Mr. James Lang called the meeting to order at 1:30 p.m.

I. Roll Call

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

Others Present:
Anna Bespoyasny, Superintendent of the Permits and Inspections Division
Scott Lane, Chief Housing Inspector
Mike Wilwerding, Chief Building Inspector
Will Acosta-Trejo, City Attorney
Jennifer Taylor, City Attorney
Autumn Drickey, Board Secretary
Steve Andersen, Housing Inspector
Saul Lopez Perez, City Planner
Todd Shearer, Housing Inspector
Roger Carroll, Housing Inspector
Mike Champion, Housing Inspector

II. Approval of Minutes: Approval of June 6, 2019 minutes.

Motion by Mr. Joseph Dore to approve the minutes from the June 6, 2019 meeting. Second by Mr. Gerald Reimer.

AYES: Cowman, Dore, Reimer, Standerford, Lang
ABSTAIN: Palu

Motion carried: 5-0-1, Approved
III.  Cases

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Location</th>
<th>Appeal</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-01</td>
<td>1604 N 34 St</td>
<td>Notice dated 10/23/18</td>
<td></td>
</tr>
<tr>
<td>Gerardo Aguayo Barrientos</td>
<td>3512 Maplewood Blvd</td>
<td>Omaha, NE 68134</td>
<td></td>
</tr>
</tbody>
</table>

At the Property Maintenance Appeals Board meeting held on July 11, 2019, Gerardo Aguayo Barrientos appeared before the Board in regards to the request at the above address. Steve Andersen appeared on behalf of the City. Mr. Saul Lopez Perez, City Planner, acted as an interpreter for the applicant.

Mr. Andersen summarized the history of the property for the board. He stated they are keeping a better job about keeping the property clean and do have a permit pulled for fire repair. He stated that they have completed some of the framing but need to finalize the financing to finish the project. He acknowledged they are doing what they can given what they have to work with.

Mr. Aguayo Barrientos stated that he would like more time to get certain paperwork completed. He explained that the plan is to fix and repair the house for his son and he has no intention to sell the house.

Mr. Lang asked how long he thinks it will take to complete the house. Mr. Aguayo Barrientos stated that as soon as the financing is secured, he hopes to have the project completed within approximately six months.

Mr. Lang asked what the intention is to maintain the property. Mr. Barrientos explained that he is currently working on making some repairs, but the financing is holding it back.

Mr. Jerry Standerford asked about the paperwork that Mr. Barrientos mentioned. Mr. Barrientos explained they are waiting for his daughter-in-law’s social security number to be obtained for tax purposes. Mr. Standerford asked if the loan was in the son’s name or the applicant’s. Mr. Barrientos stated that the loan is in both of their names.

Mr. Standerford asked how the property is kept up. Mr. Andersen explained that they typically keep the property kept up and secured. Mr. Jay Palu asked for clarification that they are maintaining the property. Mr. Andersen confirmed. Mr. Aguayo Barrientos stated this is the only case they have open. Mr. Palu asked about giving a six month layover. Mr. Anderson stated he thought three months due to the paperwork that needs to be completed and would allow the board to keep tabs on them, but he would not object to more time. Mr. Dore stated that they are making progress. Mr. Anderson detailed what other work they would need. Mr. Palu voiced his concerns in regards to the property. He stated he is glad that Mr. Barrientos is working on the house.

Motion by Mr. Standerford to grant a ninety (90) day layover with the conditions that the property is to be kept secure and clean and still working on the application for financing. Second by Mr. Dore.

AYES: Cowman, Dore, Palu, Standerford, Lang
NAYES: Reimer

Motion carried: 5-1, Approved
At the Property Maintenance Appeals Board meeting held on July 11, 2019, John Foley appeared before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Shearer appeared on behalf of the City of Omaha. He stated there are no new updates, nothing has been updated. He did say he was at the property yesterday, in regards to complaints in other units. He recounted the history of the project. Mr. Foley stated that the LLC has been placed in bankruptcy with a hearing at the end of July. He stated they are able to fund the renovation project and will operate and fund the complex. He explained they will not pour money into units that need to be renovated. He explained how they are demanding tenants take care of the units so they will be getting more complaints.

Mr. Lang asked what Mr. Foley is asking of this board. Mr. Foley stated he doesn’t have answers as it pertains to the bankruptcy and this board.

Ms. Cowman clarified that there are no intentions to fix the violations. Mr. Foley stated that they do not intend to rehab units that are scheduled for complete renovations. Mr. Lang asked who put the LLC in bankruptcy. Mr. Foley stated he did. Mr. Shearer stated that he now has five cases involved in the unit. Mr. Foley stated that there will be more because they have 1430 eviction notices out so the tenants will complain. He began talking about the other case that was previously denied.

