

Minutes
Health and Building Standards Commission
February 21, 2019

After determining that a quorum was present the Health and Building Standards Commission convened in a Work Session on **Thursday, February 21, 2019 at 4:00p.m.** in the City Council Chambers at 215 E McKinney Street, Denton, Texas 76201 at which time the following items were considered:

Present: Commissioners: Greg Coward, Ginger Cane, Michael Sweigart, and Sam Ortiz

Alt. Board Members: Glen Farris

Staff: Scott McDonald, Emily Loiselle, Amber Rodgers, Glenda Gailliard, Billy Ewton, Heather Dow, Stephanie Barry, Carrie Frazier, Lancine Bentley, and Selena Dillard

Absent: David Mollen, Matthew Jendusa, Tim Stoltzfus, and Cyndell Addison (Alternate)

REGULAR MEETING

The Health and Building Standards Commission convened in a Regular Meeting of the Health and Building Standards Commission of the City of Denton, Texas which was held on **Thursday, February 21, 2019** in the City Council Chambers at City hall, 215 E. McKinney at which time the following items were considered.

Vice Chair Coward called the Regular Meeting to order at 4:23p.m.

1. **PLEDGE OF ALLEGIANCE**

A. U.S. Flag

B. Texas Flag

2. **INTRODUCTION OF NEW COMMISSIONERS MICHAEL SWEIGART AND TIM STOLTZFUS, AS WELL AS ALTERNATE CYNDELL ADDISON**

3. **ELECT A CHAIR AND VICE CHAIR FOR THE HEALTH AND BUILDING STANDARD COMMISSION**

Vice-Chair Coward asked for a nomination. Commissioner Cane motioned to postpone the election of a new Chair and Vice-Chair until more of the members were present. Commissioner Ortiz seconded the motion. Motion approved (5-0) Vice-Chair Coward, "aye", Alternate Farris, "aye", Commissioner Cane, "aye", Commissioner Sweigart "aye", Commissioner Ortiz "aye".

1 4. CONSIDER THE APPROVAL OF THE HEALTH AND BUILDING STANDARDS
2 COMMISSION MINUTES OF OCTOBER 19, 2017, JANUARY 18, 2018, AND
3 AUGUST 16, 2018
4

5 The October 19, 2017 minutes were the only minutes that could be approved due to member
6 attendance. Alternate Farris motioned to approve the minute, Commissioner Sweigart seconded.
7 Motion approved (5-0) Vice-Chair Coward, "aye", Alternate Farris, "aye", Commissioner Cane,
8 "aye", Commissioner Sweigart "aye", Commissioner Ortiz "aye".
9

10 A. HOLD A PUBLIC HEARING TO AFFIRM OR REJECT AN ORDER BY THE
11 BUILDING OFFICIAL TO DECLARE STRUCTURES SUBSTANDARD.
12 THE STRUCTURES ARE LOCATED ON PARCEL #29063, ADDRESSED AS
13 1226 WEST OAK, BLDG. NO. 1226, 1224, 1232, 212, 216, 220, AND
14 ONE UNADDRESSED STRUCTURE.
15

