

## **Quasi-Judicial Hearing**

**February 10, 2022**

**Magistrate Libby called the meeting to order at 8am.**

**Jim Talley Code Enforcement, Mark Hodges Building Inspector, Attorney Tim Sloan present**

**109 Blackshear Dr – Target GC LLC not in attendance**

Mail was returned yesterday per code enforcement, will resend, and reschedule hearing.

**507 N 11<sup>th</sup> St – Harry Vorderbrug (son of Janice) and all parties sworn in at 8:05**

Apartment behind house has roof damage. Building inspector states unfit/unsafe in present condition. City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Permit previously pulled on location is expired, will pull new permit after mediation with insurance company on March 9<sup>th</sup>. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**723 N 9<sup>th</sup> Plaza – Oliver Canaday and all parties sworn in at 8:15**

Roof damage, plywood on window openings. No permits pulled on property, unfit/unsafe due to roof per building inspector, City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**7:39 N 9<sup>th</sup> Plaza – Lois Harris not in attendance, all other parties sworn in at 8:24**

House with roof damage and side damage. Building inspector stated unfit due to roof and cladding damage. City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**4825 E 2<sup>nd</sup> St J Patel and all other parties sworn in**

Home located at 910 Center St – had own address previously but now one parcel. No permits on location, roof missing. Unfit/unsafe due to roof per building inspector, City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**5000 E Bus 98 – Kevin Rose deceased -Jerry Forehand under contract to buy property – all parties sworn in at 8:41**

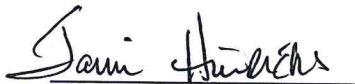
Processed hearing as a “no show”, new owner will inherit order. City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**6091 E Bus 98 – Estate of Michael Cahill – attorney for estate Adam Hood present – all other parties sworn in at 8:50**

End unit with extensive roof damage. City asks for 31 days to pull permit for demo or repair and daily fine to start after 31 days. Insurance claim paid, mortgage in foreclosure, hearing for foreclosure not set as of yet. Suggested that Hood contact attorney for Regions Bank as they are the mortgage holder. Magistrate rules for the city after they presented a preponderance of competent and substantial evidence, 31 days to pull permits or daily fine will begin.

**4919 S Lakewood – Attorney Tony Nasser and Sam Nasser, owner, via Zoom**

Order given December 2, 2021; Owner filed motion to stay the fines. City declared the property an imminent public health hazard on February 3, 2022, and property cleared on February 4<sup>th</sup>. Original fine of \$7500, 539 fees, daily fine of \$8500 (34 days times \$250). Owner stated he tried to demo in December, permit not issued. No code violations were present when search was done in March of 2020, order was placed on property in March of 2021. Previous owner did not make Mr. Nasser aware of the order on the property when he took ownership of the home. Magistrate ruled to stay the fine.

A handwritten signature in cursive script, reading "Jami Hinrichs", written in black ink. The signature is fluid and stylized, with the first name "Jami" and last name "Hinrichs" clearly distinguishable.

Jami Hinrichs, City Clerk