AGENDA
PROPERTY MAINTENANCE APPEALS BOARD
Thursday, November 7, 2019 at 1:30 p.m.
Omaha/Douglas Civic Center – 1819 Farnam
Third Floor – Jesse Lowe Conference Room

Board Members:
Steven Andersen, Vice-Chair
Kim Cowman
Jeffrey Ehler
James Lang, Chair
Jay Palu
Gerald Reimer
Jerry Standerford

Certification of Publication: Board Secretary certifies publication in the Daily Record, the official newspaper of the City of Omaha, on November 1, 2019.

Mr. James Lang called the meeting to order at 1:31 p.m.

I. Roll Call

Steven Andersen – Absent
Kim Cowman – Absent
Jeffrey Ehler
James Lang
Jay Palu
Gerald Reimer
Jerry Standerford

Others Present:
Anna Bespoyasny, Assistant Director Planning Department
Scott Lane, Chief Housing Inspector
Mike Wilwerding, Chief Building Inspector
Jared Dean, City Attorney
Autumn Drickey, Board Secretary
Mike Champion, Housing Inspector
Todd Shearer, Housing Inspector
Steve Andersen, Housing Inspector
Wade Pease, Housing Inspector
Roger Carroll, Housing Inspector

II. Approval of Minutes: Approval of September 5, 2019 minutes.

Motion by Mr. Gerald Reimer to approve the minutes from the September 5, 2019 meeting. Second by Mr. Jeffrey Ehler.

AYES: Ehler, Palu, Reimer, Standerford, Lang
Motion carried: 5-0, Approved
### III. Cases

<table>
<thead>
<tr>
<th>Case</th>
<th>LOCATION:</th>
<th>APPEAL:</th>
</tr>
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<tbody>
<tr>
<td>19-01 <em>Layover from 2/7/19, 5/2/19, and 7/11/19</em></td>
<td>1604 N 34 St</td>
<td>Notice dated 10/23/18</td>
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*Closed new owner*

At the Property Maintenance Appeals Board meeting held on November 7, 2019, no one appeared before the Board in regards to the request at the above address. Scott Lane appeared on behalf of the City.

Mr. Lane stated that this is under new ownership and the open case can be filed.

Motion by Mr. Ehler to file the case. Second by Mr. Reimer.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Filed
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Deborah Franklin appeared before the Board in regards to the request at the above address. Mike Champion appeared on behalf of the City.

Mr. Champion summarized the history of the case. He stated that no updates have been made. He said his recommendation is to deny. Ms. Franklin explained what she has been doing to try to obtain the money to make repairs. She explained that without the loan, she is unable to get things done. She explained that OPPD is unable to get the lights on for an inspection to take place. She explained that she needs more time to get the funding to make improvements. Mr. Lang asked how long she’s owned the property. Ms. Franklin explained that she’s owned it for seven years with the intent to fix it up. Mr. Lang asked how much time she needs to get the repairs made. Ms. Franklin explained where she was at in the process and how she needs the lights back on to continue the process.

Mr. Reimer restated his understanding of what she’s explaining and if they could use flashlights to see what needs to be done. Ms. Franklin explained. Mr. Reimer asked if selling the property would be beneficial. Ms. Franklin stated that without extra time, she would have to sell the house, but she does not want to do that. Mr. Lang asked how much time she would need. Ms. Franklin stated that she has to go back to the bank. She stated that she’s been through the City’s process to get a loan for the repairs. Mr. Jay Palu stated that the violations are low level of severity, would there be the possibility to extend the timeline. Mr. Champion explained he had not been inside the property. Mr. Palu explained what the board has done historically. Mr. Reimer explained what the next steps would be if this board were to deny her request for more time. Ms. Franklin confirmed that she would sell the property if she couldn’t make forward steps. Mr. Jerry Standerford asked for clarification of how long she’s owned the property and if it has been lived in.