16 Heather Dow, Specialty CIS Officer, was sworn in and presented the case. She provided an aerial
17 view and map for the 7 apartment structures located on one plot of land at 1226 West Oak Street,
18 Denton, TX, 76201. Ms. Dow then presented a timeline of events as follows. November 26, 2018
19 Ms. Dow opened the case on the property by complaint of the Denton Police Department regarding
20 the sub-standard living conditions and ongoing criminal activity. November 26, 2018 Ms. Dow
21 wrote a probable cause avadavat, the Municipal Judge approved the avadavat and signed the
22 inspection warrant. November 28, 2018 Ms. Dow executed the inspection warrant, conducting an
23 inspection of the exterior and interior of the property. November 30, 2018 a 72-hour repair notice
24 was presented to Bahman Naderi, the property owner. The second-floor deck railing on building
25 212 needed to be repaired, a dilapidated stairway on building 1224 needed to be blocked from use,
26 and missing spindles on a stairwell needed to be replaced on building 1224. December 4, 2018,
27 she re-inspected and found that one of the three issues had been address, the stairway spindles on
28 building 1224 had been repaired. Municipal court citations were issued for the stairway of building
29 1224, and the railing of building 212. December 6, 2018 Mr. Naderi met with Ms. Dow and signed
30 the citation and went over the remaining areas that needed to be repaired immediately. She
31 informed him that she would be mailing him a notice and order once the title report and court
32 documents were received. The notice and order would give Mr. Naderi 30 days to obtain all
33 alteration or demolition permits for all structures. January 8, 2019 the notice and order was mailed
34 to all parties, and a copy was left at Mr. Naderi's residence. February 8, 2019 the deadline for
35 obtaining the permits had passed and no permits were pulled. A re-inspection was performed, and
36 all substandard conditions remained. A notice of public hearing letter was then posted to all the
37 doors of all dwelling units, including the un-addressed building. February 10, 2019 a notice of
38 public hearing was posted in the Denton Record Chronicle and mailed by certified mail to all
39 parties.
40

41 Mr. Dow then presented photos of the property to the commission. She noted that the property had
42 rotted and warped roofs, and eaves, as well as a failing foundation. Most of the windows were
43 either broken or nailed shut. Vice-Chair Coward asked if the apartments were occupied at this
44 time, Ms. Dow replied that they were. She went on to say that the residents complained of leaking
45 ceilings when it rained, and she suspected a number of outlets weren't in working condition. There
46 was missing door hardware and locks, many tenants stated that they did not have keys to their own

1 rooms. Bathroom walls were open creating unsanitary conditions, and bathroom floors had
2 significant water damage. There were non-working GFI's in required locations, an emergency door
3 was blocked off and hardware was not in compliance. There was no heat to the apartments and
4 tenants were using space heaters in unsafe locations. Flooring in the kitchen was water logged in
5 areas near the water heater. Billy Ewton, Building Inspector Supervisor, was sworn in and
6 discussed the state of the water heater displayed in the pictures presented. He noted that there are
7 several code issues shown, such as cords with wrong amp circuits. The top of the water heater was
8 not secure which could potentially be leaking carbon monoxide, and the water valve was leaking
9 leaving the floor saturated. He mentioned that during an inspection the water heater was behind a
10 padlocked door and not turned on, hot water is a requirement for the minimum standards of
11 building occupancy.

12
13 Ms. Dow presented pictures of building 216 to the Commission. There was rotted facial board, the
14 bottom of the front door had structural wall failing stopping the door from being secure, leaving a
15 2-inch gap. There was missing hardware and locks, broken windows and windows separated from
16 the frame. Residents noted that restrooms didn't work properly and that to use the restroom they
17 would have to go to another building. The ceiling was coming down over the shower and there
18 was exposed plumbing in the wall. Tenants stated that they had been without hot water since July
19 of 2018. She noted that the only buildings that had heat were buildings 212, and 1224. There was
20 rotted and decayed flooring in the kitchen, covered with plywood, the kitchen sink and cabinets
21 were rotted. Upon the re-inspection everything had been removed from the kitchen including
22 appliances, and the plumbing under the sink was replaced. Vice-chair Coward asked if there was
23 a permit pulled for the plumbing work, Mr. Ewton responded that there was not. Ms. Dow went
24 on to say the kitchen ceiling had water damage, and the floor underneath the old water heater was
25 damaged and rotted. She let the maintenance man know that a permit had to be issued for replacing
26 the water heater, as of now the water heater is not installed and there is no hot water.

27
28 Heather Dow presented pictures of building 212. She stated that the balcony railing was not secure,
29 and the upstairs landing has an excessive slope. Residents in 212 and 1224 stated that they
30 purchased their own flooring as it was missing or badly damaged, and management would not
31 replace it. Mr. Ewton noted that there was exposed, saturated lumber in the kitchen, and it is
32 required to have water resistant materials in the kitchen for safety.

