

City of Sandusky Housing Appeals Board
November 30, 2021
Meeting Minutes

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The Chairman called the meeting to order at 4:00 p.m.

The following members were present: Frank Valli, Allison Will, Janice Warner, Gary Guendelsberger, and Sharon Johnson.

City staff present: Stephen Rucker- Housing Manager, Dante Shipp – Code Compliance Inspector, Ron Snyder-Code Compliance Inspector and Kelly Kromer- Clerk

Audience members sworn in by Kelly Kromer

Approval of minutes from the previous meeting: October 26, 2021

No comments. Ms. Warner moved to approve the minutes; Ms. Johnson stated that she has a correction on the minutes. She said on page 3 last paragraph that she was quoted incorrectly. Ms. Kromer stated that in the recording it was stated that way. Ms. Kromer stated that she would double check and make the correction if needed. Ms. Johnson seconded the motion, which carried unanimously.

Old Business:

NONE

New Business:

21-10 Kevin Brownell is appealing the 2nd Administrative Penalty for 14 Catalina Dr., Sandusky, Ohio 44870. Parcel Number 57-01742.000

Mr. Snyder took to the podium and proceeded to give a Power point presentation to the board. The PowerPoint presentation was placed upon the record and is attached to these minutes and fully incorporated herein.

Mr. Brownell took to the podium and explained that he has a contract as he sold the property on May 28, 2021. He stated that the buyer accepted the property as is. He added that the letter he received was for the garage door and wasn't aware until he came to the office that the exterior was the issue. Mr. Snyder stated he was correct that the initial violation by the previous officer was for the door on May 10th.

The contract was passed to the board and placed upon the record. Mr. Snyder said that he may have sold the property, however the Erie County Auditor's Office shows Mr. Brownell is the owner. Mr. Brownell stated that he financed him. Ms. Warner asked if it was a land contract and Mr. Brownell stated yes. He said that he is not the owner and only holds the deed and mortgage. Ms. Warner stated that he owns the property if he holds the deed.

Ms. Johnson asked what kind of financial arrangements were made with the gentleman. Mr. Brownell stated that he has a 20 year note and a mortgage. Mr. Brownell stated that the gentleman took it to a bank and got denied. Ms. Johnson asked if he has the agreement with him.

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The agreement was placed upon the record. Ms. Warner asked if it's in the contract that he takes care of the administrative penalty. Mr. Brownell said no it's not in the contract. Mr. Brownell continues to speak about the agreement signing dates.

Mr. Johnson asked if it was a land contract and Mr. Brownell said no it's not a land contract. She asked if an attorney was involved and he said no. Mr. Brownell said he has been doing this for 30 years and sold it for \$175,000.00. He said in the paperwork that the gentleman gave him \$10,000.00 down.

Mr. Snyder asked if he wasn't the owner why he would have paid the \$100.00 for the 1st administrative penalty. Mr. Brownell said he thought that had to do with the grass cutting.

Continued conversation regarding the contract dates was made.

Ms. Will said that she knows they are there for the 2nd administrative penalty, however she wants to know if Mr. Brownell has had discussions with the gentleman about taking care of the violation. She asked if Bryce is aware of this. Mr. Brownell said Bryce understands that he has accepted the building as is. Ms. Warner said the 2nd administrative penalty is between Mr. Brownell and the City.

Mr. Guendelsberger asked Mr. Brownell if he received a notice of violation from the inspector in July when he opened the new file. Mr. Brownell said he doesn't know. Mr. Guendelsberger asked what prompted him to file an appeal. Mr. Brownell said he thought he was paying for the grass mowing. He asked Ms. Kromer and she did not recall without looking at the computer. Ms. Kromer stated that she did know that the \$100.00 was paid. Ms. Johnson asked if the person the boathouse was transferred to was aware of the penalties and violations. Mr. Brownell said not necessarily and that he didn't reveal any of that because they had already had the signed contract.

Ms. Johnson stated that there is a signed for paper by Mr. Brownell on the appeal that he knew the exterior needed attention. Mr. Brownell explained the contract signing dates.

Ms. Warner made a motion to deny the appeal and have him pay the \$500.00 administrative fee. Mr. Guendelsberger seconded the motion. Roll call was taken Mr. Valli: Yes, Ms. Warner: Yes, Mr. Guendelsberger: yes, Ms. Johnson: Yes, Ms. Will: Yes. Motion passed 5-0.

21-11 Patricia Thomas is appealing the 3rd administrative penalty for 534 E. Monroe St., Sandusky, Ohio 44870. Parcel Number 57-05103.000

Mr. Shipp took to the podium and proceeded to give a Power point presentation to the board. The PowerPoint presentation was placed upon the record and is attached to these minutes and fully incorporated herein. He continued to explain the surface issues and the deterioration of the soffit on the porch. He explained how the case resulted in court action.

