loose material or in disrepair; exterior doors need to be weathertight; windows do not open and close as manufactured; windows are missing screens that need to be weathertight; exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls contain holes or breaks; exterior walls have loose or rotting material; flashing is required around chimney; roof leaks; guardrails are loose, damaged, or improperly maintained; handrails are loose, damaged or improperly maintained; deck, porch flooring is rotten or in disrepair; back porch ceiling contains holes, is rotten and in disrepair.

John Veal, 1203 Leland Terrace, Trinity, North Carolina, stated that work has already started on the property. He anticipated that the contractor should be finished in another month and a half and the house should be totally completed in six months. The entire back half of the flat roof has been torn off and an angled roof has been added to eliminate the leakage problems. The entire electrical system has been pulled out and replaced rather than patching it. He plans to totally re-sheetrock the house. Several permits have already been pulled for the work. They have also replaced the plumbing system.

Ms. Sheridan moved to continue the case until the November 13, 2014 meeting, seconded by Mr. Outling. The Commission voted 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Sheridan. Moore-Dudley, Kollar. Nays: None.)

Mr. Veal stated that an administrative warrant was secured to enter the property on the same day he received the initial notice to contact the Inspector so that a video could be made of the property. He was never contacted and felt that the warrant was a wasted effort. Commissioners suggested he contact Compliance Coordinator Benton to discuss the procedure.

**20. 4433 Anderson Street (Parcel #0056432) Ronald E. Miller, Owner. In the Matter of Order to Repair, alter or Improve Structure. Inspector Rich Stovall.
(CONTINUED UNTIL NOVEMBER 13, 2014 MEETING)**

Compliance Coordinator Benton stated that the property was initially inspected November 14, 2013. The hearing was held April 29, 2014. The Order to Repair was issued on the same day. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 4, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes unsafe and exposed electrical wiring throughout; cooking or heating equipment unsafe or dangerous; all appliances shall be capable of performing the intended function; cracked or missing electrical outlet and switch plate covers; exposed wiring at outlet and light fixture; walls missing inside house; doors difficult to operate; lighting required in public halls, stairways, kitchen, bathroom, laundry room, boiler room, furnace room; missing smoke detectors; windows not readily accessible in case of emergency due to missing and rotted flooring, access is very limited; maintain required fire-resistance rating of fire-rated walls, fire stops, shaft enclosures; partitions and floors, north side of structure is plywood only-no sheetrock inside, no siding outside; heating system not maintaining 68 degrees in habitable rooms, bathrooms; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; plumbing facilities must be maintained in a safe, sanitary and functional condition; plumbing not properly connected to public sewer system; sewer line not properly installed and/or maintained; water not on at time of inspection; all systems, devices, fire alarms inoperable; unclean and unsanitary floors, ceilings and/or walls; wall has structural member unable to support imposed load; walls have peeling, chipping or flaking paint; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected; rotten flooring must be repaired; loose floor covering must be repaired or replaced; rotten roof sheathing; structural members of roof not able to support nominal load; roof has structural member rotten or deteriorated; ceiling contains holes, loose material and/or in disrepair; doors need to be weathertight; bathroom and bedrooms must have a door and interior lock; locks not maintained or missing from windows; screens required on windows; every window shall open and close as manufactured; windows need glazing; windows need to be weathertight; bathroom requires ventilation system when window isn't provided; every habitable space shall have at least one window; exterior wood surfaces need to be maintained by painting or other protective coatings; exterior walls contain holes and/or breaks; exterior walls not weather proof; exterior walls have loose or rotted material; foundation wall ventilation not maintained or missing; roof leaks; deck, porch and/or patio flooring rotten or in disrepair.

Ronald Miller, 4431 Anderson Street, plans to gut the entire house. There has been extensive termite damage and three quarters of the wood in the house must be removed. He explained the restriction his temporary work has on his ability to make the repairs. He plans to begin putting money into the repair of the house in two weeks. He described work that had already been completed before the Inspector came that included bathroom flooring and putting a wall up where the bathroom should be.

Inspector Jones stated that a building permit and permits for all trades will be required for this property.

Mr. Outling commented that although the owner has expressed intent, there is no timeline and no progress has been made in several months.