33
34 Ms. Dow presented pictures of building 1232. There was failing buckled roof, and apparent
35 exterior wall failing that stopped the door from securely closing. The stairway was slanted, and
36 there was a hole in the entry floor. The bottom step of the stairs broken off and the handrail was
37 missing. The ceiling was again dilapidated, the bathroom had no sink, and the holes in the floor
38 were covered with plywood. The tenants from building 216 used this bathroom instead of their
39 own. The floor next to the bathtub was missing and covered by cardboard. The rooms had improper
40 wiring, and a break in the flex tube wiring. Mr. Ewton state that flex tube is not supposed to be run
41 in exposed locations, and not allowed by code to be used in the way that it was used in the
42 apartment.

43
44 Ms. Dow presented pictures of building 1226. The roof was failing, and the shingle life had
45 expired. Much of the apartment was in an unsanitary condition. The windows were nailed shut,
46 and there was a mold/fungus growing on the walls. Rotted flooring was in the bathroom, and there

1 was standing water present covered by squares of carpet. As for now the building had been vacated.

2
3 Ms. Dow presented pictures of building 1224. There was missing spindles on hand rails and breaks
4 in the upper deck walkway. Underneath the stairwell was rotted wood and rusted metal separating
5 from each other, along with a decaying support beam. One of the staircases has been blocked,
6 along with a sign stating it was unusable. There was water damage to the ceiling due to a leaking
7 upstairs bathroom, and water damaged counter tops in the kitchen. There was no GFI units in this
8 building.

9
10 Ms. Dow presented pictures of an unknown building that was not addressed. She was told that the
11 building was used for storage. The exterior siding of the building was decayed and rotted. Although
12 the building was not supposed to be occupied, it appeared as though someone had been staying
13 there. She noted that there were only one or two smoke detectors in the units, and neither worked.

14
15 Ms. Dow summarized her findings as that there was potential structure failure of the roofs,
16 foundation, walls, and flooring. Dilapidated, deteriorated, and damaged electrical and plumbing
17 facilities. Inadequate means of egress, blocked emergency exits, and windows nailed shut.
18 Inadequate fire protection systems, unsanitary conditions, and a harbor for criminal activity. Mr.
19 Ewton summarized that there is a minimum standard for occupancy that require sanitary
20 conditions, hot and cold water, and for the building to be secure. None of the structures met the
21 building conditions.

22
23 Sarah Keith, City of Denton Police Officer, was sworn in to give a criminal summary. She prepared
24 a list of police responses to the apartments. The lists were taken in for the record. A map was
25 presented, showing that there was a concentrated amount of crime in the location where the
26 apartments are located. There had been 79 reportable incidents happen at the apartments within an
27 18-month time span from June 2016 to November 2017. She stated that the building and the tenants
28 pose a safety hazard for first responders. It is a difficult area for police to solve crime due to the
29 lack of cooperation from tenants.

30
31 Alternate Farris asked how far back the data goes for police responses. Officer Keith responded
32 that it can go back as far as he'd like, that she only brought recent data ending in November of
33 2018. Alternate Farris explained that he would like an idea of how recent data lines up with the
34 history of the property. Officer Keith noted that the crime analyst that put the list together would
35 be able to supply him with the reports dating back further. Alternate Farris also asked about the
36 inspection history of the property. Scott McDonald noted that it appeared that it had been a
37 significant problem for a significant amount of time, and that it was apparent the work being done
38 was being performed without a permit. Mr. Ewton added that in 2005 he performed an inspection
39 at the property, and it has not been improved since then.

40 Heather Dow made a comment that she had been threatened by tenants, and only inspected the
41 property with an officer present.

42
43 Heather Dow noted that she and staff recommend that the Commission order the structures located
44 at 1226 W. Oak Street, (220 Fry St; unknown Bldg. #, Fry St; 216 Fry St; 212 Fry St; 1232 W.
45 Oak St; 1226 W. Oak St; 1224 W. Oak St) Denton, Texas 76201 be repaired or demolished within
46 30 days. Carrie Frazier, Plans Examiner, was sworn in to give information on the permit

1 application. She submitted Mr. Naderi's residential application into record. She noted that the
2 application was made on January 28, 2019, and there was a request made for additional information
3 from Mr. Naderi on February 14, 2019. The information had not been provided since the request
4 was made. Commissioner Ortiz asked how long the tenants had been living in the apartments in
5 the substandard condition, Ms. Dow was unsure.