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Ms. Johnson asked why it's in court and Mr. Shipp said once you get your 3rd administrative penalty you're automatically criminally charged. She asked what kind of charge. Mr. Shipp said its misdemeanor and a \$1000.00 penalty. Mr. Shipp stated that the inspection fee is added into the penalty.

Ms. Warner asked if he has had any correspondence with the owner. Mr. Shipp said he received one call. Ms. Will asked if both units are rentals and Mr. Shipp stated yes.

Mr. Shipp said he sent letters to a Wade Blvd. address and also a Erie St. address. He stated that both address were at one point a primary address.

Ms. Johnson asked if this was her only rental. Mr. Shipp said they own 3 more in Sandusky. Ms. Johnson asked if they are behind in registration. Mr. Shipp said "they are all in good shape". Ms. Johnson asked if there have been any other penalties on other properties. Mr. Shipp said no.

Ms. Patricia Thomas took to the podium and explained that she knows the house needs painted and added that she feels bad that she sent Mr. Shipp a mean letter in August. She explained the family and health issues she's been having. Mr. Shipp said he just needed correspondence. She said she sent a letter in August. He stated that he has the letter in the file. Ms. Thomas said she talked to Mr. Shipp twice.

Ms. Will asked if she received the notices in 2018 as it's been almost 3 years. Ms. Thomas said yes she did and that she did a "crappy" paint job and knows it looks bad. Ms. Will asked if she has had anyone out to give her quotes. Ms. Thomas explained that she doesn't have the money to have anyone do it for her. She said both are rented. Ms. Thomas said that she was in foreclosure and finished paying that off in June.

Ms. Warner asked Ms. Thomas if she tried to get help from the programs within the City. Ms. Thomas said she tried to fill out the form but couldn't understand it. Ms. Warner explained to her that she can ask someone to help her. Ms. Warner told her that there is money out there to help people. She told her to use the resources that are available to her.

Ms. Johnson explained that she is on the CDBG committee and they just partnered with CAC for rental and mortgage assistance which will start in January. Ms. Warner said that the CAC has money available now. Ms. Thomas said she went and got a job to help pay. Ms. Johnson advised her to contact the City for help.

Ms. Will asked what happens if this isn't paid. Mr. Shipp said he has not been to this point with an appeal for a 3rd administrative penalty. Mr. Shipp said she would go to court and he would speak to the judge who will probably give her more time. He explained the HDB program opening up soon. He said that we can't go back on the penalties but can give her more time. Ms. Thomas said that she just needs until the summer. He told her that if she gets in the HDB program that she will get an additional 6 months.

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Ms. Will asked what the HDB program is. Mr. Shipp explained that if you need paint on your house you would get an estimate from a contractor and turn it into Debi Eversole. He said that Debi would then look it over and let them know if they qualify. Ms. Will asked if a person is eligible if they have outstanding fines. Mr. Shipp said if it's someone that's delinquent they wouldn't get granted.

Ms. Johnson said she's not sure about that. She added that you're supposed to be clean completely and she already has fines and is in court. Mr. Shipp said yeah. Mr. Shipp said if she doesn't qualify for HDB they would now look at giving her till spring or early summer to try to get this done. Ms. Johnson said it's in the hands of the judge right now and they shouldn't be there. Mr. Rucker said they have the ability as far as the 3rd penalty is concerned the board can do whatever with it. The criminal charges are separate.

Ms. Warner said they are there for the 3rd administrative penalty and the painting is not done. Ms. Johnson asked Ms. Thomas if she's been aware of this issue and Ms. Thomas said yes. She said she went in to the office. Ms. Johnson said that it should have been documented when she has contact.

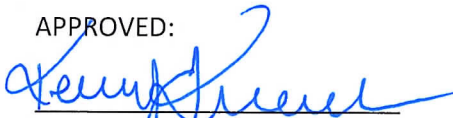
Ms. Johnson asked Ms. Thomas if she could get this done by the summer. Ms. Thomas said yes by the end of June to let the house dry out as it is wood. Mr. Shipp said he would like to inspect in May.

Ms. Will made a motion to deny the appeal. Ms. Warner seconded the motion. Roll call was taken Mr. Valli: Yes, Ms. Warner: Yes, Mr. Guendelsberger: yes, Ms. Johnson: No, Ms. Will: Yes. Motion passed 4-1.

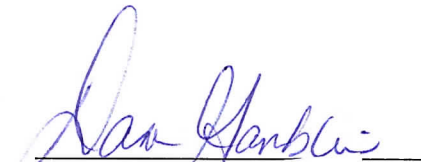
Next meeting January 25, 2022

There was no further business before the Board. A motion was made by Ms. Warner and seconded by Mr. Guendelsberger. The board voted unanimously to adjourn the meeting at 4:49pm

APPROVED:



Kelly L. Kromer, Clerk



Dana Gambelin