Ms. Moore-Dudley moved to continue the case until the November 13, 2014 meeting, seconded by Ms. Sheridan. The Commission voted 5-1 in favor of the motion. (Ayes: Ata, Quinn, Kollar, Moore-Dudley, Sheridan. Nays: Outling.)

Commissioners asked Mr. Miller to talk with the Inspector regarding the necessary repairs, secure necessary permits, and return in November, 2014 with an update on progress, cost estimates, and a timeline.

21. **15 Periwinkle Court** (Parcel #0039743) Ybe Eban, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert.
(REMOVED DUE TO COMPLIANCE)
22. **809 Lexington Avenue** (Parcel # 0005926) Nellie Jones, LLC & Bulent Bediz, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal.
(CONTINUED UNTIL OCTOBER 14, 2014 MEETING)

Compliance Coordinator Benton stated that the property was initially inspected July 30, 2012. The hearing was held October 12, 2012. The Order to Repair was issued November 9, 2012. The City did not have to secure the property. There are children living in the area where the property is located.

Counsel Jones asked Compliance Coordinator Benton if the video that was being 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 was September 5, 2014; 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. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations includes all appliances shall be capable of performing the intended function; exposed wiring at light fixture; power not on at time of initial inspection; doors difficult to operate; handrails required on one side of stair having more than 4 risers, stairs to basement; lighting is required in public halls, stairways, kitchen, bathroom, laundry room, boiler room, furnace room; missing smoke detectors; windows not readily accessible in case of emergency; maintain required fire-resistance rating of fire-rated walls, shaft enclosures, partitions and floors; duct system must be capable of performing required function; heat-gas/electric not on at time of inspection; heating system not capable of maintaining 68 degrees in habitable rooms, bathrooms; every dwelling unit shall contain a bathtub or shower, bathroom sink, toilet and separate kitchen sink; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; water heater not properly installed or maintained; water heater relief valve not properly installed and/or maintained; equipment provided by owner must be in working condition; kitchen shall have a clear passage of 3 feet between counter fronts and appliances or walls; kitchen shall contain enough space to store, prepare, serve and dispose of foods in a sanitary manner; 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 that must be corrected; rotten flooring must be repaired or replaced; loose floor covering must be repaired or replaced; rotten roof sheathing; roof not properly anchored; ceiling contains holes, loose material and/or in disrepair; bathrooms must have a door and interior lock; bedrooms must have a door and interior lock; exterior screens required on doors; screens required on windows; every window shall open and close as manufactured; windows need to be weathertight; bathroom requires ventilation system when window isn't provided; chimney not maintained and not in good repair; exterior wood surfaces needs to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls not weatherproof; exterior walls have loose or rotted material; flashing required around chimney; foundation wall ventilation not maintained or missing; roof drains, gutters and downspouts in disrepair; roof water shall not be discharged as to create a public nuisance; roof has leaks; exterior—all mechanical appliances shall be properly installed and maintained in safe and working condition; deck, porch and/or patio flooring rotten or in disrepair; all exterior property and premises shall be maintained in a clean and sanitary condition.

Bulent Bediz, 808 Lexington Avenue, asked Mr. Outling to recuse himself. He stated his opinion that Mr. Outling has a conflict of interest in this case because he is employed by a law firm that has interests related to UNC-Greensboro. Mr. Bediz is involved in a law suit involving UNC-Greensboro. Mr. Outling stated that he has recused himself before in matters related to UNC-Greensboro and he asked the owner if this property was related to UNC-Greensboro. Mr. Bediz replied in the affirmative and explained that his problems are related to UNC-Greensboro's expansion into his neighborhood. Mr. Outling said that he would abide by the will of the Commission if they made a motion to recuse him but he did not feel his recusal was necessary. Ms. Moore-Dudley agreed with Mr. Outling that recusal was not necessary. Acting Chair Ata commented that the question was whether or not this property was related to Mr. Bediz's court case with UNC-Greensboro. Ms. Moore-Dudley asked if they could proceed with the case and determine if recusal is necessary after Mr. Bediz explains why UNC-Greensboro is the reason the house is in this condition. Mr. Bediz recounted the case involving 809 Silver Avenue several months ago when UNC-Greensboro was represented by Terri Cartner and there was a question of the house being demolished or saved. He stated at that meeting that he owned the property just two blocks down the street and he wanted to save the property. Mr. Bediz stated that Mr. Outling opposed everything that he said during the hearing. Mr. Bediz said that all these cases are related because UNC-G is doing their expansion on a majority of the properties that he owned and they acquired some of their properties illegally. Mr. Bediz reiterated his opinion that Mr. Outling is involved with UNC-Greensboro and should recuse himself from the case. Mr. Quinn said that he did not understand what the UNC-Greensboro expansion had to do with minimum housing standards.