6
7 Mr. Naderi's lawyer, William Trantham was sworn in to speak on behalf of Mr. Naderi. Mr.
8 Trantham's main concern was that he believed 30 days was not adequate time to perform the
9 repairs. He also noted that Mr. Naderi had not yet received a water heater permit that was requested
10 30 days prior. He accused the tenants of reporting the Mr. Naderi because they were being evicted,
11 and in many cases damaged the property themselves. He asked that the amount of time to repair
12 the apartments be changed from 30 days to 90. Scott McDonald asked Mr. Trantham when he was
13 first made aware of the notice of violation, Mr. Trantham answered 2 days prior. Scott McDonald
14 then asked if Mr. Trantham thought 90 days would be a reasonable time for repair, Mr. Trantham
15 answered yes, for most repairs. Mr. McDonald noted that it appeared to be a challenge for Mr.
16 Naderi to obtain a permit in a 30-day period, and that any work being done to the apartments,
17 either by owner or tenant, is ultimately Mr. Naderi's responsibility. It is Mr. Naderi's responsibility
18 to have the property in a habitable condition, and from the pictures presented it was not habitable.
19 He stated that there needs to be a plan in place for the repairs to be done in a reasonable time. He
20 added that there were safety concerns on all of the structures. Mr. Trantham again stressed that 30
21 days to repair the structures was not enough time. Mr. McDonald stated that he was gravely
22 concerned for the tenants and first responders. Commissioner Cane noted that Mr. Trantham said
23 that multiple issues portrayed in the pictures presented had already been repaired and asked if he
24 had visited the apartments himself. Mr. Trantham was unsure. Commissioner Cane was concerned
25 about the living conditions. She stated that if it was the tenants causing damage to the property,
26 Mr. Naderi is obligated to put an end to it, possibly by evicting them. Mr. Trantham noted that Mr.
27 Naderi had evicted approximately 45% of the tenants. He also mentioned that tenants have a right
28 to privacy. Commissioner Sweigart asked which items other than the stairs had been repaired. Mr.
29 Trantham answered that there were other items that had been repaired but had no examples. Scott
30 McDonald stated that even if there had been repairs that they were not valid because there was no
31 permit issued. Commissioner Sweigart asked specifically how many evictions had been filed, Mr.
32 Trantham did not have a number. Commissioner Sweigart asked if any police reports or reprimands
33 had been made towards tenants that performed unsafe repairs or damaged property. Mr. Trantham
34 was unsure. Commissioner Sweigart asked if there had been any contractor bids received. Mr.
35 Trantham was unsure. Commissioner Ortiz asked how many tenants currently live on the property,
36 Mr. Trantham was unsure. Commissioner Farris was concerned about the children living on the
37 property, and asked Mr. Trantham about the possibility of someone getting hurt from the
38 conditions within the 90 days that he is asking for. Mr. Trantham did not believe that there was a
39 probability of that happening.

40
41 Vice-Chair Coward opened the floor for public comment.

42
43 Robert McDonald, the maintenance man for the property, was sworn in. he stated that he had lived
44 on the property at 1226 W. Oak Street for the past 11 years. He mentioned that he had no
45 knowledge that a permit was required for replacing a water heater, or for replacing rotted flooring.
46 He noted that he had replaced the P-trap in the kitchen of building 216, and fixed the roof on

1 building 220, and the shingles on building 216 had been replaced. He stated that the exterior
2 concrete wall, shown in the pictures presented, was only cosmetic and just needed to be replaced.
3 He said that he can only fix what is submitted to him in writing and placed in the correct drop box.
4 He claimed that the tenants did not inform him when there were issues, and that he has to respect
5 the privacy of tenants. Commissioner Coward stated that a lack of knowledge is not an adequate
6 excuse to not obtain the appropriate permits.