Mr. Palu asked about how the bankruptcy impacts the residents. Mr. Foley stated that they will keep things maintained. He stated that there will be more complaints as they demand the residents to fix the damage they’ve caused. Mr. Palu asked if there was a risk of an emergency where all tenants would be looking for new homes. Mr. Foley stated that would not happen. Mr. Lang asked about the bankruptcy and the intention. Mr. Foley explained.

Ms. Cowman asked why the violations aren’t just corrected to get the case closed. Mr. Dore asked if that is just part of maintaining a building. Ms. Cowman stated she doesn’t understand how the renovations impact the violations. Mr. Shearer discussed the previous case that was denied. Mr. Foley explained how he was misquoted and what he meant and stated that it was not the resident’s responsibility to replace the carpet, but pay for the malicious destruction of the carpet. He continued about why they want that other tenant gone.

Mr. Reimer explained what this board is in place for and asked if he feels as if he’s being treated fairly in regards to the Housing Enforcement. He stated he does not hear a request of the board, and explains what the board’s options are. Mr. Foley stated that his belief is that a federal bankruptcy stays everything, but he could be wrong. Mr. Reimer stated what the option he’s seeing for the board to take. Mr. Foley stated that he’s never been here before, having the money to complete the project but not the approval to do so, and being in federal court. Mr. Reimer stated he could request a layover, but he’s not hearing that. Mr. Foley stated he didn’t know that was an option, but he would like that so the federal court can adjudicate the bankruptcy. Mr. Reimer explained what could take place with a denial or a layover. There is discussion about how the bankruptcy impacts this hearing. Ms. Jennifer Taylor stated that she isn’t sure if a ninety day stay would have an impact on this board. Mr. Reimer stated he’s not sure if this board will have an additional value. Mr. Standerford stated that the case is not about the bankruptcy, just about this unit, even though some violations are not in the unit as they are exterior.

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

Mr. Foley stated the information is not accurate. Mr. Palu stated he is hyper-nervous that it is still occupied. Mr. Shearer stated that the unit is vacant, but the complex is not. Mr. Palu stated that he wants to do what is best for residents. Mr. Foley stated they are taking care of the property but his unit is vacant. Mr. Dore
stated that part of maintaining a property is making sure that the code violations are resolved. He stated whether the unit is vacant or not does not matter. He stated the violations should be fixed so everything can move forward. Mr. Foley stated as far as he’s concerned the stay for the bankruptcy puts all of this on hold. Mr. Lang clarified his understanding and that it he is still required to follow the law. Mr. Foley stated some work has been done so the list of violations is not accurate. Mr. Lang asked what the timeline is. Mr. Foley stated the meeting is at the end of July.

Mr. Lang then explained the purpose of the board. Mr. Palu asked when the other units would then appear before the board. Mr. Shearer stated that it would depend on if Mr. Foley appealed, but that the tenants are not willing to let him back in to re-inspect. Mr. Foley stated that they have never denied Mr. Shearer access when he’s asked.

Ms. Cowman stated that she would encourage him to speak with his bankruptcy attorney and resolve the code violations. Mr. Reimer stated that he’s hearing that the financing is holding it up, the HUD approval. Mr. Foley stated that isn’t accurate. Mr. Reimer asked if Mr. Foley had the financing and the entitlements to complete the project. Mr. Foley stated they don’t have HUD approval but have the money. Mr. Reimer stated he withdrew his discussion.

AYES: Cowman, Dore, Palu, Reimer, Standerford
NAYES: Lang

Motion carried: 5-1, Denied

Mr. Foley asked for clarification on the motion. Mr. Palu stated it was denied.
At the Property Maintenance Appeals Board meeting held on July 11, 2019, Scott Lane appeared on the applicant’s behalf before the Board in regards to the request at the above address. Roger Carroll appeared on behalf of the City.

Mr. Carroll recounted the history of the case. He stated there was a fire in August 2018, it has been secured, and the required times for the owner to comply have passed. He stated the owner has told them all repairs will be made within six months. He stated he is good with that. He recounted the permits that have been pulled. He stated the carpenters have been working and windows are installed, but no building inspections have been done. He stated that on June 28, 2019, the carpenters were there so he saw that interior work is being completed.

Mr. Lane stated the owner anticipates that they be done in six months. He recounted the fact that he meets with the applicant on a weekly basis. He stated he told the owner to remove contractors from this project to go to other projects.

Mr. Reimer stated that while he appreciates the recommendation from the City, the applicant is not present today and historically the board has not approved extended time when that happens. Mr. Lane stated that in the future he would agree with that, but he told the applicant that he would appear on his behalf. Mr. Reimer voiced concerns. Mr. Standerford stated that they could layover for thirty days for the applicant to appear.

