

Housing Appeals Board
June 26, 2018
Meeting Minutes

The Chairman called the meeting to order at 4:00 p.m. The following members were present: Frank Valli, Sharon Johnson, Dana Gamblin, Gary Gundlesberger, and Walt Matthews. Angela Kotsopoulos was present from the Code Enforcement Office; Trevor Hayberger was present from the Law Department and Kelly Kromer Clerk

The first item on the agenda was the disposition of minutes from the previous meeting, November 28, 2017. Mr. Matthews moved to approve the minutes under the condition that a correction be made as indicated on the minutes; which carried unanimously.

Mr. Valli asked if anyone would like to discuss old business. Sharon Johnson asked for an update on the Central Ave home owned by Nicole Lunato. Ms. Kromer stated that Ms. Lunato was awarded the HAB grant which gives her an additional 6 months to complete work. Ms. Lunato was approved on May 7, 2018. Mr. Hayberger added to Ms. Kromer's statement by stating that he believes the work is already done as he has seen work crews at the house. Ms. Johnson requested that someone check on this case. Ms. Kotsopoulos stated that it is Dante's case and she is sure he will check on it.

All audience members were sworn in by Mr. Hayberger.

First item on the agenda is Sherry Allen appealing the demolition of the house and garage at 722 Wayne St. Sandusky, Ohio 44870, Parcel Number 57-01684.000. Ms. Allen addressed the board stating that she is securing a loan from Vacationland. She stated that the home is paid off and that she is expecting to get approved for 90% of the value of the home. She stated that she is going to have the backend torn off of the house. She put a new roof on the house in 1988 and 3 years later. She was told that because of the way the addition was originally put on that the roof would continue to leak if it wasn't torn off completely and replaced. She plans to redo the porch. Mr. Matthews asked if she had an estimate of how much the bank was planning on giving her. Ms. Allen stated that the lady at the bank thought that she would get \$60,000.00. Ms. Gamblin asked if that was to do the repairs and Ms. Allen stated yes. Ms. Gamblin asked Ms. Allen if she was sure she wanted to put \$60,000.00 into a house that is 91% deteriorated with Ms. Allen responding yes, that she knows what it needs. Mr. Matthews asked what it needs and Ms. Allen stated that it needs a whole new back end to the house along with the porch and roof. Ms. Gamblin asked if this was the first time that she heard that it needed to be redone. Ms. Allen stated yes, she has been told that. Ms. Gamblin asked why it has taken her 30 years to do so. Ms. Allen stated that she didn't have the money, went through a divorce and was raising 2 kids. Mr. Gundlesberger asked when the last time was that someone lived in the house. Ms. Allen stated 3 years ago. He asked her when all of the things in the house accumulated and if she was living in the house under those circumstances. Ms. Allen replied by saying that she has been in there trying to clean and her son and his girlfriend were also trying to help her. Ms. Gundlesberger asked her to look at the photos while asking her if she was present at the search warrant. He asked her if she is familiar with what is in the home. Ms. Allen responded "no" because she was working. He stated that it would take many dumpsters to get to the base of the problem. He stated that the \$60,000.00 would have to go towards getting to just the base of the problem. Ms. Allen stated that she would clean up the house. Ms. Allen stated that she has unlimited trash service and that this summer would be a summer that she could do it because she is not driving bus. Ms. Allen was asked to have a seat while Ms. Kotsopoulos did her presentation.

Ms. Kotsopoulos stated that she had cause to inspect 722 Wayne for reasons of neglect for multiple years, left vacant to the point windows were falling out and could be seen from neighboring properties. Angela stated that she ordered the garage demolished at one point and got no response and sent administrative penalties with no response. At that point she asked for an interior inspection and a search warrant was conducted. Ms. Kotsopoulos stated that she would be showing the pictures at this point. She stated that there were two typos in the inspection report she wanted to address. In the body of the April 23, 2018 inspection report the date April 19, 2017 was supposed to be April 19, 2018 and for tax purposes she is not current and has until the end of the month to catch up. Ms. Kotsopoulos stated that she is in arrears and has been in the past. Mr. Matthews asked how much. Ms. Kotsopoulos stated she thinks its \$900.00. Ms. Allen interrupted; Mr. Hayberger told Ms. Allen that she would have her chance to talk after the presentation. Ms. Kotsopoulos stated at the inspection Scott Thom, Officer Rankins, and herself were present. She said the only door she could access without forcing open a window was the back side door. She stated that she could only open it 18 inches due to trash and debris. Ms. Kotsopoulos added that she was the only one that could fit in the door. She said the first room ceiling was falling in due to water damage, she also stated that there were complaints that animals were entering the property because the door doesn't go all the way to the bottom. She stated that you can see all of the boxes and debris in the kitchen and the electric was still on at this property which creates many hazards. She said that the first floor ceiling collapsed because of the roof issue. She stated that 3-4 feet of debris was no exaggeration that she had to climb over all of the debris to get to the front door and there was no path. Ms. Kotsopoulos stated that damaged ceiling tiles show signs of water damage. She added that she did not see a cockroach or a mouse. Ms. Kotsopoulos stated that Scott Thom inspected the roof at the time she was in the structure. She stated that a light was left on in the living room. Angela stated that she wanted to "red X" the structure to ensure a firefighter doesn't get killed trying to save someone that might be in this structure; however that has not happened yet. She stated that upstairs the floors were like walking on a trampoline. She added that she found a dead raccoon upstairs in the kitchen along with mold on the floor, and medicine lying around. Windows are open along the north side. Black, green, and brown mold was found. Ms. Kotsopoulos added that she did not have it tested just stating the color it was on the camera. She stated that the house was then condemned after the search warrant. Angela stated that the hole in the garage is of a very large size. She added that on the south side of the property the walls are beginning to buckle. Ms. Johnson added that the pictures are good because you don't see a lot of that from the roadway and you don't want to trespass onto the property. Ms. Kotsopoulos stated that she would leave the board with her request that they take Mr. Thom's expert opinion with the percentages that he advised and deny the appeal because pursuant to 1341.18 (d)1-3 with a requirement of 50% we are far beyond that with 77% and 91%.

