



MINUTES
PROPERTY STANDARDS BOARD
JANUARY 24, 2019

Council Chambers

6:30 p.m.

1945 E. Jackson Road

DINNER AND BRIEFING SESSION: 6:00 PM

No public testimony allowed at the briefing.

Board members present: Vice Chair Andy Folmer, Mike Whitley, Dave Hermon, Jack Fan, Les Folse, Jim Pipkin, Liz Fannin and Maggie Vera. Chair Rick Pfeil was absent.

Staff members present: Asst. City Attorney Aliceson Foote; Building Official Brett King; Community Services Manager Brian Passwaters; Inspection Services Coordinator Billy McMahon; Environmental Services Director Cory Heiple; Code Enforcement Officers Cathy Enloe, and Carlos Ordonez; and Admin Support Specialist Lydia Tormos.

CALL MEETING TO ORDER: 6:30 PM

Vice Chair Folmer called the meeting to order at 6:30 p.m.

1. Approval of **minutes of the November 15, 2018** meeting and re-approval of the **October 25, 2018** minutes.

Pipkin moved approval of the minutes as presented; second by Whitley and the motion was approved with a unanimous 8-0.

PUBLIC HEARING

2. **Case PSB 2019-01.** The Carrollton Environmental Services Department inspected the structure at 2814 South Surrey Drive, Country Place Sec 4, Block 10, Lot 2 and found it to be a safety hazard. Staff has requested a hearing before the Board to issue a notice and order to repair or demolish the structure and premises within a specified period of time.

Vice Chair Folmer administered the Oath to those testifying on the case.

Code Enforcement Officer Cathy Enloe presented the case advising that the single family residential structure appears to have been vacant since February 2018 and the current owner of record, Mesa Verde Assets LLC purchased the property in March 2018. City staff first became aware of serious violations in April 2018 and violation notices were sent to the owner. Construction work was observed and permits were on file for plumbing and foundation work. She explained that the management company, Main Street Renewal, requested an extension of the permits in June 2018 but at the end of the extension, the violations remained. She testified that a corporate summons was issued to the property owner which resulted in a Trial by Absentia and an assessed fine of approximately \$2,200.00 in August 2018. The property violations continued to worsen and

the home appeared to be abandoned. A complete exterior inspection was conducted and a dangerous building letter was mailed to the property owner on November 8, 2018. As of November 13, some of the violations were abated but many violations remained. A detailed list of violations was sent to the Property Manager but no response was received. She advised that the home is listed for an “as is” cash only sale since November 9, 2018. She obtained a search warrant and inspected the interior of the home on January 22, 2019. She listed the dangerous building and housing violations and stated that the interior is in an uninhabitable condition. She testified that the packet was prepared by records in the control of the Environmental Services Department with copies, Notice of the hearing and a list of violations sent by regular and certified mail to the property owner and property manager on December 28, 2018. Signature service was received from both parties. Notice of the hearing was posted in the *Carrollton Leader* on January 6, 2019 and she advised that a search found no lien holders. She summarized that the subject property was a vacant, uninhabitable single family home with housing code and nuisance violations to the extent that the structure and premises are considered dangerous per City code. City staff recommends the Board determine the structure at 2814 South Surrey Drive is dangerous, substandard, dilapidated and a hazard to public health, safety and welfare. Staff further seeks a Notice and Order for the property owner to repair or demolish the house to bring it into compliance with City codes within 30 days. If the property owner fails to complete the repairs in the specified time, staff requests the Board authorize the City to repair or demolish the structure and attach all costs as a lien against the property.

Chris Freeman, Main Street Renewal Construction Manager, 2225 E. Randol Mill Road, Arlington, Texas, and Bruce Sereika, Main Street Renewal Construction Superintendent both addressed the Board noting their intent to be good neighbors. Sereika provided copies of bids totaling \$115,000 and stated they were in agreement with the findings of staff provided to the Board. He clarified that Main Street Renewal is an arm of Mesa Verde, which is the investor and owner. He explained that he met with a contractor at the property and stated their next step would be to obtain permits for the work proposed in the bid. Freeman requested 60 days to make the repairs. Sereika stated that the house needed serious repairs noting it would have a new roof and major concrete reparations as well as fencing, electrical and plumbing work. He felt the repairs could be well underway in 30 days and completed in 60 days.