7
8 Alberto Calderon Jr., former tenant of 1224 W. Oak St, apartment 10, was sworn in. He moved
9 into the apartments on January 8th, 2018 and informed the owner that there were no smoke alarms
10 in his apartment and was told that he needed to provide them himself. He switched apartments,
11 staying in the same complex, approximately 5 months after he first moved in. While Mr.
12 Calderon's daughter was visiting him, she was bitten by bed bugs. He had approached Robert
13 McDonald, the maintenance man, with some concerns he had, and claimed that Mr. McDonald
14 verbally abused him. Mr. Calderon noted that he left the apartments because of the conditions.

15
16 Donald Moore, 1401 Hunters Ridge circle, was sworn in. Mr. Moore owns 10 lots on Fry street
17 near Mr. Naderi's property. He had witnessed Mr. Naderi throwing tenants out without the proper
18 eviction procedure, as well as people buying or selling drugs on Mr. Naderi's property. He noted
19 that he has personally seen the sub-standard conditions that Mr. Naderi's tenants live in. There has
20 also been a problem with overfilling the dumpster resulting in loose trash around the neighborhood.
21 He suggested that Mr. Naderi vacate the property and be given enough time for doing the repairs
22 properly.

23
24 Cassandra Gusta was sworn in, she is a tenant living in building 1232, apartment 7. She asked
25 about the time frame between not paying rent and eviction. Vice-Chair Coward informed Ms.
26 Gusta that the board only deals with health and building safety. Scott McDonald added that
27 Danielle Shaw from Community Development may be able to help.

28
29 Bahman Naderi, Landlord of the property in question, was sworn in. Mr. Naderi noted that he had
30 lived on the property from 1997 until 2004 and had no issues with the apartment. He claimed that
31 the tenants cause damage to the apartments. He also noted that when he attempted to obtain permits
32 from the city that Projectdox was malfunctioning. Scott McDonald told Mr. Naderi that he will
33 give him a direct staff contact to discuss his permits. He stressed the direness of Mr. Naderi getting
34 his permits, and that there are significant repairs that will have to be made. All permitting
35 information is online on the City of Denton website. He noted that for ordinary repairs such as
36 replacing trim, or patching a hole, a permit is not required. Repairing structural components, roofs,
37 or laying new flooring does require a permit. He added that Mr. Naderi will need to get estimates
38 from a licensed electrician, licensed mechanical contractor, and a licensed plumbing contractor.
39 He stated that when there was structural damage, such as rotting, it had to have had an excessive
40 period of time to reach that point. Mr. McDonald told Mr. Naderi that a good timeline to follow
41 would be to have a comprehensive layout of repairs to be done submitted to city staff within 10
42 days, as the recommendation was to have repairs done within 30 days. Mr. Naderi stated that he
43 had a construction crew that was going to assess his property on February 22, 2019 and give him
44 a cost report. He told the board that if he is allowed time, he will get the repairs done.
45 Commissioner Cane suggested Mr. Naderi have a better screening process for tenants if the tenants
46 are destroying his property.

1
2 Vice-Chair Coward closed the public hearing at 6:11pm
3

4 Alternate Ferris motioned that the structures located at 1226 W. Oak Street (220 Fry St; unknown
5 Bldg. #, Fry St; 216 Fry St; 212 Fry St; 1232 W. Oak St; 1226 W. Oak St; 1224 W. Oak St),
6 Denton, Texas 76201, be declared dilapidated, substandard, and unfit for human habitation; that
7 they constitute a hazard to the health, safety and welfare of the occupants and the citizens of
8 Denton, and that the structures be repaired or demolished within 30 days. Commissioner Sweigart
9 seconded the motion.

