

**BRISTOL TENNESSEE BETTER PROPERTY BOARD
MEETING MINUTES
January 23, 2020**

Members Present:

**Pamela Offield, Chairwoman
Randall Cook, Vice-Chairman
Wayne Humphrey
John Cartwright
George Noll**

Staff/Others Present:

**Cari Seaton
Cheyenne Powers
Matt Bailey
Brittany Fleenor**

Members Not Present:

Pamela Offield called the Bristol Tennessee Better Property Board meeting to order at 5:00 p.m. on Thursday, January 23, 2020. Mrs. Offield performed roll call and a quorum was declared present.

APPROVAL OF MINUTES:

There being no changes to the December 5, 2019 meeting minutes, Wayne Humphrey made a motion to approve the minutes as presented. Randall Cook seconded the motion; the motion carried unanimously.

Preliminary Investigations

None

Public Hearing

A. 2442 Broad Street

Code Enforcement received numerous complaints regarding this property due to the dilapidated conditions of the exterior and interior of the home, as well as the junk and debris in the back yard. Staff made entry into the home in July and gave the owner a list of issues that need to be corrected. The home is lacking required sanitary facilities, has exposed wiring, faulty plumbing, and no insulation or wall coverings. The home has been posted "Unfit for Occupancy" for these reasons. Staff appeared in court with the owner, Brittany Haskins, on multiple occasions. The judge imposed a civil penalty of \$50.00 a day on August 15, 2019. A permit was issued, but the owner has failed to comply with Code Enforcement by not requesting inspections or responding to calls or emails. Code Enforcement obtained an inspection warrant and made entry into the home after being denied entry by the property owner. There has been no obvious work done on the interior of the property. The property is currently 2 years behind on taxes and still under the \$50.00 a day civil penalty. The damage assessment is estimated to be 38.8%. Staff recommended that the Board issue an Order to Repair.

The Board opened the floor for members of the public to speak on this matter. Daniel Justice, next door neighbor, stated that the home is a disgrace to the neighborhood. He stated that he and his wife are trying to sell their home, but all interested buyers have immediately turned away once they see the property next door. Seeing as the owner is making no attempt to repair and clean up the property, Mr. Justice asked the Board to do something to encourage the owner to fix the property.

Matt Bailey stated that he did the damage analysis, and the biggest thing is that the issues are cosmetic not structural, and that is what makes the biggest difference in the assessment. Discussion ensued, and Cheyenne Powers stated that, on February 13, she is going to have an interim judgement entered. This means the court may begin to collect the fines on the owners. Cari Seaton stated that this is a personal judgement so there is not anything that can be done as far as the City selling or foreclosing on the home until the taxes can be pursued in April. This issue is currently in City court, and Ms. Seaton stated that her advice would be for the neighbors to pursue a private action because, ultimately, this is a civil issue. Nevertheless, if the taxes aren't paid then the property will be in the next tax sale.

Discussion ensued, and the Board agreed that this property will end up in the tax sale. In the event that the property is sold the new owners could present the situation in court, and the judge may waive the redemption period.

John Cartwright made a motion to issue an Order to Repair due to a number of issues that need to be corrected including sanitary facilities, exposed wire, faulty plumbing, no insulation or wall covering, and general "Unfit for Occupancy." Wayne Humphrey seconded the motion. Randall Cook asked if there should be a time limit on the Order to Repair. Discussion continued, and John Cartwright amended the motion to an Order to Repair with a 60 day deadline of March 26, 2020. Wayne Humphrey seconded the revised motion; the motion carried unanimously.

B. 404 Pennsylvania Avenue

There has been an active case on this property since 2010 due to the dilapidating conditions of the home. The property owner, Virginia Trent, pulled a permit and made a good faith effort to restore and repair the issues. There was a house fire at the home in 2018, and the home was posted "Unfit" at that time. The structure is currently open, unsecure, and exposed to weather. There is extensive fire damage, a faulty electrical system, broken windows, and sinking floors. Ms. Trent has been on the waiting list to receive a grant to have her house demolished and rebuilt; however, the Historical Association has determined that the house is still considered a contributing factor to the historical neighborhood. Therefore, our Community Development Specialist is at a standstill to use her HUD funds to rebuild the structure. Staff recommended an Order to Demolish based on the overall condition of the structure and the damage assessment totaling 94.7%.

John Cartwright made a motion to issue an Order to Demolish due to the damage assessment of 94.7%. George Noll seconded the motion; the motion carried unanimously.

A. None

Old Business

A. None

Progress Report

A. 124 16th Street

The Board issued an Order to Demolish at the October 24, 2019 meeting based on a 54% damage estimate and overall condition of the home. The bank began their foreclosure process on November 20, 2019, and the property sold at an online auction on January 8, 2020. Staff has been in contact with the new owner, whom is a licensed contractor, regarding the property and advised him to attend this meeting to speak with the board about a cleanup and repair plan. Staff recommended that the Order to Demolish be rescinded and an Order to Repair be issued.