Due to the property being listed for sale, Community Services Manager Brian Passwaters advised and underscored that any Order determined by the Board would transfer to a new owner.

Sereika added that he expected they would submit application for permits in a week to 10 days. Freeman clarified that the bid was to address the violations only.

Fan noted that the violations were known by the owner since April 2018 and questioned the need for more time. Freeman explained that the bid had to first be obtained then sent to the investment group all of which takes time. Sereika stated the project was given to them a couple of weeks earlier and Freeman clarified that they are the construction people who work for Main Street Renewal hired under Mesa Verde.

Maggie Vera asked if they had received final approval of the bid and Freeman responded that they have not been given approval from the owner to proceed. Sereika added that the owner initiated the sense of urgency and are waiting to hear back from them regarding the Hearing before moving forward. He reiterated the need to have 60 days to make the repairs. He advised that the electrical and plumbing work would take a couple of weeks.

Folse asked City staff about the turnaround time for issuing permits. Building Official Brett King replied that if staff is provided all of the needed documents, the average wait time is 1½ days. He added that inspections scheduled by 7:00 am occur the same day.

Vice Chair Folmer opened the public hearing.

Bill Harrison, 2819 South Surrey, who lives directly across from the subject property, stated he was in attendance as a homeowner as well as a representative of the Country Place HOA. He stated that the property has been a real problem for the Association and the neighborhood. He added that it has deteriorated and is a danger to the neighborhood. He voiced concern that Mesa Verde was not present and stated he had doubts about the problem being corrected. He urged the Board to monitor the property very closely and added that the neighborhood would be watching.

There being no other speakers, Vice-Chair Folmer opened the floor for discussion by the Board.

Fan moved to close the public hearing; second by Folse and the motion was approved with a unanimous 8-0 vote, Pfeil absent.

Fan asked if the City had a cost projection to make the corrections and Enloe advised that she did not have any estimates. She noted that repairs made by the City would only be to the exterior to make the house weather tight and secured. She added that staff would also consider demolition.

Vera asked staff to explain how they would monitor the project to make sure it is completed in the time granted. King noted that two different departments would be involved; the Building Inspection Department would be responsible for reviewing the plans, issuing the permits and making inspections as scheduled by the contractor. The Code Enforcement Department would be monitoring the project to insure it meets the housing Code and would make the judgment regarding compliance with the Board's Order.

Pipkin moved that the structure located at 2814 South Surrey Drive, Carrollton, TX 75006 be declared dangerous, substandard and a hazard to the public's health and that a Notice and Order be sent to the property owner to abate all of the Code violations within 60 days; and if the property owner fails to comply, the City of Carrollton shall repair the violations or demolish the structure and attach the costs as a lien against the property; second by Whitley and the motion was approved with a unanimous 7-1 vote, Fan opposed and Pfeil absent.

3. **Case PSB 2019-02.** The Carrollton Environmental Services Department inspected the structure at 1834 Burning Tree Lane, Holiday Park Addition Third Section, Block 7, Lot 8 and found it to be a safety hazard. Staff has requested a hearing before the Board to issue a notice and order to repair or demolish the structure and premises within a specified period of time.

Vice Chair Folmer administered the Oath to those testifying on the case.