Mr. Lang asked about the City loan she referenced. Mr. Lane explained that further. Mr. Lang asked if she is able to follow through. Ms. Franklin explained that she had to clear up her credit history. Mr. Reimer clarified if the property was on the demolition list. Mr. Lane explained it is not. Mr. Palu voiced concerns about the interior. Mr. Champion explained that the door has been shut so he has not inspected the interior. Ms. Franklin explained that the bought the house like that but she needs the power back on.

Motion by Mr. Reimer to deny. Second by Mr. Standerford.

AYES: Ehler, Palu, Reimer, Standerford
NAYES: Lang

Motion carried: 4-1, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Samuel Pan appeared before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Shearer summarized the history of the case. He explained Mr. Pan needs final inspections and it could be released shortly. He stated his original recommendation of thirty days could be extended because 95% of the repairs have been made. He stated a sixty day extension would be his new recommendation. He explained big issues that have been fixed, but that the open permits still need to be inspected. Mr. Lang asked if sixty days would be enough. Mr. Pan confirmed. Mr. Standerford asked about how the property was written up originally, as a boarding house. Mr. Shearer explained the history of the property and how it has been improved. Mr. Standerford asked what his intention with the property would be. Mr. Pan stated he lives there with his children. Mr. Standerford asked about the original violations. Mr. Shearer explained.

Motion by Mr. Reimer to approve a sixty day extension. Second by Mr. Ehler.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Mark Harrah appeared before the Board in regards to the request at the above address. Steve Andersen appeared on behalf of the City.

Mr. Andersen summarized the history of the case. He explained the violations are exterior. He detailed communication with the owner since the case was open. He stated some of the cosmetic issues have been resolved but the bigger safety issues have not been addressed. His recommendation is for a thirty day layover to pull permits and get a solid plan in place. Mr. Harrah stated he has prints for the stairs on the north side. He began detailing the fire escape and how it has not moved since he purchased it. Mr. Reimer asked if it was a single family home. Mr. Harrah stated it is a multi-tenant property. Mr. Andersen asked about another step. Mr. Harrah explained he doesn’t know how bad it is. Mr. Reimer asked how many apartments are in the home. Mr. Harrah stated seven. Mr. Palu asked about occupancy. Mr. Harrah stated two are occupied. He explained he may sell the property. Mr. Reimer asked how long he would need to fix the property. Mr. Harrah stated four or five months. Mr. Reimer asked about financing. Mr. Harrah explained that he has the money, he just has to determine if he should keep it or sell the property.

Mr. Standerford asked about what would need to be permitted. Mr. Andersen began talking about the fire escape. Mr. Reimer explained that if the fire escape leads nowhere, he could just remove it. He offered a suggestion about the conversion of the home to a multi-family apartment situation. He explained it would be easier to do inspections now that only two units are occupied. Ms. Anna Bespoyasny stated they still need two paths of egress for safety. Mr. Reimer explained that in doing these inspections, then it would be helpful for him to understand what might need to be repaired to help him determine if he wanted to repair or sell the property. He asked if Mr. Harrah is willing to work with the City to find a solution. Mr. Harrah confirmed, but he doesn’t know if he wants an inspector walking through because that’s what it was like when he purchased the property. Mr. Standerford asked if Mr. Andersen has been inside. Mr. Andersen explained it was a fire. Mr. Reimer explained that to sell would be easier because of the location. Mr. Palu stated that he would only feel comfortable with an extension if the inspector walked through all the units.

Mr. Lang asked why the units are vacant. Mr. Harrah stated that no one wants to rent it because it doesn’t have all the extras. Mr. Palu explained what he’s thinking.

Mr. Lang stated he would abstain because he’s done work with the person doing the land contract.

Motion by Mr. Palu to deny. Second by Mr. Reimer.

AYES: Ehler, Palu, Reimer, Standerford, Lang
ABSTAIN: Lang

Motion carried: 4-0-1, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, John Sullivan and his wife, who did not sign in or identify herself, appeared before the Board in regards to the request at the above address. Scott Lane and Wade Pease appeared on behalf of the City.