10 Scott McDonald asked Bahman Naderi what he believes to be a reasonable amount of time to make
11 the repairs. Mr. Naderi answered that he believed 90 days should be sufficient. Mr. McDonald also
12 asked Mr. Naderi if he would be able to present his lease agreements to staff when submitting his
13 layout of repairs to staff. Mr. Naderi answered that he could. Vice-Chair Coward asked Scott
14 McDonald if the foundation issues would require an engineer. Mr. McDonald noted that Mr.
15 Naderi would need a contractor to give a comprehensive report from foundation to roof. He does
16 believe that 90 days to do all of the repairs is much more reasonable than 30 days, and if given 90
17 days Mr. Naderi would need to obtain permits within 30 days. If he is unable to do so, then he will
18 need to come before the board again for consideration, or the board might judge that the property
19 be demolished. Commissioner Coward noted that there are multiple addresses on the property, if
20 a repair is granted for one of the addresses, would the properties need to be separated out of the
21 order. Scott McDonald answered that legal may need to help with that, but he said that based on
22 the way the complaint is written he thinks the property should be treated as a whole.
23

24 Stephanie Berry, legal, stated that if three of the structures were demolished, and 4 were repaired
25 for example, that Mr. Naderi would be in compliance. She clarified with Scott McDonald that he
26 would suggest entering the order to repair or demolish within 90 days that day; and to possibly
27 have a condition that Mr. Naderi have a plan of repair submitted to staff within 10 days and permits
28 within 30 days. She read the suggested motion for the record.
29

30 Alternate Farris stated that he was going to amend his motion to change the timeline to 90 days;
31 contingent on Mr. Naderi submitting for permits within 10 days. Commissioner Ortiz asked if Mr.
32 Naderi did not obtain permits within 30 days would he not be compliant with the order. Scott
33 McDonald answered that the order will be for 90 days, and ultimately the timeline of obtaining
34 permits will affirm the timeline of having the work be completed. Commissioner Sweigart was
35 concerned about the tenants of the apartments and did not see them being able to live on the
36 property while repairs were being done. He spoke about how important private property rights are,
37 as well as his concern on the amount of crime. He did not believe this was a possible task for Mr.
38 Naderi and did not think it was right to encourage Mr. Naderi. Commissioner Cane responded that
39 the board is not encouraging him but giving him options. Scott McDonald noted that City staff had
40 already provided notice, and performed inspections to try to gain compliance, the board was trying
41 to give him latitude to achieve what he needed to achieve.
42

43 Stephanie Berry elaborated that the order was only going to read either 30 or 90 days. If Mr. Naderi
44 did not bring his repair plan to staff within 10 days, nothing would happen, it was a suggestion.
45 All seven structures of the property had to be repaired or demolished. Commissioner Sweigart did
46 not want to vote for a motion that would keep the tenants living in the substandard condition for

1 90 days. Vice-Chair Coward asked Mr. Naderi if he chose to do the repairs, would he be willing
2 to move the tenants out of the property. Mr. Naderi replied that he would. Alternate Farris noted
3 that there was city staff available to help with emergency housing.

4
5 Commissioner Cane motioned to end discussion, Commissioner Sweigart seconded the motion.
6 Commissioner Coward asked for a vote on the suggested motion, amended to read 90 days made
7 by Alternate Farris. Motion approved (5-0) Glen Farris "aye", Ginger Cane "aye", Greg Coward
8 "aye", Michael Sweigart "aye", Sam Ortiz "aye".
9

10 B. HOLD A PUBLIC HEARING TO AFFIRM OR REJECT AN ORDER BY THE
11 BUILDING OFFICIAL TO DECLARE A STRUCTURE SUBSTANDARD. THE
12 STRUCTURE IS LOCATED ON DENTON COUNTY PARCEL 34411,
13 ADDRESSED AS 524 S LOOP 288
14