For the record, Counsel Jones stated that Mr. Bediz has raised what he believes is a conflict of interest with a member of the Commission. The member of the Commission does not agree with the assertion. It is not for Mr. Bediz to make a motion; rather, it is for the Commission to make a decision on this matter. It is Mr. Bediz's choice as to whether he wishes to participate in the hearing and he is being offered an opportunity to address the matter at hand and not other ancillary issues.

Acting Chair Ata asked the Commission if any member would like to make a motion to recuse Mr. Outling. Ms. Moore-Dudley indicated that she would make the motion if Mr. Outling wished to recuse himself. Mr. Outling stated that he did not want to be recused. He has recused himself in past cases; however, he sees no basis for his recusal in this matter. He will respect the will of the Commission if another member moves for his recusal. There was no motion to recuse Mr. Outling.

Acting Chair Ata asked Mr. Bediz to describe his plan to complete the work on this property. Mr. Bediz agreed to proceed but stated his objection to do so. He stated that he had an agreement with UNC-Greensboro to exchange some properties so that the campus expansion could begin. He envisioned working on his properties on Haywood Street and Lexington Avenue to preserve them to their original character. It was his intention to create mixed use development in a dilapidated area to the east of Lexington Avenue fronting Lee Street all the way to Silver Street. The development would benefit the City and the neighborhood. He entered into negotiation with the University based on this intention.

Acting Chair Ata asked Mr. Bediz if he had a copy of the agreement with UNC-Greensboro. He replied that he brought some of the emails that he exchanged with the University. Responding to questions, he indicated that the agreement with UNC-Greensboro will eventually relate to the subject property during his explanation. The subject property was originally owned by UNC-Greensboro. He referred to the exchange of property with UNC-G and indicated that it was a very complicated story. The University got valuable properties in the swap and he received dilapidated houses because of his dream to save the properties to preserve the character of the neighborhood. He distributed documentation to members regarding the properties he owns in the neighborhood and their renovations.

Following a verbal exchange between Mr. Bediz and Commissioners, Mr. Outling asked if he intends to bring the property into compliance. Mr. Bediz replied in the affirmative but was unable to give a timeline toward full compliance.

Mr. Bediz confirmed for Ms. Moore-Dudley that the subject property serves as storage for electrical and plumbing material for the work he is doing. He intends to make the property habitable for a tenant. He

stated that this property is in compliance with City rules. He asked Barbara Harris to answer questions regarding compliance.

Barbara Harris, City of Greensboro, was sworn as to her testimony in this matter. Mr. Bediz asked Ms. Harris if entrance into the property for purposes of the video recording was obtained legally. She deferred to Beth Benton, Compliance Code Coordinator, who has access to the case file for reference. Ms. Benton stated that the Inspector obtained an Administrative Warrant. Acting Chair Ata stated that entrance was obtained legally.

Acting Chair Ata commented that Mr. Bediz needs to focus on this property. Mr. Bediz referred to a copy of the warrant that was issued to enter the property on September 5, 2014.

Mr. Outling moved to uphold the Inspector on the grounds that there is no evidence the property owner intends to bring the property into compliance in a timely manner, seconded by Mr. Quinn. The Commission voted 2-4 against the motion. (Ayes: Outling, Quinn. Nays: Ata, Kollar, Moore-Dudley, Sheridan.)

Ms. Moore-Dudley expressed her frustration that Mr. Bediz is not providing answers relative to bringing the property into compliance and the timeline for repairs. Mr. Bediz referred to a document that he claimed shows that the house is already in compliance. Ms. Moore-Dudley asked Mr. Bediz when the house will be repaired. He deferred to his attorney, Steve Crihfield.