Mr. Lane stated Wade Pease got stuck on an inspection. He read Mr. Pease’s recommendation into the record and summarized the case. He recommends a six month extension with the stipulation that work is completed. Mr. Sullivan explained the work that has been done on the case. Mr. Reimer asked about the intention. Mr. Sullivan stated the intention is to fix it. Mr. Palu asked when the property was purchased. Ms. Sullivan explained. Mr. Palu asked what they would do with the property once it is repaired. Mr. Sullivan explained that they would either rent it or sell it. Ms. Sullivan explained what the last year has looked like for them. Mr. Sullivan explained that they’ve had issues with lining up contractors, but the exterior should be done shortly. Mr. Ehler asked if it is secured now. Mr. Sullivan explained that a door was kicked in, but they are looking to fix that. Mr. Ehler voiced concerns about access. Mr. Sullivan explained their plan.

Mr. Pease apologized for being late. He explained that it is near a school and kids are getting in and vandalizing it. He stated they are making an attempt to keep it secure, the outside is clean. He stated the basement hatch-way is boarded up, but there is room for vagrants to get in. He explained that he would recommend a six month extension.

Motion by Mr. Standerford to approve a six month extension. Second by Mr. Reimer.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Rodney Gray appeared before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Lane asked if another case with the same applicant could be heard after this case.

Mr. Shearer summarized the case history. He explained what happened and how he proceeded as well as what has been taken care of. He stated because of the lack of work he recommends a denial. Mr. Palu asked about occupancy. Mr. Shearer stated it is unoccupied and has been maintained fairly well. Mr. Lang asked what, if any, additional time would be suggested. Mr. Shearer stated he wouldn’t give any because there have been no results.

Mr. Reimer asked about his intentions. Mr. Gray stated it would be to rent it out. He explained that he has two rental properties that are occupied and two that are not, both before the board today. He detailed what he’s been doing. Mr. Reimer asked if he would be able to make money off the sale of the property. Mr. Gray stated he doesn’t want to sell it. Mr. Reimer asked if he would need to get money to make repairs. Mr. Gray stated that he has the money to make repairs as well as the time and desire to make repairs. He stated he could get this done by the first of the year. Mr. Gray stated the last time he was here, his contractor was paid for and then left town. Mr. Reimer explained the options of the board.

Mr. Standerford asked about the interior. Mr. Shearer stated he has not been inside. Mr. Standerford asked about what would happen if the exterior was fixed. Mr. Shearer stated that once the exterior is fixed he would be able to release the case. Mr. Gray detailed about the work that has been done as well as his comfort level on the interior. Mr. Reimer explained his thinking.

Motion by Mr. Reimer to deny. Second by Mr. Ehler.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Denied
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Rodney Gray appeared before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Shearer summarized the history of the case. He stated the case has been open since 2014 and nothing has been done except for the grass being cut. He stated that his intention is to put it on the City Demolition list. Mr. Gray stated that isn’t true, he did everything that Scott Benson told him to do. He explained what has been done and the fact that it has been gutted. He began comparing it to neighboring properties.

Mr. Reimer stated he hears that he doesn’t want to repair it. Mr. Gray stated that he wants to fix it and that he could fix it by May 2020. He stated that the pictures may not be current. Mr. Reimer asked what it would take to get this property fixed, rented out, and making money. Mr. Gray stated he wants to, that it would take time. Mr. Reimer asked how long he’s owned the house. Mr. Gray stated maybe 2010. Mr. Reimer asked how he comes to own these properties. Mr. Gray explained, stated he purchased it after the fire, and gutted it. Mr. Standerford asked if he has to hire out contractors. Mr. Gray explained that he hires out when he has to. Mr. Shearer stated there are two brand new meter sockets. Mr. Gray detailed the work he’s done. He stated that the violations are cosmetic. Mr. Palustre stated that if the timeline were accelerated there would be more understanding, but it has been nine years. Mr. Gray explained he worked with Scott Benson but there are worse cases. Mr. Reimer explained how he could be successful as a landlord. He asked if he thinks he has the ability to help the community by having a property that is rented out and kept clean. Mr. Gray stated that his community isn’t benefited by having an empty house or lot.