The Board opened the floor for the new owner, Richard Hollenczer, to speak. He stated that he bought the home at an online auction on January 8, 2020, and has run into problems with the title. Everything seems to be working out now, and in the next couple days the contract should be signed. His hopes are to repair the property so that he may reside there. He believes he can make the necessary repairs in a 3 month timeframe.

John Cartwright made a motion to rescind the Order to Demolish. Randall Cook seconded the motion; the motion carried unanimously. Randall Cook made a motion to issue an Order to Repair with a progress report at the March 26, 2020 meeting, and a completion date of May 28, 2020. John Cartwright seconded the motion; the motion carried unanimously.

B. 749 Beechwood Drive

There was a fire at this home in 2016. The Board issued an Order to Repair with a 60 day deadline at the March 29, 2019 meeting. The property sold to Nathaniel Leonard in May 2019. The demo permit has been passed, and a mechanical permit was issued in November to replace the HVAC system. No inspections have been requested or performed. The standing wall outside that has the breaker box attached is what was salvaged from the accessory structure that was demolished. There has been no contact between the property owner and Codes Enforcement. Staff requested the Board's direction on what the next steps should be.

Discussion ensued, and the Board agreed that staff should open a court case regarding the junk & debris at the property and then update them with the response from the court.

C. 1713 Anderson Street

This property had a structure fire in July 2019. The owner, Mr. Stiltner, made contact shortly after the fire to obtain a right of entry but has not responded to any calls or letters since then. The Board issued an Order to Demolish at the September 26, 2019 meeting based on a damage assessment of 80.4%. The taxes have been made current, and the property will no longer be in the 2020 tax sale. However, there still hasn't been any communication with Mr. Stiltner. Codes Enforcement is currently working with the Community Development Specialist to obtain a block grant to demolish the property without using city funds.

D. 1709 Maryland Avenue

The Board issued an Order to Repair and clean-up of the exterior at the June 27, 2019 meeting. A permit was issued to the owner on June 21, 2019, and the clean-up and repairs began that day. However, there has been no work done on the property for several months. Codes Enforcement appeared in court on September 26, 2019, where the property owners were both present. The judge allowed an additional 30 days to secure the property, cut the overgrowth, and make contact with Codes to discuss further repairs. Court was reset for October 24, 2019, where the judge found the property to be in compliance as far as cleaning up the exterior, and the case was dismissed. Staff contacted the owner to inform him of the deadline for repairs of January 23, 2020. The owner has

not done any more work on the property. The building permit has expired, and the property is currently 2 years behind on taxes. Staff requested the Board's guidance on the next steps to take for this property.

Discussion ensued, and the Board agreed that staff should open a court case regarding the exterior of the property. Wayne Humphrey made a motion to have a progress report on this property at the February 27, 2020 meeting. John Cartwright seconded the motion; the motion carried unanimously.

E. 1455 E. State Street

The Board issued an Order to Demolish at the October 24, 2019 meeting, due to a damage estimate of 54.2%, the overall dilapidation and illegal use of the accessory structure. The owner has removed some of the junk and debris, but a demo permit has not been obtained. Staff has spoken with the City's Purchasing Agent, and she has initiated the process to obtain bids for demolition.

F. 304 McSherry Lane

The Board issued an Order to Demolish and clean up the property at the June 27, 2019 meeting. Staff tried to work with the family and property manager to allow them additional time to remove the structure. However, there has been no communication and very little effort has been made toward the demolition. The City's Purchasing Agent has initiated the process to obtain bids for demolition.

G. 902 Windsor Avenue

The owner has continued work on the property. The junk and debris pile has been cleaned, and the moisture barrier on the roof has been completed. The current repair permit expires in June 2020 and will have a 6 month extension with each inspection that is performed and issued. Staff recommended a progress report at the March 26, 2020 meeting.

Wayne Humphrey made a motion to have a progress report at the March 26, 2020 meeting. Randall Cook seconded the motion; the motion carried unanimously.

H. 1133 Anderson Street

There has been no apparent work done or inspections requested or performed on this property. The owner previously advised that the stall in work was due to illness on both he and his contractors' part. The property is scheduled for the upcoming tax sale, unless the taxes are paid before then. Staff recommended a progress report at the February 27, 2020 meeting.

The Board opened the floor to the owner, Mr. Galliher. He stated that the contractor has replaced the rafters and is ready for a rough end inspection. They will be replacing the entire roof due to further damage that was discovered. He also stated that he just paid the taxes, so the property won't be in the upcoming tax sale.

Wayne Humphrey made a motion to have a progress report at the February 27, 2020 meeting. John Cartwright seconded the motion; the motion carried unanimously.

Future Progress Reports

A. 948 Hill Street

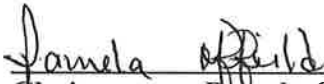
B. 1707 Maryland Avenue

Other Business

None

Adjournment

With no other business to discuss, the meeting was adjourned at 5:58 p.m.



Chairwoman, Pamela Offield