Code Enforcement Officer Carlos Ordonez began his testimony stating that the Board packet was prepared by him with records in and under the control of the Environmental Services Department and he asked the Board to refer to the packet for photographs and detailed ordinance information. The Title Search found the property to be owned by Alfredo B Rodriguez and Elaina Molena, and lien holders are Fleet Mortgage Corporation, the GM Group, Inc., and Hillcrest Financial Corporation. Ordonez testified that a fire occurred on August 27, 2018 at the subject site substantially damaging the exterior and interior of the single family detached dwelling and he listed the violations. He advised that the insurance company considers the structure to be non-repairable meaning not cost effective to repair. He stated that written notice of the violations and written notice of the Hearing was sent to the property owners by regular and certified mail on January 4, 2019. Notice of the hearing was posted in the *Carrollton Leader* on January 13, 2019. As of January 24, 2019, the only work that appears to have been done was to secure the structure. He further advised that on January 24, he spoke with the daughter of Elaina Molena who advised that the insurance company would pay for the demolition. City staff recommends that the Board determine the structure located at 1834 Burning Tree Lane, Carrollton, Dallas

County, TX is dangerous, substandard and a hazard to the public health, safety and welfare. Staff seeks a Notice and Order for the property owners to repair the single family structure and abate all violations or demolish the structure in 30 days; and if the property owner fails to comply, City staff requests the Board authorize the City to make repairs to the single family dwelling and abate all violations or demolish the structure and attach the costs as a lien against the property.

Folse questioned the response from the insurance company and Ordonez stated that it was his understanding from the insurance company that it was cheaper to demolish the structure and added he was unable get any further or different information.

Fan referred to the comment that the insurance company suggested demolition and asked when that occurred. Ordonez replied that when he spoke with the insurance company, they were still processing the application and doesn't know the status of the application. He advised that when he spoke with the daughter of one of the property owners, it was his understanding that the insurance company finally did say they would fund the demolition. He added that he spoke with the family just before the meeting who advised they had just met with a company today who would demolish the property and it would be approximately 1½ months before they could begin.

Folse asked if the property owner wanted to demolish the structure and Ordonez replied that he thought one of the property owners wanted to make some repairs and was why he recommended repair or demolish. He stated that if the insurance company is saying it is cheaper to demolish, then it is probably the best route.

Vice Chair Folse administered the oath to Demoria Mia (daughter), 2522 E. Trinity Mills Road, and Elaina Molena, 2500 Guerra Drive, property owner.

Demoria Mia stated she was speaking on behalf of her mother and advised that the insurance company has stated they would pay for the demolition. She advised that they received a bid and the bidder stated it would be a 3-4 week turnaround which is why they were okay with a 30 day timeframe. She explained that they would not rebuild because her mother went through a divorce but reiterated that they would have the home demolished and she provided the bid to the Board.

Fan moved to close the public hearing; second by Pipkin and the motion was approved with a unanimous 8-0 vote, Pfeil absent.

Vera moved that the property located at 1834 Burning Tree Lane, Holiday Park III, Carrollton, TX 75006, be declared dangerous, substandard and a hazard to the public's health and that a Notice and Order be sent to the property owner to abate all violations or demolish the structure within 60 days; and if the property owner fails to comply, the City of Carrollton shall demolish and attach the costs as a lien against the property; second by Fan. Fan requested that the motion be amended to be "repair or demolish" the property. Vera accepted the change to the motion. The motion was approved with a unanimous 8-0 vote, Pfeil absent.

4. **Case PSB 2019-03.** The Carrollton Environmental Services Department inspected the swimming pool structure at 1703 Station Place, Nob Hill Phase 2, Block 5, Lot 16 and found it to be a safety hazard. Staff has requested a hearing before the Board to issue a notice and order to repair or demolish the swimming pool structure within a specified period of time.

5. **Case PSB 2019-04.** The Carrollton Environmental Services Department inspected the retaining wall structure at 1703 Station Place, Nob Hill Phase 2, Block 5, Lot 16 and found it to be a safety hazard. Staff has

requested a hearing before the Board to issue a notice and order to repair the retaining wall structure within a specified period of time.

Building Official Brett King advised that cases PSB 2019-03 and PSB 2019-04 were withdrawn by staff. He further advised that at least one case scheduled for February 28 would require a super majority and asked members to let him know if they would be able to attend.

ADJOURNMENT

Pipkin moved to adjourn; second by Fan and the motion was approved with a unanimous 8-0 vote, Pfeil absent.

The meeting was adjourned at 7:20 p.m.

Chairperson

Secretary