Steve Crihfield, 3208 Gaston Road, felt that Mr. Bediz had once again fallen on his own sword. He was to have come before the Commission to explain the circumstances that began on September 5, 2014 working backwards to show a sequential statement of facts that raise questions as to whether the administration is on top of their game. There were recurring events where notices were given and statements were made relating to events that did not happen. He offered documentation to the Commission's Counsel. Mr. Crihfield addressed the issue of providing a timeline. He explained that some time around 2009, Mr. Bediz was told that if the house was put in a condition of good curb appeal and not left open, then he could move forward at his convenience. There was an agreement in lieu of demolition. Mr. Crihfield was unsure if the order is truly still effective in light of the sequence of events. Mr. Crihfield's hope was that Mr. Bediz could provide a sequential discussion for the understanding of the Commission. He indicated that Mr. Bediz's fear is that after serious work is done on the house, the University will run off with the property and the City will be satisfied.

Ms. Sheridan explained the Commission's expectation in matters of minimum housing standards. The Commission is forced to deal solely with the matter at hand and curing the violations that exist.

Ms. Moore-Dudley understood that there was an agreement several years ago; however, circumstances have changed and the violations need to be addressed.

Mr. Outling commented that the question about the validity of the order is a legal question beyond the purview of the Commission. He felt it would be helpful to the Commission if Mr. Crihfield could provide a timeline for making repairs. He noted that earlier today the Commission granted a continuance in a case where there was no intent to bring the property into compliance. It would also be helpful for the Commission to receive responses and answers to their questions. Mr. Crihfield was in agreement.

Mr. Crihfield consulted with Mr. Bediz and gave him the choice to either give a timeline of a reasonable period of time to show some progress in repairs or tell the Commission that he is unable to provide a timeline and the Commission will take whatever steps it feels appropriate in this matter.

Mr. Bediz explained that fixing up these houses has been his life and his passion. He reiterated his desire to help his neighborhood. He is upset that the University is demolishing his neighborhood.

Following an exchange between Mr. Bediz and Mr. Outling, Counsel Jones asked Mr. Bediz to succinctly answer the question proposed by his attorney. Mr. Bediz stated that he can explain why a timeline cannot

be provided. He has drawings showing the complete renovation of the subject property. He plans to meet with the students of the Interior Architecture Department for their help in the renovation and to provide an opportunity for a hands-on learning experience. He asked members to allow him to present them with his written concerns about what has happened to-date with this property to have a clear understanding of its history along with a projected process working with the students to get the project done.

Mr. Outling moved to continue this matter to the October 14, 2014 meeting, seconded by Ms. Sheridan. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outline, Quinn, Moore-Dudley, Kollar, Sheridan. Nays: None.)

Acting Chair Ata stated that the Commission expects a letter from UNC-G regarding the department's commitment for this project and a timeline for repairs at the next meeting.

- 23. 208 East Camel Street – Chapter 17** (Parcel #0020282) Robert Hatley, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue.
(REMOVED DUE TO COMPLIANCE)

RESCINDED CASES:

- 24. 4205 Harvard Avenue** (Parcel #0025504) Heather (Donovan) Hogan. Repaired by Owner.
(RESCINDED)

Mr. Outling moved to rescind 4205 Harvard Avenue, seconded by Ms. Moore-Dudley. The Commission voted unanimously 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Kollar, Moore-Dudley, Sheridan. Nays: None.)

25. OTHER COMMISSION BUSINESS:

Acting Chair Ata welcomed the Commission's newest member, Robert Kollar.

▪ **Election of Chairman and Vice-Chairman**

Acting Chair Ata opened the floor for nominations for Chairman of the Minimum Housing Standards Commission.

Mr. Quinn moved to elect Mr. Outling as Chairman. Ms. Moore-Dudley also moved to elect Ms. Sheridan as Chairwoman. The Commission voted by secret ballot and Counsel Jones announced the results. The Commission voted 4-2 to elect Mr. Outling as Chairman.

Mr. Kollar moved to elect Ms. Sheridan as Vice-Chairwoman of the Minimum Housing Standards Commission, seconded by Ms. Moore-Dudley. The Commission voted 6-0 in favor of the motion. (Ayes: Ata, Outling, Quinn, Kollar, Moore-Dudley, Sheridan. Nays: None.)

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 4:45 p.m.

Respectfully submitted,

Shermin Ata,
Acting Chairwoman, City of Greensboro Minimum Housing Standards Commission

SA:sm/jd