15 Heather Dow presented the case to the board. She showed a map of the property. And gave a timeline of
16 events as follows. June 20, 2017 the case was opened by complaint by the City of Denton Police department
17 stating there was a vacant house with vagrant activity. June 20, 2017 Heather Dow spoke to Leslee Ann
18 Hitt, the property owner, and Ms. Hitt stated she had a potential buyer. November 8, 2017, an initial interior
19 inspection was made. November 8, 2017 a notice and order was mailed to all potential vested parties
20 requesting an alteration or demolition permit be obtained on or by December 11, 2017. November 30, 2017
21 Ms. Hitt met with Ms. Dow in her office and talked about the possibility of the City demolishing and putting
22 a lien on the structure. Ms. Hitt informed Ms. Dow that there was a potential buyer and did not want the
23 City to demolish the structure. March 29, 2018, Ms. Hitt informed Ms. Dow that there was a sales contract
24 set to close September 25 of 2018, and the new owner would demolish the structure. November 27, 2018,
25 Ms. Dow Contacted Ms. Hitt and was told the sale did not go through. January 10, 2019, Ms. Hitt stated
26 that there was a new potential buyer and that she would contact Ms. Dow when she had more information.
27 Ms. Dow had since not received any information and the structure had remained in the same state. February
28 8, 2019, a notice of public hearing was posted on the structure and mailed by regular and certified mail to
29 all parties. February 10, 2019, the notice of public hearing ran in the Denton Record Chronicle. February
30 20, 2019, Ms. Hitt informed Mrs. Dow that she had a new signed sales contract.

31
32 Ms. Dow then presented pictures of the property to the board. Both of the bathrooms had been stripped of
33 plumbing, the house had been vandalized and it was evident that vagrants had been camping there starting
34 fires in the fireplace. The wiring had been stripped throughout the house, everything in the kitchen had been
35 stripped except for cabinets. The doors had been kicked in, and the ceilings were dilapidated. Community
36 improvement Services and Building inspection staff recommend the structure located at 524 South Loop
37 288, 76205 be repaired or demolished within 30 days.
38

39 Alternate Farris asked how secure the structure was. Ms. Dow noted that she had seen school aged children
40 playing in the front yard, and they told her that they had also played inside of the structure. The house was
41 boarded up, and hadn't had break-ins recently.
42

43 Leslee Ann Hitt, the owner of the property, was sworn in. She had trouble keeping the house in an
44 acceptable shape to rent out due to it being broken into and vandalized repeatedly. She did not believe that
45 the house was a nuisance, and that it was repairable. She did not believe that it was feasible to repair the
46 home if a new buyer will demolish it. She also did not want to spend money to demolish the house if the
47 buyer would demolish it themselves. She noted that if homeless people were not forced to leave her property
48 by authorities, the home would be broken into more. Vice-Chair Coward asked what Ms. Hitt's current plan
49 was with the property, she replied that she currently had a contract on it that was signed after Thanksgiving

1 of 2018. A letter of intent was entered into the record. Ms. Hitt mentioned that there was a contract but that
2 she did not have it with her. She stated that she stopped by the property once a week to ensure that it was
3 secure, but that it was a financial burden for her to demolish it. Commissioner Sweigart asked her if she
4 had a timeline for when the contract would go through for the sale of the property, Ms. Hit was unsure.

5
6 Vice-Chair Coward asked Ms. Dow what requirements were needed to make the property secure, she
7 responded that the house would need to be habitable. She also noted that the City had offered to demolish
8 the house and lien the property. Ms. Hitt did not want to have to bring the house up to code a buyer's
9 intention was to demolish it. Vice-Chair Coward mentioned that the board could not vote on anything other
10 than life safety. Ms. Hitt said that the amount of money to demolish the house would be a financial burden
11 to her, and if she were to accept the offer from the City to demolish, the lien would go against her record.
12 Commissioner Sweigart asked if she had considered putting the home on the market, and Ms. Hit confirmed
13 that it was.

14
15 Vice-Chair Coward closed the public hearing, and opened the floor for discussion amongst the board.

16
17 Commissioner Cane made a motion to allow Ms. Hitt 90 days to sell the property, and in the meantime
18 ensure that the property was secure. Commissioner Sweigart seconded the motion. Stephanie Berry
19 suggested tabling the item for 90 days. Commissioner Cane amended her motion to table the item for 90
20 days, and to discuss it at the May 16th HaBSCo meeting. Commissioner Sweigart seconded. Motion
21 approved (5-0) Glen Farris "aye", Ginger Cane "aye", Greg Coward "aye", Michael Sweigart "aye", Sam
22 Ortiz "aye".

23
24 Meeting Adjourned 7:14pm
25
26
27

DocuSigned by:
X

5/19/2021

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Greg Coward
Vice-Chair