Mr. Reimer asked if we help the community get more housing if landlords are allowed to do nothing with their properties. Mr. Gray stated it doesn’t, but he brought up other properties that aren’t kept up. Mr. Reimer asked if we help the community get more housing. Mr. Gray answered that he isn’t sure if giving extra time would help. Mr. Standerford asked if this case when it would be on a demolition list. Mr. Shearer stated spring 2020. There is discussion about the two properties.

Mr. Palu stated it’s hard to believe that a lot of money would be put into this property because of the need. He offered a suggestion to compromise. Mr. Reimer stated he would have empathy had results happened initially. Mr. Shearer stated that there was no movement until there was a demolition order on the property. Mr. Gray stated he didn’t have the funds before, now he does, so he’s working on repairs.

Mr. Lang asked about the timeline he’s offering. Mr. Gray stated he could be completed with both in six months. Mr. Lang stated that he would want to see both nearly completed in six months. Mr. Gray stated he wouldn’t put down spouts in because it wouldn’t help the community.

Motion by Mr. Palu to approve a six month layover with stipulation of the other property is occupied and there is progress on this property. Second by Mr. Lang.

AYES: Ehler, Palu, Standerford, Lang
NAYES: Reimer

Motion carried: 4-1, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, Pedro Velasco and Clementae Versa appeared before the Board in regards to the request at the above address. Roger Carroll appeared on behalf of the City.

Mr. Carroll summarized the history of the case. He explained that the plans have been brought back several times and are back with the architect. His recommendation is for a six month layover. Mr. Versa explained where they are in their process, but they are having a hard time finding a surveyor. Mr. Reimer gave him the contact information for a surveyor and who and what to ask for to get that completed. He asked about the intention.

Motion by Mr. Reimer to approve a six month extension. Second by Mr. Ehler.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Approved
At the Property Maintenance Appeals Board meeting held on November 7, 2019, James Madison appeared before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Shearer summarized the case history. He explained what still needs to be completed and the debris that needs to be cleaned up. He stated there have been several contractors that have backed out. Mr. Standerford asked about the deck being a means of egress. Mr. Shearer stated there is another means of egress. Mr. Standerford stated the back could be sealed off. Mr. Shearer confirmed, he detailed what needs to be done.

Mr. Reimer asked about their intention with the property. Mr. Madison stated that they have a contractor who will have materials delivered at the end of the week to be completed at the end of the month. Mr. Reimer offered suggestions for how to get smaller projects done more quickly. He asked if they have the intention to get the work completed and the money to get it completed. Ms. Madison confirmed. Mr. Reimer asked if ninety days would be enough time to complete the work. Ms. Madison stated she worries about the winter. Mr. Shearer commented on the picture showing debris. Mr. Standerford stated that maybe a ninety day layover would be more beneficial. Ms. Madison explained her concern about getting the work done. There is discussion about the work that needs to be done and permits that need to be pulled. Mr. Reimer explains the difference between a layover and an extension.

Motion by Mr. Standerford to approve a ninety day layover. Second by Mr. Reimer.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Approved

Mr. Palu asked how the different cases come before the board. There is discussion about how cases are brought to the attention of the City. Mr. Lane stated that it is a complaint driven system so without a complaint, there is nothing they can do.

IV. Adoption of Rules and Regulations

These will be delayed to the December meeting.

V. Review Board Policy and Procedures

VI. Adjournment

Motion by Mr. Palu to adjourn. Second by Mr. Ehler.

AYES: Ehler, Palu, Reimer, Standerford, Lang

Motion carried: 5-0, Adjourned at 2:50 p.m.