Motion by Mr. Standerford to layover for thirty (30) days and have someone attend that meeting. Second by Mr. Reimer.

AYES: Cowman, Dore, Palu, Reimer, Standerford, Lang

Motion carried: 6-0, Approved
At the Property Maintenance Appeals Board meeting held on July 11, 2019, Deborah Franklin appeared on the applicant’s behalf before the Board in regards to the request at the above address. Mike Champion appeared on behalf of the City.

Mr. Champion recounted the history of the case for the board. He explained that he picked up the case from a previous inspector. He stated that she came right in to appear before the board, which is not typically the case. He stated that she has run out of money and needs an electrical permit, but the violations are outside. He explained the porch needs attention, but he is not able to add violations. He explained the work that would need to be completed and how financing could be a problem. He stated he recommends a ninety day extension.

Mr. Lang asked if that is enough time. Ms. Franklin stated she’s going through Habitat for Humanity for financing because she has put a lot of money into the project. She stated she needs time to get the loan processed and get it done. Mr. Lang asked if she’s been in contact with Habitat. She stated she doesn’t know a timeline, needs to get them more information, but she wants to get it fixed. Mr. Palu asked if it is a rental property. Ms. Franklin stated that she owns and her sister will live in it. She stated she wants to keep it and get it fixed.

Ms. Cowman explained the difference between a layover and an extension. Ms. Franklin stated she could come back before the board, but can’t complete it in ninety days.

Mr. Standerford asked how long she’s owned the property. Ms. Franklin stated eight years. Mr. Standerford asked if it’s been in this condition the entire time. Ms. Franklin explained that it hasn’t been and recounted the struggles with getting it fixed. Mr. Lang asked how long it has been vacant. Ms. Franklin stated since she purchased the property. She recounted what the intention was to complete the work and have her sister move in.

Mr. Reimer explained some patterns that he is seeing for applicants appearing before the board. He states he supports her case.

Motion by Ms. Cowman to grant a ninety (90) day layover to follow up on the financing component from Habitat for Humanity. Second by Mr. Dore.

AYES: Cowman, Dore, Palu, Reimer, Standerford, Lang

Motion carried: 6-0, Approved

Ms. Cowman explained options for Ms. Franklin when she comes back to the board. Ms. Franklin stated she thinks they will help. Mr. Dore stated to keep the property secured and cleaned on the outside. Ms. Franklin detailed that she’s talked to Mr. Champion.
At the Property Maintenance Appeals Board meeting held on July 11, 2019, Emily Hughes and Jenn Woodall appeared on the applicant's behalf before the Board in regards to the request at the above address. Todd Shearer appeared on behalf of the City.

Mr. Shearer detailed the history of the case. He stated there are commercial properties under the residential. He explained that they corrected the other violations quickly. He stated the only thing left is the set of stairs. He recounted what he was told about those stairs and the rusted doors and wall that needs to be rebuilt. He stated there has been another complaint on another unit that was fixed right away. He stated he would recommend a six month extension.

Ms. Woodall explained the timeline to get these completed. Mr. Lang asked if six months would be enough time to complete the work. Ms. Woodall stated she’d hope to be done within sixty days, but that depends on the permits. Mr. Shearer stated they have always been cooperative, but they are just out of time.

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

Mr. Palu voiced concern about replacing the steel with wood have to go through Permits and Inspections. Ms. Anna Bespoyasny stated that plans would be required. Mr. Palu stated six months is reasonable. Mr. Shearer stated a good welder could get that resolved sooner.

AYES: Cowman, Dore, Palu, Reimer, Standerford, Lang

Motion carried: 6-0, Approved
IV. Adoption of Rules and Regulations

Ms. Taylor stated that she will provide the draft of rules would be included in the August packet to be voted on in September. She stated any suggestions should be directed directly to her. She explained that things could be included like having an applicant appear at the meeting. Mr. Palu asked if other cases might be included in the packet, even if it is on the application. Ms. Taylor stated she will look at the SOP. She stated any thoughts or requests between now and the next meeting, please contact her. Mr. Palu asked about the possibility of a pre-meeting. Mr. Taylor stated that she would have to research if behavior on other cases is something that can be considered. Mr. Palu suggested having something on the application that has applicants disclose code violation history. Ms. Taylor stated she will do her best to include all suggestions.

V. Review Board Policy and Procedures

VI. Adjournment

Motion by Mr. Dore to adjourn. Second by Mr. Reimer.

AYES: Cowman, Dore, Palu, Reimer, Standerford, Lang

Motion carried: 5-0-1, Adjourned at 2:27 p.m.