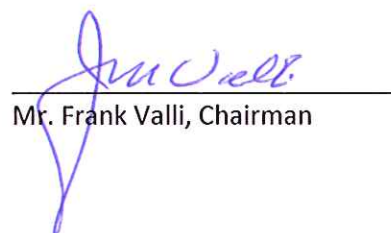
Mr. Valli thanked Ms. Kotsopoulos and asked if Ms. Allen had any comments. At this time Ms. Allen took to the podium. Mr. Valli asked if she had any comments to the photos and if she was aware of it and Ms. Allen stated "no". Ms. Johnson asked Ms. Allen if the last time the house was occupied was 3 years ago. Ms. Allen stated that was the last time she lived in it. Ms. Johnson then asked when the last time that anyone lived in it and Ms. Allen stated maybe 2 years ago. Ms. Allen stated that her son and his girlfriend lived in there for a while. Ms. Johnson asked Ms. Allen during the times that it was unoccupied did she bother to go and inspect. Ms. Allen stated 3 summers ago her finance's son had cancer and they were going to work on the house however, they were at cancer treatments. She then stated that her brother passed away unexpectedly that winter. She was then handling his estate. She then went back to driving bus. Ms. Allen stated that she has not gone into inspect in the last 3 years that it was empty. Sherry stated that she would be in there cleaning except for the fact that this is going on. She stated that

her daughter's boyfriend was a construction worker and was going to help however he beat her daughter up this past summer. Ms. Johnson asked Ms. Allen if before she paid off the loan if she was behind in payments and Ms. Allen stated "yes". Ms. Johnson asked "how much" Ms. Allen responded "I don't recall". Ms. Allen thinks it was \$20,000.00. Ms. Gamblin wanted to address the Administrative Penalties at that point. Ms. Gamblin stated that in no disrespect we all have things in life and she understands that Ms. Allen had some things in life. However, for the timeframe that the penalties were issued there was time to come to the board and ask for more time. Ms. Allen asked "what penalties". Ms. Gambin stated "you had 2 penalties; one was issued October 11, 2017 for \$100.00. The second was issued just this year February 7, 2018 for \$500.00." She added that there was a letter that was sent to Ms. Allen requesting inspection and Ms. Allen didn't respond. Another letter stated that the property was a nuisance and there would be a search warrant. The search warrant was April 19, 2018 at 10am. Ms. Gamblin stated that this was not something that "just happened last week". Ms. Allen stated that she was not aware of any of the previous penalties. Ms. Allen stated that she got a paper posted on the door asking for an inspection and she wasn't able to make because of her work. Ms. Allen stated that Ms. Kotsopoulos would give her until July. Ms. Kotsopoulos stated that the error that she referenced before and that was not supposed to be given more time. Ms. Kotsopoulos added that's when the letter was given to state the search warrant would be on the 19th. At that time Ms. Allen called and Ms. Kotsopoulos stated that more time would not be given. Ms. Allen stated that she can't get off work to be at search warrants. Ms. Gamblin then stated that it's important if she's getting ready to invest \$60,000. Mr. Allen stated that she hasn't been given the chance. Ms. Gamblin responded by saying that she has been given the chance based on the dates shown. Ms. Allen stated that she works 3 jobs and Ms. Gamblin stated that it needs to be a priority. Mr. Allen stated that she is exhausted when she drives bus all day and then has to go home to 2 grandbabies. Mr. Valli stated that he has never seen a house in this much disarray and \$60,000.00 won't do it. Ms. Gundlesberger stated in the interest of safety he made a motion to deny the appeal based on the following facts; the letters that were provided by the Chief Building Official and the support of photographs. He stated that the fact that the utilities are still on needs to be abated immediately. Ms. Gamblin seconded the motion. Ms. Valli asked for any comments on the motion. Ms. Allen asked what the motion was. Mr. Heyberger stated it was to deny the appeal. Ms. Allen asked at that time if she could have her lawyer come in. Mr. Valli deferred to the law director. Mr. Heyberger stated that they had the motion they had the second and they need a vote. The motion carried unanimously. Mr. Johnson asked Mr. Valli what they would do with the penalties. Ms. Kotsopoulos stated they would stay as an outstanding bill. Ms. Allen asked if she would be allowed in the home. Ms. Kotsopoulos stated that she is allowed to be in the house between the hours of 7am and 7pm any day. Ms. Kotsopoulos stated that she would use caution based on the condition of the house.

There was no further business before the Board. A motion was made by Ms. Gamblin and seconded by Mr. Mathews to adjourn the meeting at 4:35 p.m.

APPROVED:


Kelly L. Kromer, Clerk


Mr. Frank Valli, Chairman